



2015

COUNCIL BUSINESS PAPERS

Ordinary Meeting | WEDNESDAY 18 FEBRUARY 2015



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11 February 2015

Dear Councillor

MEETING NOTICE
Ordinary Meeting
Wednesday, 18 February 2015
Open Day at 5.30pm

Council Meeting commencing at conclusion of Open day

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

Members of the public may address the Committee Meeting at Open Day. Speakers are given 5 minutes to outline any issue of relevance to the Council. If you wish to speak at Open Day please contact the Mayor's Office on 1300 765 002 or 02 6378 2850 by 3.00 pm on the day of the meeting. Alternatively, please make yourself known to the General Manager prior to the commencement of the meeting.

Yours faithfully

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

BRAD CAM
GENERAL MANAGER

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Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 17 December 2014

Council Decision:

That the Minutes of the Ordinary Meeting held on 17 December 2014, Minute Nos 539/14 to 582/14 be taken as read and confirmed.

3.2 Minutes of Extraordinary Meeting held on 4 February 2015

Council Decision:

That the Minutes of the Extraordinary Meeting held on 4 February 2015, Minute Nos 1/15 to 7/15 be taken as read and confirmed.

The Minutes of the Ordinary Meeting and Extraordinary Meeting are attached overleaf.

Mid-Western Regional Council

Date: 17 December 2014

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on Wednesday 17 December 2014, commencing at 5.56pm and concluding at 7.37pm.

PRESENT	Cr D Kennedy (Mayor), Cr P Cavalier (Deputy Mayor), Cr EE Martens (AM), Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb.
IN ATTENDANCE	General Manager (B Cam), Director Operations (D Colwell), Acting Director Development (G Bruce), Director Corporate (C Phelan), Director Community (S Jones), Corporate Communications Officer (P Goldsmith).
MEDIA REPRESENTATIVES	Mudgee Guardian / The Weekly (E Watson), Radio 2MG (M Heldon).

Item 1: Apologies

An apology was received for the absence of Councillor White.

539/14 MOTION: Cavalier / Martens

That the apology for the absence of Councillor White be received and leave of absence granted.

The motion was carried with Councillors voting unanimously.

Item 2: Disclosure of Interest

Councillor Kennedy declared a pecuniary conflict of interest in Item 6.3.2 as he is the owner of the property.

Councillor Walker declared a non-pecuniary conflict of interest in Item 6.3.15 as he is the owner of the land.

Councillor Thompson declared a non-pecuniary conflict of interest in Item 6.3.5 as he has an association with the Gulgong Race Club.

Item 3: Confirmation of Minutes

540/14 MOTION: Walker / Webb

That the Minutes of the Ordinary Meeting held on 3 December 2014 (Minute Nos. 519/14 to 538/14) be taken as read and confirmed, with the recording of minute number 537/14 be amended to read as follows:

Page 1 of the Minutes of the Ordinary Meeting of Council held on Wednesday 17 December 2014.

Mayor

General Manager

537/14 MOTION: White / Cavalier

That:

1. the report on Regional Aviation Services be received;
2. Council approve in principle financial assistance for the establishment of an RPT service between Mudgee and Sydney including:
 - \$195,000 as a financial grant to help cover initial establishment costs (in 3 monthly instalments of \$95,000, \$50,000 and \$50,000 commencing in February 2015)
 - 12 x monthly payments of \$15,000 in the first 12 months of operations to support the employment of relevant staff as required by CASA regulations
 - In-kind marketing and promotional activities to the value of \$12,000 related to the launch of the service over the first 3 months
 - Exemption from paying landing fees for the first 12 months (estimated income amount of \$60,000)
 - Provision of check-in and ground handling staff to facilitate ground operations at Mudgee airport (estimated expense of \$115,000 per annum) for the first 24 months
3. Council places the intention to provide financial assistance as outlined above on public exhibition from 12 December 2014 to 23 January 2015;
4. The General Manager or his delegate prepares a further report back to Council following the exhibition period to consider the financial assistance proposal.

The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens	✓	
Cr Shelley	✓	
Cr Thompson		✓
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb	✓	
Cr White	✓	

The motion was carried with Councillors voting unanimously.

Mid-Western Regional Council

Date: 17 December 2014

Item 4: Matters in Progress

Noted.

Item 5: Mayoral Minute

There was no Mayoral Minute.

Item 6: General Business**6.1 RESCISSION MOTION****COUNCIL MEETINGS – CHANGE TO ONE PER MONTH**

GOV400023, GOV400038

MOTION: Thompson / Martens

That the Council's decision on 3 December 2014 to:

1. Council trial a new way of administering Council business, and that two sessions be planned monthly for a period of five months in 2015 as outlined below:

Ordinary Council meetings to be held once per month on the following dates:

Wednesday, 18 February 2015
 Wednesday, 18 March 2015
 Wednesday, 15 April 2015
 Wednesday, 20 May 2015
 Wednesday, 17 June 2015

And that Council acknowledges that from time to time, extraordinary Council meetings may need to be called for matters of urgency, and that these be held where possible on the first Wednesday of each month.

2. Council run monthly Strategic Policy Workshops on the same day as the Ordinary Council meeting:
3. Council invite members of the public to address Council prior to the beginning of all Council Meetings.
4. Council increase the delegation to the General Manager to \$2,000,000 in order to minimise any impact on DA processing times.

be and is hereby rescinded.

The motion was put and lost on the Mayor's casting vote with Councillors voting as follows: ✓

Page 3 of the Minutes of the Ordinary Meeting of Council held on Wednesday 17 December 2014.

 Mayor

 General Manager

Mid-Western Regional Council

Date: 17 December 2014

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	
Cr Walker		✓
Cr Weatherley	✓	
Cr Webb	✓	

MOTION:

That any alteration to the number of Council meetings, times and dates be advertised for public comment.

As the rescission motion was lost, this item was not debated.

6.2 NOTICES OF MOTION**6.2.1 AIR SERVICE DUE DILIGENCE**

GOV400022, GOV400038

MOTION:

That Council conduct due diligence to ensure that the proposed air service company is sustainable and will be a genuine solution for air services in our region.

The item was withdrawn.

6.2 REPORTS TO COUNCIL

6.3.1 DA 0129/2015 - DEMOLITION AND RECONSTRUCTION OF EXISTING BP SERVICE STATION INCLUDING NEW SHOP BUILDING, NEW CANOPY & SIGNAGE, REPLACEMENT OF FUEL TANKS AND UPGRADING OF FORECOURT AREA AT LOT 41 DP 998528, 77 CHURCH STREET MUDGE

GOV400038, DA012915

541/14**MOTION: Walker / Weatherley****That:**

1. the report by the Statutory/Strategic Planner on the DA 0129/2015 - Demolition and Reconstruction of Existing BP Service Station Including New Shop Building, New Canopy & Signage, Replacement of Fuel Tanks and Upgrading of Forecourt Area at Lot 41 DP 998528, 77 Church Street Mudgee be received;

Mid-Western Regional Council

Date: 17 December 2014

2. DA 0129/2015 - Demolition and Reconstruction of Existing BP Service Station Including New Shop Building, New Canopy & Signage, Replacement of Fuel Tanks and Upgrading of Forecourt Area at Lot 41 DP 998528, 77 Church Street Mudgee be approved subject to the following conditions of consent:

APPROVED PLANS

1. Development is to be carried out generally in accordance with stamped plans identified in the table below and the Application received by Council on 17 October 2014 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

PLAN DESCRIPTION	DRAWING NO.	REVISION	DRAWN BY	DATED
Existing Site Plan	SK-08933-A001	A	Meinhardt Australia Pty Ltd	23.09.14
Demolition Plan	SK-08933-A002D	A	Meinhardt Australia Pty Ltd	30.10.14
Proposed Site Plan	SK-08933-A003	A	Meinhardt Australia Pty Ltd	03.10.14
Proposed Elevations A & B	SK-08933-A004	A	Meinhardt Australia Pty Ltd	30.09.14
Proposed Elevations C & D	SK-08933-A005	A	Meinhardt Australia Pty Ltd	30.09.14
Signage Details	SK-08933-A006	A	Meinhardt Australia Pty Ltd	30.09.14
BP Shop Plan & Elevations	SK-08933-A007	A	Meinhardt Australia Pty Ltd	23.09.14
19m B-Double Tanker Path	SK-08933-A008	A	Meinhardt Australia Pty Ltd	30.09.14
Garbage Truck & Car Turning Path	SK-08933-A009	A	Meinhardt Australia Pty Ltd	30.09.14
Sedimentation & Erosion Control Plan	SK-08933-A010	A	Meinhardt Australia Pty Ltd	30.09.14
Drainage Plan	SK-08933-A011	A	Meinhardt Australia Pty Ltd	30.09.14

GENERAL CONDITIONS

2. Plant species used in the landscaping in the north-east corner appropriately advanced trees and shrubs, be drought/frost tolerant and generally endemic to the Mid-Western region. The landscaping is to be established prior to occupation.
3. 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.
4. 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.
5. The air conditioning unit/s must be operated in accordance with the requirements of the Protection of the Environmental Operations Act (Noise Control) Regulation 2008.
6. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.

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Mayor

General Manager

7. All loading and unloading in connection with the premises shall be carried out wholly within the site.
8. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
9. No display or sale of goods is to take place from public areas or footpaths fronting the premises.
10. All waste generated by the proposed development shall be disposed of to an approved location in accordance with the Waste Minimization & Management Act 1995.
11. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
12. The signage is to be securely affixed and is not to flash, move or be objectionably glaring.
13. Illumination of the canopy fascia is not permitted under this consent.
14. The boundary fence proposed along the eastern boundary of the site (adjoining Lot 1 DP 199187) is to be solid (i.e. no gaps), 1.8 metres in height and constructed of either colorbond steel or be lapped and capped timber fencing.
15. The removal and installation of the underground petroleum storage tanks is to be carried out as per the requirements of the Protection of the Environment Operation (Underground Petroleum Storage Systems) Regulation 2008.
16. As the existing premises with a refuelling point will be refurbished, in accordance with the NSW Office of Waters' requirements, the discharge from this area must be disconnected from Council's sewerage system. Where the premises do not have other trade waste discharges (eg. from a restaurant, vehicle wash, mechanical workshop), trade waste fees and charges would no longer apply.
17. A Notice of Completion for the remediation work is to be provided to Council within 30 days after the completion of work and shall include the following details prescribed by State Environmental Planning Policy 55 – Remediation of Land:
 - a) be in writing prepared and signed by the person who carried out the work, and

- b) provide the person's name, address and business telephone number, and
 - c) provide details of the person's qualifications to carry out the work, and
 - d) specify, by reference to its property description and street address (if any), the land on which the work was carried out, and
 - e) provide a map of the location of the land, and
 - f) state when the work was completed, and
 - g) specify the uses of the land, and the substances, that contaminated it in such a way as to present a risk of harm to human health or some other aspect of the environment, and
 - h) specify the uses of the land immediately before the work started, and
 - i) briefly describe the method of remediation used in the work, and
 - j) specify the guidelines that were complied with in the work, and
 - k) specify the standard of remediation achieved (in the light of the use proposed for the land), and
 - l) show in what manner the work (if a category 1 remediation work) complied with the conditions of the relevant development consent, and
 - m) state what action must be maintained in relation to the land after the completion of the remediation work if the standard of remediation achieved is to be maintained.
18. Closed-Circuit Television (CCTV) cameras are to be installed around the site in locations that are able to capture the registration plates of all vehicle entering and exiting the site. The cameras should provide adequate coverage of the premises and forecourt areas.
19. Independent security officers are to be employed by the operators of the service station between the hours of 12am till 5am Saturday and Sunday.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

20. Development Consent number DA 0504/2013 is to be surrendered to Council in accordance with clause 97 of the Environmental Planning & Assessment Regulation 2000 prior to the issue of a Construction Certificate.
21. A floor plan of the control building, including floor layout, internal partitioning, room sizes and intended uses for each part of the building, is to be submitted to Council for approval prior to the issue of a Construction Certificate.
22. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the release of the Construction

Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5 year event. All storm water detention details including analysis shall be included with the drainage report.

23. 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.
24. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 (Twenty million dollars) is to be provided to Mid-Western Regional Council. Mid-Western Regional Council is to be indemnified against any works carried out by the contractor.
25. A registered Surveyors Certificate showing the boundaries of the site and the proposed building plotted thereon being submitted to the Principal Certifying Authority before construction is commenced.
26. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.

PRIOR TO THE COMMENCEMENT OF WORKS

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

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

28. 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

29. Prior to the commencement of works on site, the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property.

ENGINEERING CONSTRUCTION

30. The developer must install sewer chambers where the current sewer line intersects the north and south of the property boundary. The current vitrified clay pipe must be replaced with class 8 uPVC of at least equal internal diameter. The replacement pipe must be concrete encased as per WSAA 02-2002 drawing SEW-1205. Saw cuts must be provided 1.5m either side of the replacement pipe within the proposed concrete area.

NOTE: Any work on live sewer mains must be done by Council.

31. Raised kerbing is to be constructed around the site, as per the approved site plan, to separate pedestrian traffic from vehicles manoeuvring within the forecourt area.
32. Car parking spaces are to be provided within the site, as per the approved plans, and comply with AS 2890.1: 2004 and the following requirements:
- a) Each parking space is to have minimum dimensions of 5.5m x 2.4m;
 - b) Each disabled car parking space is to be in accordance with the provisions of AS 2890.6: 2009.
 - c) All car parking spaces are to be line-marked and provided with a hard standing, all weather compacted gravel surface and must be maintained in a satisfactory condition at all times;
 - d) Off street parking is to be encouraged by the placement of prominent signs indicating the availability of parking.
33. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the Developer's/Demolisher's expense.
34. All stormwater is to discharge to the street with the use of non-flexible kerb adaptors. Please note this can be achieved by connecting to existing stormwater lines.

BUILDING CONSTRUCTION

35. All building work is to comply with the requirements of the Access to Premises Standard
36. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
37. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.

38. Construction work noise that is audible at other premises is to be restricted to the following times:
Monday to Saturday - 7.00am to 5.00pm
- No construction work noise is permitted on Sundays or Public Holidays.
39. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
40. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-
- a) Demolition work is not be undertaken until:
Council has been provided with a copy of any required Hazardous Substances Management Plan;
The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
 - b) The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001
 - c) All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency;
 - d) Seven working days notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.
41. 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.
42. The strength of the concrete used for the reinforced concrete floor slab must be a minimum 25Mpa
43. If the work involved in the erection/demolition of the building;
- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b) building involves the enclosure of a public place
44. 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.
45. The placing of building materials or the carrying out of building operations upon or from Council's footway or roadway is prohibited unless prior consent in writing is obtained from Council.
46. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
- a) stating that unauthorised entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c) the name, address and telephone number of the principal certifying authority for the work,
 - d) The sign shall be removed when the erection or demolition of the building has been completed.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

47. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
48. All car parking and associated forecourt works are to be completed prior to occupation of the development.
49. Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the

Mid-Western Regional Council

Date: 17 December 2014

schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.

The motion was carried with Councillors voting unanimously.

6.3.2 DA0152/2015 – PROPOSED STAGED 135 LOT LOW DENSITY
SUBDIVISION – LOT 1 DP 1000182 – 220 ULAN ROAD
MUDGEE

Councillor Kennedy declared a pecuniary conflict of interest in Item 6.3.2 as he is the owner of the property, left the meeting at 6.12pm and did not participate in any discussion or vote in relation to this matter. In his absence, the Deputy Mayor assumed the Chair.

542/14 MOTION: Walker / Weatherley GOV400038, DA0152/2015

That:

1. the report by the Town Planner on Development Application 0152/2015 – Proposed Staged 135 Lot Low Density subdivision – Lot 1 DP 1000182 – 220 Ulan Road Mudgee be received;
2. Development Application 0152/2015 – Proposed Staged 135 Lot Low Density subdivision – Lot 1 DP 1000182 – 220 Ulan Road Mudgee be approved subject to the following conditions:

APPROVED PLANS

1. Development is to be carried out generally in accordance with stamped plans
 - Drawing Number 22225-C00 Cover Sheet
 - Drawing Number 22225-C01 Existing Site Plan
 - Drawing Number 22225-C02 Proposed Lot Plan
 - Drawing Number 22225-C03 Proposed Staging Plan
 - Drawing Number 22225-C04 Proposed Services Plan - Sewer
 - Drawing Number 22225-C05 Proposed Services Plan - Water
 - Drawing Number 22225-C06 Proposed Services Plan - Stormwater

and the Application received by Council on 4 November 2014 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE – CIVIL

2. 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).

3. Demonstration through provision of an Engagement Letter that the Subdivision has been registered with Telstra Smart Communities prior to issue of the Construction Certificate.
4. 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) 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.
5. 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.
6. A Construction Certificate is required for, but not limited to, the following civil works;
 - Water and sewer main infrastructure
 - 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.
7. A detailed engineering design supported by plans, and an "Autocad compatible" Plan, (in dwg format including pen-map), material samples, test reports and specifications are to be prepared in accordance with AUS-SPEC #1 (as modified by Mid Western Regional Council) and the conditions of this development consent. The engineering design is to be submitted to and approved by Council prior to the issue of a *Construction Certificate*.
8. A detailed engineering design is to be submitted to and approved by Council prior to the issue of a *Construction Certificate*. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B and D.

9. Where the development requires access to private land, the developer shall provide Council with documentary evidence that an agreement has been entered into with the landholder prior to issue of a Construction Certificate. If utilities are to be located within the private land, an easement is to be created prior to release of the Construction Certificate.
10. 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.
11. Confirmation from Mudgee Local Aboriginal Land Council is to be provided stating that the identified aboriginal camp site has been contained wholly within proposed lot 26 prior to the issue of Construction certificate for stage 1.

Any registered easements or restrictions applicable to the site are to be removed from the title prior to the issue of a construction certificate for that stage to which the easement or restriction may apply.

PRIOR TO THE COMMENCEMENT OF WORKS

13. A Traffic Control Plan (TCP) completed by a "Certified Person" for the implementation during works is to be submitted to Mid Western Regional Council prior to any work commencing
14. Contractor's public liability insurance cover for a minimum of \$20,000,000 is to be sighted and to be 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.
15. 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.

16. Prior to commencement of works, the submission of possible street/road names in order of preference, for the proposed new roads within the subdivision, are to be submitted to Council for approval.
17. Prior to development the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property before commencement of works. The applicant shall repair (at their own expense) any part of Council's property damaged during the course of this development in accordance with AUS-Spec #1/2 (as modified by Mid-Western Regional Council) and any relevant Australian Standards.
18. 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.
19. 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.

INFRASTRUCTURE

Stormwater Drainage

20. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Runoff (2001) for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 100-year ARI. All storm water detention details including analysis shall be included with the drainage report.
21. The trunk drainage system must be designed such that discharge from the subdivision satisfies the following water quality targets:

Post Development Stormwater Pollution Reduction Targets

- Total Suspended Solids (TSS) – 85% reduction of the typical annual load
- Total Phosphorus (TP) – 65% reduction of the typical annual load
- Total Nitrogen (TN) – 45% reduction of the typical annual load
- 90% of gross pollutant loads, oil and grease retained on-site

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

22. 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.

23. Interallotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with AusSpec #1. An easement not less than 1.0m shall be created in favour of the upstream allotments for any Interallotment drainage.
24. 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 the installation of the kerb and gutter.
25. 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.
26. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of stormwater occur on adjoining land as a result of this development.

ROADS

27. The intersection of the new road within the subdivision and the Ulan Road is to be designed and constructed to comprise;
 - A full length Rural Channelised T-junction – Full length (CHR) is to be provided in accordance with Figure 7.7 of *Austrroads Guide to Road Design 2010 – Part 4A: Guide to Unsignalised and Signalised Intersections and RMS Supplements*;
 - A Rural Auxiliary Left Turn Lane Treatment (AUL) on the major road is to be provided in accordance with Figure 8.4 of *Austrroads Guide to Road Design 2010 – Part 4A: Guide to Unsignalised and Signalised Intersections and RMS Supplements*;
 - All existing and proposed utility services shall be located clear of existing road pavements.
28. All internal roads within the subdivision must be designed and constructed to the following standards:

Road 1 and 2

Item	Requirement
Full Road Pavement Width	13 m (2 x 3.5m travel lanes and 2 x 3m sealed shoulders/parallel parking lanes)
Nature Strip	2 x 4.5m
Concrete Footpaths	2.5m Wide
Seal	Two-coat flush seal -14/7 mm (Double/ Double) as required

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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 5, 6 and 8

Item	Requirement
Full Road Pavement Width	11 m (2 x 3.5m travel lanes and 2 x 2m sealed shoulders)
Nature Strip	2 x 4.5m
Concrete	1.2m Wide
Footpaths	
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, 9, 10 and 14

Item	Requirement
Full Road Pavement Width	8m (2 x 4m travel lanes)
Nature Strip	2 x 4m
Concrete	Nil
Footpaths	
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 7, 11, 12 and 13

Item	Requirement
Full Road Pavement Width	9 m (2 x 3.5m travel lanes with 2x1m sealed shoulders)
Nature Strip	2 x 4.5m
Concrete	1.2m
Footpaths	
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

29. The submission to Council of engineering design plans for any road works shall include pavement and wearing surface investigation and design.
30. 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 kerb and gutter.

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31. 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.
32. All water mains and associated fittings/valves should not be installed underneath a concrete structure such as the footpath.
33. All required earthworks for roads associated with the subdivision must have compaction testing in compliance with RMS Q4 and AUS-SPEC CQS-A.
34. 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.
35. All internal roads must be designed with design speed of 60km/hr.
36. Street signs necessitated by the subdivision are to be installed in accordance with Aus-Spec #1 and Council standards.
37. A Give Way sign is required to be installed on the internal subdivision road at the junction with Ulan Road.
38. 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 80km/hr for traffic leaving the subdivision.
39. 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.

WATER AND SEWER

40. 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 each stage of 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 sewer pump stations and the payment of section 64 developer contributions.

41. 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 water, or sewerage reticulation components 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 release of the Construction Certificate.

42. The proposed sewer pump station to be located on proposed lot 103 is to be constructed above the probable maximum flood level. Details to be provided with the relevant Construction Certificate stage.

EARTHWORKS

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

Contributions and other charges

44. In accordance with the provisions of s.94 of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94 Developer Contributions Plan, the developer will contribute a contribution per lot of \$6,737.00 (excluding house lot). The contributions are to be paid at the lodgement of the Subdivision Certificate for each stage.

Catchment 2

Section 94 Contributions

Transport Management	
Traffic Management	\$1196.00
Open Space	
Local Open Space	\$1878.00
District Open Space	\$2549.00
Community Facilities	
Library Buildings	\$246.00
Library Resources	\$295.00
Administration	
Plan Administration	\$573.00
Total per lot	\$6737.00

NOTE: Developer Contributions and all other fees and charges are subject to Consumer Price Index increase at 1 July each year. Please contact Council's Development Department regarding any adjustments.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

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

NOTE: 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.

Council's fee to issue a Subdivision Certificate is set out in Council's fees and charges.

46. Following completion of the subdivision works, one full set of Work-As-Executed plans, in pdf and dwg format, which is "AutoCAD compatible", is to be submitted on disk to Council. All Work-As-Executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.
47. Underground electricity, street lighting and telecommunications are to be supplied to the subdivision. Prior to issue of the *Subdivision Certificate*, Council is to be supplied with:
- (a) A certificate from an energy provider indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.
 - (b) A letter from Telstra indicating that they accept acquisition of the infrastructure provision of telecommunication services to the subdivision.
48. Prior to the issue of a *Subdivision Certificate*:
- (a) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
 - (b) an agreement be made between the developer and Council; be paid to Council in accordance with this condition for the purpose of:
 - i) as to the security to be given to Council that the works will be completed or the contribution paid, and
 - ii) as to when the work will be completed or the contribution paid.
49. Following completion of all engineering works, a defect liability bond of 5% of the value of such works (not carried out by Council) shall be lodged with Council for a twenty four month (24) period to ensure that any defects in such works are remedied by the developer.

Note: The bond may be provided by way of a monetary deposit with the Council or a bank guarantee to the satisfaction of the Council. The bank guarantee must not specify any time limitations on the operation of the guarantee.

50. The developer is to ensure that all defects in the works that become apparent within twenty four (24) months of Council accepting the works on maintenance are remedied to Council's satisfaction. If these defects are not satisfactorily remedied, Council may use bond money to carry out rectification.

Note: Any unspent bond money will be returned to the developer at the end of the twenty four (24) month period, less the estimated cost of any outstanding works.

51. The applicant shall repair in accordance with Aus-Spec# 1 and Council Standard Drawings any part of Council's property damaged during the course of this development.

GENERAL

52. The subdivision works are to be inspected by the Council (or Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction encompassing the following stages of construction:
- (a) Installation of sediment and erosion control measures
 - (b) Water and sewer line installation prior to backfilling
 - (c) Establishment of line and level for kerb and gutter placement
 - (d) Road pavement construction
 - (e) Road pavement surfacing
 - (f) Practical completion

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.

53. If the Subdivision Certificate is not issued within the financial year of the date of determination, then the charges and contributions contained in this consent will be increased by CPI at the time of payment.
54. 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 2.2.3 of AS2870 - 1996. Results are to be submitted to Council prior to issue of the *Subdivision Certificate*.
55. The development is to be provided with completed drainage, pollution traps and open space areas as detailed in the approved landscape plans for each stage of the development. Any drainage or open space area within or adjacent to a stage is to be completed prior to the release of the *Subdivision Certificate* for that stage.
56. 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
57. All open space areas are to be levelled, top soiled, turfed with the installation of an in ground irrigation system prior to the release of the *Subdivision Certificate*. The developer will maintain these areas for a period of two (2) years from the release of the *Subdivision Certificate*.
58. A shared Pedestrian/bicycle path is to be provided from the new entrance to the Southern boundary on Ulan Road. Engineering

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details of the access are to be provided with the construction certificate documentation for stage 3. The access is to be completed prior to the issue of subdivision certificate for stage 3.

59. An acoustic assessment be prepared by a qualified acoustic engineer and that any recommendations arising from the report be required to be implemented during construction.
60. A Restriction as to User is to be registered on the title of proposed lots 37, 39, 40, 41, 42, 43, 44, 45, 60, 63, 69 and 70 stating that no direct access to Ulan Road is permitted.
61. The landscaped buffer along Ulan Road is to be extensively landscaped to provide a visual separation between Ulan Road and the subdivision. The landscaping is to incorporate both low and high growing species. Landscaped plans are to be submitted with the Stage 1 Construction Certificate and works completed prior to the issue of subdivision certificate for stage 1.
62. A detailed contamination site investigation is to be undertaken of the diesel tank and included with the construction certificate documentation for Stage 4. Any remediation measures included in the assessment must be completed prior to the issue of subdivision certificate for stage 4.
63. A Restriction as to User is to be placed on proposed lots 40 to 45 inclusive restricting further subdivision of the land to assist in preserving the rural amenity of the northern gateway entrance into Mudgee.
64. Proposed lot 103 (detention basin) is to incorporate a passive recreation area in accordance with the provisions of Mid-Western Regional Development Control Plan 2013. Details of this are to be provided with the construction certificate documentation for stage 1. The recreation area is to be completed to the satisfaction of Council prior to the issue of subdivision certificate for stage 5.
65. The existing shed is to be lawfully demolished prior to the issue of subdivision certificate for stage 4.

AMENDMENT: Thompson / Martens

That:

1. the report by the Town Planner on Development Application 0152/2015 – Proposed Staged 135 Lot Low Density subdivision – Lot 1 DP 1000182 – 220 Ulan Road Mudgee be received;
2. Development Application 0152/2015 – Proposed Staged 135 Lot Low Density subdivision – Lot 1 DP 1000182 – 220 Ulan Road Mudgee be deferred until after the investigation into this Council is complete.

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The amendment was put and lost with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	
Cr Walker		✓
Cr Weatherley		✓
Cr Webb		✓

Councillor Thompson left the meeting at 6.44pm.

The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb		✓

Councillors Thompson and Kennedy returned to the meeting at 6.45pm and Councillor Kennedy assumed the Chair.

6.3.20 KANDOS BICENTENNIAL INDUSTRIAL MUSEUM – PROPERTY TRANSFER

GOV400038, P1553611, A0360015

543/14 MOTION: Shelley / Walker

That item 6.2.20 be brought forward on the meeting agenda to be dealt with by Council immediately.

The motion was carried with Councillors voting unanimously.

544/14 MOTION: Shelley / Cavalier

That:

- 1. the report by the Director, Community on the Kandos Bicentennial Industrial Museum Property Transfer be received;**
- 2. Council note the submissions received in relation to the property transfer to the Kandos Bicentennial Industrial Museum Incorporated Association;**
- 3. Council transfer the possession of the real property of the Kandos Bicentennial Industrial Museum (being 20-24 Buchanan Street Kandos L9 L10 & L11 Sec 1 DP816), land, buildings,**

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- contents and collection to the Kandos Bicentennial Industrial Museum Incorporated Association;
4. the General Manager be authorised to exercise delegated authority to deal with matters arising out of the transfer process so as to ensure continuous and smooth running of the transfer process;
 5. the General Manager be authorised to execute any contract documents on behalf of Council in relation to the property transfer;
 6. the Common Seal of Council be affixed to all documentation necessary to facilitate the transfer;
 7. Council provide \$15,000 per annum in financial support for a period of three years to the Kandos Bicentennial Industrial Museum Incorporated Association;
 8. Council provide financial assistance to cover land rates for a period of three years, from 2015/16 to 2017/18, to the Kandos Bicentennial Industrial Museum Incorporated Association;
 9. Council meet the cost of insurances for the Kandos Bicentennial Industrial Museum Incorporated Association to the maximum cost of \$6,600 per year for three years;
 10. the Operational Plan 2014/15 be amended to increase the Kandos Bicentennial Industrial Museum operating budget by \$5,000 funded from unrestricted general fund cash.

AMENDMENT: Martens / Thompson

That:

1. the report by the Director, Community on the Kandos Bicentennial Industrial Museum Property Transfer be received;
2. Council note the submissions received in relation to the property transfer to the Kandos Bicentennial Industrial Museum Incorporated Association;
3. Council lease the building for three years to the Incorporated Association at a nominal charge of \$1 per year;
4. Council provide \$15,000 per annum in financial support for a period of three years to the Kandos Bicentennial Industrial Museum Incorporated Association;
5. Council provide financial assistance to cover land rates for a period of three years, from 2015/16 to 2017/18, to the Kandos Bicentennial Industrial Museum Incorporated Association;

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6. Council meet the cost of insurances for the Kandos Bicentennial Industrial Museum Incorporated Association to the maximum cost of \$6,600 per year for three years;
7. the Operational Plan 2014/15 be amended to increase the Kandos Bicentennial Industrial Museum operating budget by \$5,000 funded from unrestricted general fund cash.

The amendment was put and lost with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Thompson	✓	
Cr Walker		✓
Cr Weatherley		✓
Cr Webb	✓	

The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson		✓
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb	✓	

6.3.3 DA0146/2015, TWO STOREY DWELLING, DETACHED SHED WITH TEMPORARY RESIDENTIAL OCCUPATION AND ASSOCIATED RETAINING WALLS - 4A AVISFORD COURT MUDGEE NSW 2850

GOV400038, DA0146/2015

545/14

MOTION: Cavalier / Weatherley

That:

1. the report by the Senior Health and Building Surveyor on the DA0146/2015, Two Storey Dwelling, Detached Shed with Temporary Occupation and associated Retaining Walls at Lot 201 DP1200562 4A Avisford Court MUDGEE NSW 2850 be received;
2. the restriction on the use of land referred to as 'R' on DP1200562 be varied for the purposes of this development application.

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3. DA0146/2015, Two Storey Dwelling, Detached Shed with Temporary Occupation and associated Retaining Walls at Lot 201 DP1200562 4A Avisford Court MUDGEES be approved subject to the following conditions;

APPROVED PLANS

1. The development is to be carried out in accordance with the approved stamped plans, except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Plan / Supporting Document	Reference	Prepared by	Date
Amended Architectural Plans	Project No. 102.14 Dwg No's 1-12 of 12	Preferred Design and Drafting	Issue 'D' dated 1 December 2014
BASIX Certificate	548548S	Preferred Design and Drafting	22 August 2014
Amended SOEE	4A Avisford Court Mudgee	Preferred Design and Drafting	December 2014

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

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE - BUILDING

3. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid Western Regional Council.
4. The building shall be designed and constructed so as to comply with the Bush Fire Attack (BAL) 19 requirements of Australian Standard 3959 and the specifications and requirements of Planning for Bush Fire Protection. Details shall be submitted to the Principal Certifying Authority with the application for the Dwelling Construction Certificate demonstrating compliance with this requirement and are to include the provision of gutter guarding to the lower level gutters and valleys.
Please note: Compliance with the requirements of Planning for Bush Fire Protection 2006 to prevail in the extent of any inconsistency with the Building Code of Australia.
5. Amended plans are to be provided to the PCA confirming that surface waters from the driveway will be collected and discharged into Council's infrastructure without being directed onto the adjoining property.

PRIOR TO THE COMMENCEMENT OF WORKS - BUILDING

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6. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- a) the appointment of a Principal Certifying Authority and the date on which work will commence.
 - b) Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.

7. 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

8. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
- a) stating that unauthorised entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - c) the name, address and telephone number of the principal certifying authority for the work,
 - d) The sign shall be removed when the erection or demolition of the building has been completed.
9. With the exception of work where there is in force an exemption under clause 187 and 188 of the Environmental Planning and Assessment Act 1979 all building work that involves residential building work for which the Home Building Act requires there to be a contract of insurance in force in accordance with Part 6 of that Act, such a contract of insurance is to be in force.
10. 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 building involves the enclosure of a public place
 - b) 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.
11. Prior to the commencement of works on site, the applicant shall advise Council's Development and Community Services

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Department, in writing, of any existing damage to Council property.

12. The development site is to be managed for the entirety of work in the following manner:
 1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 2. Appropriate dust control measures;
 3. Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;

BUILDING CONSTRUCTION

12. 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.
13. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
14. Construction work noise that is audible at other premises is to be restricted to the following times:
 - Monday to Saturday - 7.00am to 5.00pm
 No construction work noise is permitted on Sundays or Public Holidays.
15. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
16. Structural members subject to attack by subterranean termites shall be protected by one of the methods outlined in AS 3660.1 and a durable notice must be permanently fixed to the building in a prominent location, such as a meter box or the like, indicating:
 - a) the method of protection; and
 - b) the date of installation of the system; and
 - c) where a chemical barrier is used, its life expectancy as listed on the National Registration Authority label; and
 - d) the need to maintain and inspect the system on a regular basis.
17. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa
18. The requirements of BASIX Certificate number 548548S issued on 22 August 2014 must be installed and/or completed in accordance with the commitments contained in that certificate. Any alteration

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to those commitments will require the submission of an amended BASIX Certificate to the Council and/or the Principal Certifying Authority prior to the commencement of the alteration/s

19. All stormwater is to discharge to the street with the use of non-flexible kerb adaptors.
20. 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.
21. Fill material shall not raise the existing surface level within the dedicated easement/s.
22. Temporary occupation of the detached shed is granted for a period of 6 months commencing from completion of the shed. After this time the shed is to be converted back to a non-habitable building by the removal of kitchen facilities.
24. No trees on public property (footpaths, roads, reserves etc.) shall be removed or damaged during construction of the subdivision works including the erection of any fences or hoardings.
25. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the Developer's/Demolisher's expense.

PROPERTY ACCESS

26. Vehicular entrances comprising kerb laybacks (where roll kerb and gutter does not exist) and concrete footway crossings are to be provided to each lot at a suitable location. These should be constructed in accordance with Aus-Spec #1 and Council's "Access to Properties Policy.

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

Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.

27. 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.
28. The private water supply system is to be provided by way of a boosted domestic supply from a feeder tank that is fed from

Council's main at the available pressure. There is to be no booster between the water meter connection and the feeder tank. Note: the owner is to be aware that the existing water pressure available to supply the dwelling at the proposed AHD levels cannot be guaranteed.

- 29. Where a sewer manhole exists within a property, access to the manhole shall be made available at all times. Before during and after construction, the sewer manhole must not be buried, damaged or act as a stormwater collection pit. No structures, including retaining walls, shall be erected within 1.0 metre of the sewer manhole or located so as to prevent access to the manhole.

PRIOR TO ISSUE OF AN OCCUPATION CERTIFICATE

- 30. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
- 31. All batters, terraces or unprotected embankments must be regenerated with turf or landscape plantings prior to the issue of an Occupation Certificate. Surface waters are not to be redirected onto adjoining properties.

GENERAL

- 32. Metal roof/wall cladding shall be provided in a non-reflective colour scheme such as "Colorbond" steel sheeting.

The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb		✓

6.3.4 DA 0183/2015 – AMENITIES BUILDING – LOT 1 DP 737226,
1858 CUDGEGONG ROAD, CUDGEGONG
GOV400038, DA0183/2015

546/14 MOTION: Shelley / Martens

That:

Mid-Western Regional Council

Date: 17 December 2014

1. the report by the Town Planner on Development Application 0183/2015 – Amenities building – Lot 1 DP 737226, 1858 Cudgegong Road, Cudgegong be received;
2. Development Application 0183/2015 – Amenities building at Cudgegong Waters Caravan Park – Lot 1 DP 737226 at 1858 Cudgegong Road, Cudgegong be approved subject to the following conditions:

APPROVED PLAN CONDITIONS

1. Development is to be carried out generally in accordance with stamped plans.

Plan Title	Plan Reference	Prepared by	Date
Site Plan	Not stated	MWRC	Printed 28/11/14
Floor and Roof Plan	Project 4101 Sheet A101 Rev B	Sara Buhl	27/11/14
Elevations	Project 4101 Sheet A102 Rev B	Sara Buhl	27/11/14
Section	Project 4101 Sheet A104 Rev B	Sara Buhl	27/11/14

and the Application received by Council on 02/12/2014 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

GENERAL CONDITIONS

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

PRIOR TO COMMENCEMENT OF WORKS

3. 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.
4. The development site is to be managed for the entirety of work in the following manner:
 - 1) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - 2) Appropriate dust control measures;

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

- 3) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - 4) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
5. Prior to the commencement of works on site, the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property.
 6. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 for drainage and connection to the On Site Sewer Management System is to be obtained from Mid Western Regional Council.

CONSTRUCTION WORK

7. 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.
8. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
9. Construction work noise that is audible at other premises is to be restricted to the following times:
Monday to Saturday - 7.00am to 5.00pm

No construction work noise is permitted on Sundays or Public Holidays.
10. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
11. The strength of the concrete used for the reinforced concrete floor slab must be 25Mpa.
12. All stormwater is to discharge a minimum 3m from the building and disposed of in such a way as to not adversely affect adjoining buildings.
13. 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.

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

14. All building work is to comply with the requirements of the Access to Premises Standard.
15. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.

NOTE: The developer should contact a suitably qualified person to determine the necessary steps to protect aboriginal heritage.

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

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

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

The motion was carried with Councillors voting unanimously.

6.3.5 MA0021/2015 (DA0341/2014) – PROPOSED USE OF FOUR ACCOMMODATION CABINS FOR TOURIST AND VISITOR ACCOMMODATION – LOT 2 DP871401, 939 HENRY LAWSON DRIVE, EURUNDEREE

Councillor Thompson declared a non-pecuniary conflict of interest in Item 6.3.5 as he has an association with the Gulgong Race Club, left the meeting at 7.08pm and did not participate in any discussion or vote in relation to this matter.

- GOV400038, MA0021/2015
- 547/14** **MOTION:** Walker / Weatherley
- That:**
1. the report by the Town Planner on MA0021/2015 (DA0341/2014) – Proposed Use of Four Accommodation Cabins for Tourist and Visitor Accommodation – Lot 2 DP871401, 939 Henry Lawson Drive, Eurunderee be received;
 2. MA0021/2015 (DA0341/2014) – Proposed Use of Four Accommodation Cabins for Tourist and Visitor Accommodation – Lot 2 DP871401, 939 Henry Lawson Drive, Eurunderee be approved as a Deferred Commencement Consent and the following conditions:
- DEFERRED COMMENCEMENT CONDITION/S**

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Mayor

General Manager

- A. The applicant is to apply for and obtain individual Building Certificates issued under the Environmental Planning and Assessment Act, 1979 for each of the four accommodation units.

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

- B. An Approval to operate issued under Section 68 of the Local Government Act 1993 for the onsite sewage management facility is to be obtained from Council.

These are deferred commencement conditions in accordance with Section 80(3) of the Environmental Planning and Assessment Act 1979 and this consent shall not operate until it has been complied with to the satisfaction of Council.

These conditions are to be complied with within six (6) months of the date of determination.

APPROVED PLANS

1. Development is to be carried out generally in accordance with the document titled "Submission for S.82A application – Tourist and Visitor Accommodation – Revised Proposal dated July 2014" and Revised plan Drawing Number 21040-GIO1 Revision B dated 2 July 2014 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.
2. 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

PROPERTY ACCESS

3. Deleted vide MA0021/2015
4. Deleted vide MA0021/2015
5. The right of carriageway is to be upgraded to a sealed road from the point of the internal access road from the subject site intersecting with the right of carriageway to the 2 cabins at the rear of the site to reduce nuisances associated with increased traffic movements. Details of the design, location and proposed sealing treatment are to be provided to Council for approval prior to works commencing.

GENERAL

6. 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.
7. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
8. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, traffic generation or otherwise as a result of the proposed development.
9. The accommodation units are to be used for short stay visitor accommodation only (not Temporary Workers Accommodation or Multi Unit Dwelling for permanent accommodation). Occupants are limited to a maximum stay of 12 weeks.
10. A Certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the development is to be submitted to Council prior to the issue of the Occupation Certificate.
11. An Occupation Certificate is to be obtained for all of the buildings prior to the use of the buildings for tourist and visitor accommodation purposes.
12. Accommodation building no.1 as shown on the Approved Plan is to be removed prior to the issue of Occupation Certificate.

SIGNAGE

13. Any signage proposed on the site to identify the Tourist and Visitor accommodation is subject to a separate Development Application.

AMENDMENT: Webb / Martens

That:

1. the report by the Town Planner on MA0021/2015 (DA0341/2014) – Proposed Use of Four Accommodation Cabins for Tourist and Visitor Accommodation – Lot 2 DP871401, 939 Henry Lawson Drive, Eurunderee be received;
2. MA0021/2015 (DA0341/2014) – Proposed Use of Four Accommodation Cabins for Tourist and Visitor Accommodation – Lot 2 DP871401, 939 Henry Lawson Drive, Eurunderee be approved as a Deferred Commencement Consent and the following conditions:

DEFERRED COMMENCEMENT CONDITION/S

- A. The applicant is to apply for and obtain individual Building Certificates issued under the Environmental Planning and Assessment Act, 1979 for each of the four accommodation units.

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

- B. An Approval to operate issued under Section 68 of the Local Government Act 1993 for the onsite sewage management facility is to be obtained from Council.

These are deferred commencement conditions in accordance with Section 80(3) of the Environmental Planning and Assessment Act 1979 and this consent shall not operate until it has been complied with to the satisfaction of Council.

These conditions are to be complied with within six (6) months of the date of determination.

APPROVED PLANS

1. Development is to be carried out generally in accordance with the document titled "Submission for S.82A application – Tourist and Visitor Accommodation – Revised Proposal dated July 2014" and Revised plan Drawing Number 21040-GIO1 Revision B dated 2 July 2014 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.
2. 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

PROPERTY ACCESS

3. The construction of a new all-weather vehicle access for Units 4 and 5, to be wholly located on Lot 2 DP871401 off Henry Lawson Drive in accordance with the following minimum guidelines;
 - (i) a gate or stock grid (if applicable) set back a minimum distance of fifteen (15) from the boundary of the land with the public road;
 - (ii) a minimum 4.0 metre wide compacted gravel driveway, extending from the edge of pavement on the public road to the entrance gate or stock grid;
 - (iii) a minimum 150mm thick, 4.0 metre wide concrete dish drain or 375mm diameter reinforced concrete pipe culvert with headwalls, located outside the clear zone, having the table drain directed through it.

- (iv) the access shall be located such that adequate sight distances are achieved, as specified in the Austroads publication 'Intersections at Grade'.
- 4. Access to any of the Accommodation units is not to be via the right of carriageway located on Lot 1 DP871401.
- 5. The new access road is to be provided with dust suppression to reduce amenity issues for the adjoining buildings. Details of the design, location and proposed dust suppression method are to be provided to Council for approval prior to works commencing.

GENERAL

- 6. 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.
- 7. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
- 8. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, traffic generation or otherwise as a result of the proposed development.
- 9. The accommodation units are to be used for short stay visitor accommodation only (not Temporary Workers Accommodation or Multi Unit Dwelling for permanent accommodation). Occupants are limited to a maximum stay of 12 weeks.
- 10. A Certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the development is to be submitted to Council prior to the issue of the Occupation Certificate.
- 11. An Occupation Certificate is to be obtained for all of the buildings prior to the use of the buildings for tourist and visitor accommodation purposes.
- 12. Accommodation building no.1 as shown on the Approved Plan is to be removed prior to the issue of Occupation Certificate.

SIGNAGE

- 13. Any signage proposed on the site to identify the Tourist and Visitor accommodation is subject to a separate Development Application.

Mid-Western Regional Council

Date: 17 December 2014

The amendment was put and lost with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens	✓	
Cr Shelley		✓
Cr Walker		✓
Cr Weatherley		✓
Cr Webb	✓	

The motion was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb		✓

Councillor Thompson returned to the meeting at 7.14pm.

6.3.6 MID-WESTERN DEVELOPMENT CONTROL PLAN 2014 -
AMENDMENT NO.2

GOV400038, LAN900014

548/14 MOTION: Shelley / Cavalier

That:

1. the report by the Acting Director, Development on the Mid-Western Development Control Plan 2014 -Amendment No.2 be received;
2. that the Mid-Western Development Control Plan be adopted and that an advertisement be place in the local paper for commencement of the Development Control Plan in accordance with the requirements of the Environmental Planning and Assessment Act.

The motion was carried with Councillors voting unanimously.

6.3.7 PLANNING PROPOSAL – SMALL LOT
AVIATION/RESIDENTIAL SUBDIVISION ASSOCIATED WITH
AIRPORT – LOT 63 DP 18063, GEORGE CAMPBELL DRIVE

GOV400038, LAN900050

549/14 MOTION: Cavalier / Weatherley

Mid-Western Regional Council

Date: 17 December 2014

That:

1. the report by the Manager Strategic Planning on the Planning Proposal – Small lot aviation/residential subdivision associated with Airport – Lot 63 DP 18063, George Campbell Drive be received;
2. Council support in principle the intent of the Planning Proposal with an additional requirement that the site be zoned SP2 Infrastructure which will ensure that residential development will only be permissible where it can be demonstrated that it occurs in association with a hanger or aviation-related development; and
3. the Planning Proposal be forwarded to the Department of Planning and Environment Gateway for determination

The motion was carried with Councillors voting unanimously.

6.3.8 PLANNING PROPOSAL – CHANGE TO MINIMUM LOT SIZE IN BROADHEAD ROAD

GOV400038, LAN900049

550/14 MOTION: Walker / Thompson

That:

1. the report by the Manager Strategic Planning on the Planning Proposal – Change to Minimum Lot Size in Broadhead Road be received;
2. Council approve the Planning Proposal to amend the Minimum Lot Size to 2,000m² for Lot 9 DP 1150667, Broadhead Road Mudgee;
3. the Planning Proposal be forwarded to the Department of Planning and Environment Gateway for determination.

The motion was carried with Councillors voting unanimously.

6.3.9 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING & DETERMINED

GOV400038

551/14 MOTION: Cavalier / Shelley

That the report by the Director, Development on the Monthly Development Applications Processing & Determined be received.

The motion was carried with Councillors voting unanimously.

Mid-Western Regional Council

Date: 17 December 2014

6.3.10 MONTHLY STATEMENT OF INVESTMENTS AND BANK
BALANCES AS AT 30 NOVEMBER 2014

GOV400038, A0140304

552/14 MOTION: Cavalier / Weatherley

That:

1. the report by the Manager Finance on the Monthly statement of investments and bank balances as at 30 November 2014 be received;
2. the certification of the Responsible Accounting Officer be noted.

The motion was carried with Councillors voting unanimously.

6.3.11 FINANCIAL ASSISTANCE APPLICATIONS

GOV400038, A0140201

553/14 MOTION: Shelley / Cavalier

That:

1. the report by the Financial Accountant on the Financial Assistance Applications be received;
2. Council provide a donation of \$500 to the Rylstone Uniting Church in accordance with the criteria and guidelines of the Financial Assistance Policy, subject to those requirements being met.

The motion was carried with Councillors voting unanimously.

6.3.12 CLASSIFICATION OF LAND – LOT 1 DP 1199604 & LOT 10 DP
1199604 DRAINAGE RESERVES AT 42 MELTON ROAD AND
9A HUGHSON AVENUE MUDGEES

GOV400038, P2301711, P2302711

554/14 MOTION: Cavalier / Webb

That:

1. the report by the Revenue & Property Manager on the Classification of land – Lot 1 DP 1199604 & Lot 10 DP 1199604 Drainage Reserves at 42 Melton Road and 9A Hughson Avenue Mudgee be received;
2. Council notify the public of its intention to classify Lot 1 DP 1199604 and Lot 10 DP 1199604 as Operational by exhibiting the proposal for 28 days and should there be no submissions from the public, the lands be so classified as Operational.

The motion was carried with Councillors voting unanimously.

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

6.3.13 NAMING OF A PARK OFF DOUG GUDGEON DRIVE IN
MUDGEE

GOV400038, PAR300020, P2215711

555/14 MOTION: Weatherley / Webb

That:

1. the report by the Revenue & Property Manager on the Naming of a Park off Doug Gudgeon Drive in Mudgee be received;
2. Council supports the name of Norm King Park.

The motion was carried with Councillors voting unanimously.

Councillor Walker declared a non-pecuniary conflict of interest in Item 6.3.15 as he is the owner of the land, left the meeting at 7.22pm and did not participate in any discussion or vote in relation to this matter.

6.3.14 NAMING OF THE STREET IN THE SOUTHERN HEIGHTS
ESTATE SUBDIVISION

GOV400038, R0790141, P0586811

556/14 MOTION: Shelley / Thompson

That:

1. the report by the Revenue & Property Manager on the naming of the new street in the Southern Heights Estate subdivision be received;
2. Council formally approve the name of Ray Gooley Drive for the new street in the Southern Heights Estate subdivision.

The motion was carried with Councillors voting unanimously.

6.3.15 NAMING OF THE NEW STREETS IN THE RIVERSIDE ESTATE
SUBDIVISION

GOV400038, R0790141

557/14 MOTION: Thompson / Martens

That:

1. the report by the Revenue & Property Manager on the Naming of the new streets in the Riverside Estate subdivision be received;
2. Council formally approve the name of Loy Avenue and Costigan Court for the new streets in the Riverside Estate subdivision.

The motion was carried with Councillors voting unanimously.

Councillor Walker returned to the meeting at 7.23 pm.

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

6.3.16 NAMING OF A PLANNED PARK IN CAERLEON ESTATE
SUBDIVISION

GOV400038, PAR300020, P2230211

558/14 MOTION: Shelley / Cavalier

That:

1. the report by the Revenue & Property Manager on the Caerleon Estate subdivision be received;
2. Council support the name of Caerleon Park.

The motion was carried with Councillors voting unanimously.

6.3.17 NAMING OF A PARK IN HARGRAVES

GOV400038, PAR300020, P2022011

559/14 MOTION: Shelley / Cavalier

That:

1. the report by the Revenue & Property Manager on the Naming of a Park in Hargraves be received;
2. Council support the name of Pioneer Park.

The motion was carried with Councillors voting unanimously.

6.3.18 NAMING OF A PARK IN RYLSTONE

GOV400038, PAR300020, P1466411

560/14 MOTION: Shelley / Cavalier

That:

1. the report by the Revenue & Property Manager on the Naming of a Park in Rylstone be received;
2. Council support the name of Rylstone Rotary Park.

The motion was carried with Councillors voting unanimously.

6.3.19 ADDITIONAL SUPPLIER –GENERAL CONTRACTORS AND
ADDITIONAL SUPPLIER –NOXIOUS WEED SPRAYING

GOV400038, A0411304, COR400049

561/14 MOTION: Thompson / Webb

That:

1. the report by the Procurement Manager on the Additional Supplier – General Contractor and Additional Supplier – Noxious Weed Spraying be received;

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

2. Council accepts the additional supplier for the provision of General Contractors;

Contractor: Jungle Mowing
 Services Provided: Lawn mowing, heavy duty brush cutting and associated services.

3. Council accepts the additional supplier for the provision of Noxious Weeds Spraying.

Contractor: MJ & S NAISMITH
 Services Provided: Noxious Weed Spraying

The motion was carried with Councillors voting unanimously.

6.3.21 MUDGEE TOWN HALL CINEMA 2014 ACTIVITY REPORT

GOV400038, REC800016

562/14 MOTION: Shelley / Martens

That:

1. the report by the Manager, Community Services on the Mudgee Town Hall Cinema 2014 Activity Report be received;
2. that the significant community patronage, fundraising activity and Rotary volunteer contribution be noted by Council;
3. that a letter be written to both Mudgee Rotary organisations on behalf of the community thanking them for their volunteer efforts with the Mudgee Town Hall Cinema partnership.

The Mayor congratulated the Rotary Clubs and Council staff for their efforts in relation to the Mudgee Town Hall Cinema.

The motion was carried with Councillors voting unanimously.

6.3.22 HOME MODIFICATIONS – SERVICE PROVIDER PANE

GOV400038

563/14 MOTION: Shelley / Martens

That:

1. the report by the Manager, Community Services on the Home Modification, Service Provider Panel be received;
2. Council accepts the Service Provider Panel for Home Modifications in accordance with clause 178 of the Local Government (General) Regulation 2005 as listed below.

Provider: John W Campbell

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

Services provided: Home modification and maintenance work
Provider: Eclipse Electrical
Services provided: Home modification and maintenance work

3. Council allow further service providers to be accepted to the panel in the future on approval.

The motion was carried with Councillors voting unanimously.

6.3.23 NEVELLS RD CLANDULLA

GOV400038, R9041001

564/14 MOTION: Walker / Cavalier

That:

1. the report by the Senior Works Engineer on Nevels Rd Clandulla be received;
2. Council continue to maintain 4.5km of Nevels Rd Clandulla.

The motion was carried with Councillors voting unanimously.

6.3.24 RURAL FIRE SERVICE HEAD QUARTERS AND MUSEUM

GOV400038, A0150046, REC800003

565/14 MOTION: Webb / Cavalier

That:

1. the report by the Business Manager Plant & Facilities on the Rural Fire Service Head Quarters and Museum be received;
2. Council approve in principle to allocate 7,100 square metres of land at the Mudgee Airport to be utilised for the new Rural Fire Service Head Quarters and Museum.
3. The General Manager be authorised to continue negotiations with the Rural Fire Service in order to subdivide the necessary 7100sm of land and negotiate an agreement for the timing, design and funding of the Rural Fire Service head quarters and museum at Mudgee.

The motion was carried with Councillors voting unanimously.

6.3.25 NOXIOUS WEEDS ADVISORY COMMITTEE

GOV400038, ENV200017

566/14 MOTION: Shelley / Walker

That:

1. the report by the Noxious Weeds Administrator on the Noxious Weeds Advisory Committee be received;

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 Mayor

 General Manager

2. that a letter be sent to the Minister Katrina Hodgkinson with copies to Troy Grant MP, Andrew Gee MP and the Natural Resources Commission, requesting further consideration that it be made compulsory for a Section 64 Weed Certificate to be attached to the Contract for Sale for the purchase of all rural properties greater than 1 hectare similar to the Section 149 Planning Certificate.

The motion was carried with Councillors voting unanimously.

6.3.26 CULTURAL DEVELOPMENT COMMITTEE MINUTES

GOV400038, A0420172

567/14 MOTION: Shelley / Walker

That:

1. the report by the Manager, Community Services on the Cultural Development Committee Minutes be received;
2. Council note the minutes of the Cultural Development Committee meeting held on 12 November 2014.

The motion was carried with Councillors voting unanimously.

6.3.27 RED HILL RESERVE WORKING PARTY

GOV400038, P0860011

568/14 MOTION: Shelley / Walker

That:

1. the report by the Manager, Health and Building on the Red Hill Reserve Working Party be received;
2. note the minutes of the meeting of the Red Hill Reserve Working Party meeting held on 3 November 2014.

The motion was carried with Councillors voting unanimously.

6.3.28 GULGONG SPORTS COUNCIL

GOV400038, A0360003

569/14 MOTION: Shelley / Walker

That:

1. the report by the Director, Operations on the Gulgong Sports Council be received;
2. That the minutes for the Gulgong Sports Council ordinary monthly meeting held on 8 October 2014 be noted.

Mid-Western Regional Council

Date: 17 December 2014

The motion was carried with Councillors voting unanimously.

6.3.29 MUDGEE & GULGONG ACCESS COMMITTEE MINUTES

GOV400038, A0060008

570/14 MOTION: Shelley / Walker

That:

1. the report by the Manager, Community Services on the Mudgee and Gulgong Access Committee Minutes be received;
2. Council note the minutes of the Mudgee & Gulgong Access Committee meeting held on 2 December 2014.

The motion was carried with Councillors voting unanimously.

6.3.30 TENDER FOR DESIGN AND CONSTRUCT EARLY CHILDHOOD CENTRE – SALEYARDS LANE, MUDGEE

GOV400038, COR400079

571/14 MOTION: Shelley / Cavalier

That:

1. the report by the Manager, Health and Building on the Tender for Design and Construct Early Childhood Centre – Saleyards Lane, Mudgee be received;
2. In accordance with clause 178 of the Local Government (General) Regulation 2005, Council accept the tender from Lynch Building Group to design and construct an early childhood centre located at Saleyards Lane, Mudgee at a tendered price of \$842,744.
3. Council authorises the General Manager to finalise and execute the contract on behalf of Council for the design and construction of an Early Childhood Centre, RFT 2014/09;
4. The unsuccessful tenderers be notified that their tender submissions were unsuccessful.

The motion was carried with Councillors voting unanimously.

6.3.31 TENDER FOR CLEANING SERVICES FOR COUNCIL BUILDINGS IN THE MUDGEE/GULGONG REGION

GOV400038, COR400080

572/14 MOTION: Weatherley / Walker

That:

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

1. **The report by the Manager, Health and Building on the Tender for Cleaning Services for Council Buildings in the Mudgee/Gulgong Region be received;**
2. **Council not accept any tenders and delegate authority to the General Manager to negotiate with the tenderers as necessary.**

The motion was carried with Councillors voting unanimously.

6.3.32 TENDER 2014-14 GPS EQUIPMENT

GOV400038, COR400084

573/14

MOTION: Walker / Shelley

That:

1. **the report by the Senior Works Engineer on Tender 2014-14 GPS Equipment be received;**
2. **Council accepts Position Partners Pty Ltd tender for the Supply & Installation of Grader GPS Machine Control being tender number 2014-14 and that Council enter into a contract with Position Partners Pty Ltd in accordance with clause 178 of the Local Government (General) Regulation 2005.**
3. **Council authorises the General Manager to finalise and execute the contract on behalf of Council with Position Partners Pty Ltd for tender 2014-14 for the Supply & Installation of Grader GPS Machine Control for the sum of \$255,374.**
4. **Council authorises the General Manager to approve variations to this contract of up to 5% from the tendered amount**
5. **The unsuccessful tenderer(s) be notified that their tenders were unsuccessful.**

The motion was carried with Councillors voting unanimously.

6.3.33 DA0164/2015 – PROPOSED COMMERCIAL ALTERATIONS & ADDITIONS AND BOUNDARY ADJUSTMENT – LOTS 1 & 2 DP732911 AND LOT 1 DP995458 – 6 LEWIS STREET MUDGEE

Councillor Kennedy declared a pecuniary conflict of interest in Item 6.3.2 as he is the owner of the property, left the meeting at 7.29 pm and did not participate in any discussion or vote in relation to this matter. In his absence, the Deputy Mayor assumed the Chair.

574/14

MOTION: Shelley / Walker

GOV400038, DA0164/2015

That consideration of this item be deferred.

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

The motion was carried with Councillors voting unanimously.

Councillor Kennedy returned to the meeting at 7.30 pm and assumed the Chair.

Item 7: Urgent Business Without Notice

7.1 Reverse Auction Tender for Supply of Electricity to Contestable Sites and Street Lighting

GOV400038, GOR500017

575/14 MOTION: Shelley / Cavalier

That this matter be dealt with as urgent business without notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

576/14 MOTION: Walker / Cavalier

That:

- 1. the report by the Financial Accountant on the reverse auction for supply of electricity to contestable sites and street lighting be received;**
- 2. the tender from ERM Power to supply Council with energy to its contestable sites for a period of 30 months be accepted with contract to commence from 1 July 2015 at an estimated total value of \$421,027 excluding GST**
- 3. the tender from AGL to supply Council with energy for street lighting (Mudgee & Gulgong) for a period of 30 months be accepted with contract to commence from 1 July 2015 at an estimated total value of \$129,855 excluding GST**
- 4. the General Manager be authorised to execute any necessary contract documentation.**

The motion was carried with Councillors voting unanimously.

GOV400038, DEV700015, PER400074

577/14 MOTION: Martens / Cavalier

That this matter be dealt with as urgent business without notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

Mid-Western Regional Council

Date: 17 December 2014

7.2 General Manager's Delegations in relation to the Demolition of Heritage Buildings

578/14 MOTION: Martens / Cavalier

That the General Manager's delegation be amended to delete the demolition of heritage listed buildings.

The motion was carried with Councillors voting unanimously.

Item 8: Confidential Session

579/14 MOTION: Cavalier / Martens

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

Following the motion to close the meeting being moved and seconded, the General Manager announced that the following matter would be considered in confidential session and the reason why it was being dealt with in this way.

Subject: Sale of land to recover overdue rates and charges – chapter 17, part 2, division 5, section 713 of the Local Government Act

The reason for dealing with this matter confidentially is that it relates to the personal hardship of any resident or ratepayer, in accordance with Section 10A(2) (b) of the Local Government Act.

Subject: General Manager's Performance Agreement 2014/15

The reason for dealing with this matter confidentially is that it relates to personnel matters concerning particular individuals (other than councillors) in accordance with Section 10A(2)(a) of the Local Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to public interest as it involves discussion on staffing matters.

Following an enquiry from the Mayor, the General Manager advised that there were no written representations in respect of this matter and that no person in the gallery wished to make verbal representations.

The motion was carried with Councillors voting unanimously.

Mid-Western Regional Council

Date: 17 December 2014

8.1.1 Sale Of Land To Recover Overdue Rates And Charges – Chapter 17, Part 2, Division 5, Section 713 Of The Local Government Act 1993

GOV400038, A0340011, RAT700040

580/14

MOTION: Walker / Cavalier

That:

1. the report by the Revenue & Property Manager on the sale of land to recover overdue Rates And Charges be received;
2. Council agree to sell under Chapter 17, Part 2, Division 5, Section 713 of the Local Government Act 1993, the lands held under the following Property Numbers: 4196, 5294, 6387, 10390, 13024, 13159, 13846, 14426, 14427, 18861, 19972, 19979;
3. Council approve Saturday 9 May 2015, as the date for the Auction;
4. the General Manager be authorised to appoint an Auctioneer and determine the time and venue for the Auction on 9 May 2015;
5. the General Manager be authorised to arrange the publication of the mandatory advertisement;
6. the General Manager be authorised to exercise delegated authority to deal with matters arising out of the sale process so as to ensure continuous and smooth running of the Sale process;
7. the General Manager be authorised to determine any reserve prices;
8. the General Manager be authorised to negotiate the sale of any property that fails to sell at the Auction on 9 May 2015 by private treaty;
9. the General Manager be authorised to consider arrangements for payment of rates and charges and to withdraw properties from the Auction where satisfactory arrangements have been accepted or where a property no longer meets the requirements under Chapter 17, Part 2, Division 5, Sections 713-726 of the Local Government Act 1993;
10. the General Manager be authorised to execute the contract documents on behalf of Council in relation to all properties that are sold at the Auction on 9 May 2015;
11. the General Manager be authorised to take such action (including court proceedings if necessary) as may reasonably be required to give vacant possession of any properties sold at the Auction on 9 May 2015;
12. the General Manager and Mayor be authorised to sign all documentation necessary to facilitate the processes under

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Mayor

General Manager

Mid-Western Regional Council

Date: 17 December 2014

Chapter 17, Part 2, Division 5, Sections 713-726 of the Local Government Act 1993;

- 13. the Common Seal of Council be affixed to all documentation necessary to facilitate the processes under Chapter 17, Part 2, Division 5, Sections 713-726 of the Local Government Act 1993;**
- 14. Council appoint Mr Stephen Flynn of Flynns Solicitors as Council's legal representative in this matter.**

The motion was carried with Councillors voting unanimously.

8.1.2 General Manager's Performance Agreement 2014 -2015

GOV400038, A0381418

581/14

MOTION: Walker / Webb

That:

- 1. the report by the General Manager on the General Manager's Performance Agreement 2014 -2015 be received;**
- 2. Council adopts the attached General Manager's Performance Agreement for the Financial Year 2014/2015.**

The motion was carried with Councillors voting unanimously.

Item 9: Open Council

582/14

MOTION: Martens / Cavalier

That the Council move to Open Council.

The motion was carried with Councillors voting unanimously.

The General Manager announced the decisions taken in Confidential Session.

Closure

There being no further business the meeting concluded at 7.37pm.

Mid-Western Regional Council

Date: 4 February 2015

Minutes of the Extraordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on Wednesday 4 February 2015, commencing at 5.55pm and concluding at 6.30pm.

PRESENT	Cr D Kennedy (Mayor), Cr P Cavalier (Deputy Mayor), Cr EE Martens (AM), Cr PA Shelley, Cr JP Thompson, Cr MB Walker, Cr JK Weatherley, Cr JR Webb, Cr L White.
IN ATTENDANCE	General Manager (B Cam), Director Operations (D Colwell), Director Development (C Van Laeren), Director Corporate (C Phelan), Director Community (S Jones), Governance Coordinator (A Gearon), Corporate Communications Officer (P Goldsmith), Manager Corporate and Economic Development (J Robertson).
MEDIA REPRESENTATIVES	Mudgee Guardian / The Weekly (E Watson), Radio 2MG (M Heldon).

Item 1: Apologies

There were no apologies.

Item 2: Disclosure of Interest

There were no disclosures of interest.

Item 3: General Business

3.1 NOTICES OF MOTION

3.1.1 RESEAL OF MAYNE, HERBERT AND MEDLEY STREETS IN GULGONG

GOV400022, GOV400043

MOTION: Thompson / Martens

That the Mayne Street, Gulgong remain as it is and that Herbert Street from Mayne Street to Bayley Street be made the same colour.

AMENDMENT: Walker / Webb

That:

1. Mayne Street Gulgong be left as it is and in future, river gravel be considered for future reseals;
2. Hot mix remain on Herbert Street where it has already been laid.

The amendment was put and lost with Councillors voting as follows:

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Mayor

General Manager

Mid-Western Regional Council

Date: 4 February 2015

Councillors	Ayes	Nays
Cr Cavalier		✓
Cr Kennedy		✓
Cr Martens		✓
Cr Shelley		✓
Cr Thompson		✓
Cr Walker		✓
Cr Weatherley		✓
Cr Webb	✓	
Cr White		✓

1/15 AMENDMENT: Cavalier / White

That

1. the \$155,000 allocated in the 2014/15 Operational Plan for Mayne Street, Gulgong for asphalt works be removed with funds to be reallocated to higher priority roadworks as part of the March 2015 Quarterley Budget Review;
2. Council note the concerns of the residents of Gulgong and take those concerns into account when doing any further work in the Gulgong CBD.

The amendment was put and carried and on being put as the motion was again carried with Councillors voting as follows:

Councillors	Ayes	Nays
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson		✓
Cr Walker	✓	
Cr Weatherley	✓	
Cr Webb	✓	
Cr White	✓	

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Mayor

General Manager

Mid-Western Regional Council

Date: 4 February 2015

3.2 REPORTS TO COUNCIL**3.2.1 FINANCIAL ASSISTANCE FOR REGIONAL AVIATION SERVICES**

GOV400043, A0820020

2/15

MOTION: White / Cavalier**That:**

1. the report by the Economic Development Officer on Financial Assistance for Regional Aviation Services be received;
2. Council provide financial assistance to Fly Pelican to support the establishment of an RPT service between Mudgee and Sydney including:
 - \$195,000 as a financial grant to help cover initial establishment costs (in 3 monthly instalments of \$95,000, \$50,000 and \$50,000 commencing in February 2015)
 - 12 x monthly payments of \$15,000 in the first 12 months of operations to support the employment of relevant staff as required by CASA regulations
 - In-kind marketing and promotional activities to the value of \$12,000 related to the launch of the service over the first 3 months
 - Exemption from paying landing fees for the first 12 months (estimated income amount of \$60,000)
 - Provision of check-in and ground handling staff to facilitate ground operations at Mudgee airport (estimated expense of \$115,000 per annum) for the first 24 months
3. Council authorises the General Manager to finalise and enter into the Air Service Start Up Support Agreement with Fly Pelican dated 5 February 2015;
4. Council amend the 2014/15 Operational Plan by \$268,800 net expenditure, funded by a \$200,000 transfer from Airline Support Reserve and \$68,800 unrestricted funds; and
5. Council make provision for the continued financial support of Fly Pelican in the draft 2015/16 Operational Plan at an estimated net impact of \$206,400.

The motion was carried with Councillors voting unanimously.

3.2.2 FINANCIAL ASSISTANCE APPLICATIONS

GOV400043, A0140201

3/15 MOTION: Webb / White

That:

1. the report by the Financial Accountant on the Financial Assistance Applications be received;
2. Council provide a donation of \$2000 to the Western Districts Ladies Golf Association in accordance with the criteria and guidelines of the Financial Assistance Policy, subject to those requirements being met.

The motion was carried with Councillors voting unanimously.

3.2.3 FAMILY REQUEST TO DIG A GRAVE IN GULGONG CEMETERY

GOV400043, F0520021

MOTION: Walker / Webb

That:

1. the report by the Director, Community on the Request from the Lewis family to dig a grave at Gulgong Cemetery be received;
2. Council allow the request;
3. The grave be dug by the family under Council supervision and costs incurred be borne by the family.

4/15 AMENDMENT: Shelley / Cavalier

That:

1. the report by the Director, Community on the Request from the Lewis family to dig a grave at Gulgong Cemetery be received;
2. Council meet with the family to mediate a compromise which still adheres to the rules and regulations that we must abide by.

The amendment was put and carried with Councillors voting as follows:

Councillors	Ayes	Nayes
Cr Cavalier	✓	
Cr Kennedy	✓	
Cr Martens		✓
Cr Shelley	✓	
Cr Thompson	✓	
Cr Walker	✓	

Mid-Western Regional Council

Date: 4 February 2015

Councillors	Ayes	Nayes
Cr Weatherley	✓	
Cr Webb	✓	
Cr White	✓	

On being put as the motion, the amendment was again carried with Councillors voting unanimously.

3.2.4 RYLSTONE CRICKET PRACTICE NETS

GOV400043, A0360011

5/15 MOTION: Weatherley / Cavalier

That:

1. the report by the Director, Community on the Rylstone Cricket Practice Nets be received;
2. Council determine to increase the scope of works for the Rylstone cricket net project to be a double net rather than a single net;
3. Council amend the 2014/15 Operational and Delivery Plan to increase the amount for the expenditure on the Rylstone cricket net project by \$5,000;
4. Council fund the increase in expenditure from the Capital Program Reserves.

The motion was carried with Councillors voting unanimously.

Item 7: Urgent Business Without Notice

7.1 GLEN WILLOW SCOREBOARD

GOV400029, F0650099

6/15 MOTION: White / Cavalier

That this matter be dealt with as urgent business without notice.

The Mayor having ruled the matter to be of great urgency, the motion was put and carried.

7/15 MOTION: Weatherley / Shelley

That:

1. Council accept the offer from the Mudgee Sports Council to provide the funding (estimated to be approximately \$12,000) for a replacement electronic scoreboard at Glen Willow Regional Sports Complex;

Mid-Western Regional Council

Date: 4 February 2015

- 2. Council agree to fund the reimbursement of the funds provided by the Mudgee Sports Council for the electronic scoreboard and these funds be included in the budget for 2015/16.**

The motion was carried with Councillors voting unanimously.

Closure

There being no further business the meeting concluded at 6.30pm.

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Mayor

General Manager

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Quarry Road – Kandos	Res. 64/12 Ordinary Mtg 15/2/2012	That consideration of this matter be deferred until discussions with Cement Australia have been completed.	No determination as yet.
		Council allocate \$130,000 towards regional-wide new or upgraded footpath and cycleway infrastructure in the region and that staff prepare a report for the July meeting to recommend priorities for the expenditure of these funds.	Council staff have engaged a consultant to prepare a Pedestrian Access Mobility Plan (PAMP). Following this report, a priority list will be prepared for Council's consideration.
Saleyards subdivision	Res 228/14 Ordinary Mtg 4/6/14	That: 2. Council advertise state-wide a tender to sell the former Saleyards site, known as Lot 2 DP534336, Lot 399 DP132580, and Lot 532 DP1132581 which has recently been approved for a 48 lot residential subdivision; 3. all tenders be forwarded to Council for determination as to whether or not Council will sell the site; 4. the tender process to last 60 days, and the tender notice clearly indicate that Council may not necessarily accept all or any tenders; 5. Council demolish the old SES building prior to the public tender of this subdivision and remove all demolished waste from site.	Council has completed the demolition of the old SES building, and the survey of the subdivision is also complete. Further discussion with Council to decide the best timing to call for a tender of this subdivision.

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Completion of Banner Poles	Res. 411/14 Ordinary Mtg 17/9/14	<ol style="list-style-type: none"> 1. Council purchase six banner poles for Gulgong at a cost of approximately \$6000 to be funded from the strategic projects provisions. 2. Council allocate \$3000 to produce generic banners for the town of Gulgong to be used at times where community organisations are not utilising the banner poles. 3. Council put banner designs on public exhibition for a period of 14 days for the purpose of seeking community feedback, prior to the banners being produced. 	Council to seek feedback on the design of a generic banner. The design will then go on public exhibition. This closes 9 January 2015. A report will be presented to February Council meeting.
Rylstone Skate Park	Res. 426/14 Ordinary Mtg 17/9/14	<ol style="list-style-type: none"> 1. Council support the construction of a skate park at Rylstone. 2. Council seek grant funding for this project. 	Awaiting outcome of grant funding applications.
Rylstone Pedestrian Bridge Tender Process	Res. 530/14 Ordinary Mtg 3/12/14	<ol style="list-style-type: none"> 2. Council accepts the recommendation fo the Senior Works Engineer to request the following companies to tender for the work: <ul style="list-style-type: none"> • Waegar Constructions Pty Ltd • Steelworks Engineering Pty Ltd • Fleetwood Urban Pty Ltd • J&R Industries • Wagners CFT Manufacturign Pty Ltd 3. The unsuccessful applicants be notified that their applications were unsuccessful. 4. The 2014/15 Operational Plan be amended to include \$150,000, which is brought forward from the 2015/16 budget 	Council to call for tenders for Rylstone Pedestrian Bridge and report costs back to Council

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Regional Aviation Services	Res. 537/14 Ordinary Mtg 17/12/14	4. The General Manager or his delegate prepares a further report back to Council following the exhibition period to consider the financial assistance proposal.	Waiting until the exhibition period is completed.
Rural Fire Service Headquarters and Museum	565/14 Ordinary Mtg 17/12/14	3. That the General Manager be authorised to continue negotiations with the Rural Fire Service in order to subdivide the necessary 7100sm of land and negotiate an agreement for the timing, design and funding of the Rural Fire Service headquarters and museum at Mudgee.	The General Manager has had a preliminary meeting with the RFS. They have confirmed they are happy with the 7,100 sm of land, and the timing of construction is 2 years away. RECOMMEND COMPLETION
Tender for cleaning services for Council buildings in the Mudgee/ Gulgong region	572/14 Ordinary Mtg 17/12/14	2. That Council not accept any tenders and delegate authority to the General Manager to negotiate with the tenderers as necessary.	Council staff are calling for new tenders for these services.
Glen Willow Scoreboard	7/15 Extraordinary Mtg 4/2/15	1. Council accept the offer from the Mudgee Sports Council to provide the funding (estimated to be approximately \$12,000) for a replacement electronic scoreboard at Glen Willow Regional Sports Complex; 2. Council agree to fund the reimbursement of the funds provided by the Mudgee Sports Council for the electronic scoreboard and these funds be included in the budget for 2015/16.	Council need to include the costs in next year's budget to reimburse the Mudgee Sports Council.

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Reseal of Mayne , Herbert and Medley Streets in Gulgong	1/15 Extraordinary Mtg 4/2/15	<ol style="list-style-type: none"><li data-bbox="630 297 1074 571">1. the \$155,000 allocated in the 2014/15 Operational Plan for Mayne Street, Gulgong for asphalt works be removed with funds to be reallocated to higher priority roadworks as part of the March 2015 Quarterly Budget Review;<li data-bbox="630 571 1074 766">2. Council note the concerns of the residents of Gulgong and take those concerns into account when doing any further work in the Gulgong CBD.	A report will be brought back to Council after the March QBR to determine the roadworks that need to be completed.

Item 5: Mayoral Minute

Nil.

Item 6: General Business

6.1 Notices of Motion

There are no Notices of Motion.

6.2 Reports

6.2.1 DA0193/2015, Staged Development - Dwelling – Montaza - 52 Lue Road MILROY NSW 2850

REPORT BY THE SENIOR TOWN PLANNER TO 18 FEBRUARY 2015 COUNCIL MEETING
DA0193-2015 staged dwelling 52 Lue Road
GOV400043, DA0206/2015

RECOMMENDATION

That:

1. the report by the Senior Town Planner on the Development Application DA0193/2015 Proposed Staged Dwelling – Lot 313 DP 1183266 52 Lue Road Milroy be received;
2. that the Development Application 0193/2015 – Proposed Staged Dwelling – Lot 313 DP 1183266 52 Lue Road Milroy be refused for the following reasons;
 1. The proposed development for a dwelling to be located within the High Flood Risk Precinct is inconsistent with the Mid-Western Regional Development Control Plan Clause 5.2 Flooding – Development Controls Matrix 2 that does not support residential development in the high risk precinct.
 2. The proposed development for a dwelling to be located within the High flood risk Precinct is inconsistent with Clause 6.2 (1) of the Mid-Western Regional LEP 2012 as the development does not meet the objectives of the clause to minimise risk to life and property associated with flooding as a flood free access to Mudgee town cannot be achieved.
 3. The proposed development for a dwelling to be located within the High flood risk Precinct is inconsistent with Clause 6.2 (3) of the Mid-Western Regional LEP 2012 as the development is incompatible with the flood hazard, does not incorporate measures to reduce risk and may result in unsustainable social and economic costs to the community as a consequence of flooding.
 4. The proposed development for a dwelling to be located within the High Flood Risk Precinct is inconsistent with the Mid-Western Regional Development Control Plan Clause 5.2 Flooding Development Control, Performance Criteria (c) as a reliable access for evacuation to the Mudgee town cannot be achieved.
 5. The proposed development fails to provide a suitable road access to Mudgee town which is inconsistent with the Clause 6.9 Essentials Services of the Mid-Western Regional Local Environmental Plan 2012 as Council cannot be satisfied that emergency services can adequately

access the site during a flood event or that the future inhabitants will have suitable means of access during flood/storm events.

6. **The proposed development for a dwelling with a front setback of 30 metres is inconsistent with the Mid-Western Regional Development Control Plan Clause 6.1 Dwellings in Rural Areas as the setback standard of 60 metres as it will degrade the existing open visual amenity of the locality.**
7. **The proposed development is not considered to be in the public interest as it will increase the costs to the community when emergency services are responding during flood events and may lead to further development on the floodplain.**

Executive summary

APPLICANT:	TONY ADAMS
ESTIMATED COST OF DEVELOPMENT:	\$0 (STAGED DEVELOPMENT – DWELLING)
REASON FOR REPORTING TO COUNCIL:	SIGNIFICANT INCONSISTENCIES WITH THE LEP 2012 AND DCP 2013
PUBLIC SUBMISSIONS:	NONE
LOT/DP	LOT 313 DP 1183266

Executive summary

Council has received a Development Application 0193/2015 for a staged dwelling at 'Montaza' 52 Lue Road, Milroy.

The proposed development relates to the staged development for a dwelling house on Lots 313 1183266 (Locality Plan provided as Attachment 1). The proposal seeks to establish the legal entitlement to erect a dwelling house.

Lot 313 DP 1183266 measures 20.18 hectares and is zoned RU4 Primary Production Small Lots. The subject site is developed with an existing shed and has frontage to Lue Road and is wholly located within the high flood risk precinct (Flooding Plan provided as Attachment 2).

The application was notified to adjoining land owners and an advertisement placed in the local press accordance with Part 1.10 of the DCP no submissions were received.

Development Application 0326/2014 for a staged dwelling on this site was refused by Council at its meeting on the 21 May 2014. The applicant has now lodged a new application with additional supporting information "Supplementary Report" (provided at Attachment 3). The information contained in the Supplementary Report is discussed in the body of this report.

The development application is being reported to Council for refusal as the application including additional information supplied fails to satisfy the significant inconsistencies with the LEP 2012 and DCP 2013 as the proposal is located in the high hazard flood precinct without a flood free access.

Detailed report

The application has been assessed in accordance with Section 79C(1) Matters for consideration—general of the Environmental Planning & Assessment Act 1979. The main issues are addressed below as follows.

MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN 2012 (LEP)

The land is zone RU4 Primary Production Small Lots dwellings are permissible with the consent of Council.

The Zone Objectives have been provided and considered below -

- *To enable sustainable primary industry and other compatible land uses.*
- *To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To ensure that land is available for intensive plant agriculture.*
- *To encourage diversity and promote employment opportunities related to primary industry enterprises, particularly those that require smaller holdings or are more intensive in nature.*

Comment: The applicant provided the previously submitted Statement of Environmental Effects. This does not provide a justification for the support of a dwelling in the high hazard flood precinct.

The relevant Clauses of the LEP have been considered below:

4.2A Erection of dwelling houses and dual occupancies on land in certain zones

(3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the land:

(a) is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to that land,

Comment: The subject site measures 20.18 hectares which meets the minimum lot size.

4.2B Dwelling houses on land in Zone RU4 Primary Production Small Lots

(1) The objective of this clause is to ensure that dwelling houses are erected only where they support the permitted agricultural use of the land.

Comment: Due to the site proximity to the town of Mudgee the necessity of a dwelling to be located on site remains questionable.

(2) Development consent must not be granted for the erection of a dwelling house on land in Zone RU4 Primary Production Small Lots unless the consent authority is satisfied that:

(a) the land is being used, or is intended to be used, for the purpose of intensive plant agriculture, and

Comment: The land is not being used for intensive plant agriculture. The applicant has provided details from the NSW Water Register; Water Access Licence 34209 for a 122 mega litre high security irrigation bore. The owner has requested copies of the actual licences however they are not yet available and therefore have not adequately demonstrated that the land can be used for the purpose of intensive plant agriculture.

(b) the dwelling house will be required to support the carrying out of the intensive plant agriculture or the irrigation of pasture and fodder crops, and

Comment: Due to the site close proximity to the town of Mudgee the necessity of a dwelling to be located on a site with such significant hazard remains questionable.

(c) the dwelling house is not likely to cause any land use conflict with existing agricultural uses being undertaken on neighbouring properties in the zone, and

Comment: The proposed dwelling location remains the same; close to the eastern boundary. The location is determined by the highest point on site; this location close to this boundary limits the opportunity for effective buffers.

(d) services for the supply of water and electricity to support that agricultural use are available or adequate arrangements have been made to make them available when required.

The applicant has provided details from the NSW Water Register; Water Access Licence 34209 for a 122 mega litre high security irrigation bore. However the specific licence has not been provided.

Clause 6.2 Flood Planning

(1) The objectives of this clause are as follows:

- (a) to minimise the flood risk to life and property associated with the use of land,*
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- (c) to avoid significant adverse impacts on flood behaviour and the environment.*

Since the adoption of the Mudgee Floodplain Management Study and Plan no new dwellings have been constructed within the high flood risk precinct. Council has approved the use of an existing building as a dwelling on Willbertree Road which was located in the high risk zone. Council made the decision in 2002 to adopt the Floodplain Management Study and Policy to reduce the risk to life and property on land affected by flood hazard.

The 1 in 100 year flood event is the flood planning level. Council's DCP requires that finished floor levels are to be 500mm above the flood planning level. The natural ground level of the proposed dwelling location is 470mm below the flood planning level. This would result in a dwelling being built up 970mm only 30 metres from Lue Road.

In addition no flood free access can be achieved to and from the site. During a 1 in 100 year flood event, at the subject site Lue Road would be under water by approximately 500mm and up to 1.5 metres of water at the intersection with Ulan Road.

A flood free access cannot be achieved and therefore flood events will place a greater demand on emergency services and in turn costs to the community.

The applicant has made the following statements –

'the proposed development as supported by the information now submitted, previous Statement of Environmental Effects and Engineer Assessment do not indicate that the development will increase the risk to life and property above that may reasonably be associated to development of land in the 'low' or 'medium' flood risk precincts'.

The nature of the floodwaters, specifically velocity and depth of the water, is significantly different between the three flood risk precincts and therefore cannot be compared.

- (3) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:*
- (a) *is compatible with the flood hazard of the land, and*
 - (b) *is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
 - (c) *incorporates appropriate measures to manage risk to life from flood, and*
 - (d) *is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
 - (e) *is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

The applicant has stated that one dwelling will not cause the community unsustainable cost with potential to be flooded only when levels reach above 500mm above the 1 in 100 year ARI. Council would argue that approving development contrary to an established standard erodes the effectiveness of the standard and subverts the planning process.

The applicant has provided the following summary of risk mitigation measures:

'The location of the proposed dwelling utilises the topography and reduces interference with the Lucerne crop irrigation system. The site increases the distance from the River to reduce the risk of flooding and is located to minimise any future fill requirements'

Comment: It is acknowledged that the building envelope has been located at the highest point on the site and increases the distance from the Cudgegong River, however the site, driveway and the entire Lue Road back to the intersection with Ulan road remains within the high risk precinct.

'The internal access driveway will be constructed at a height to ensure safe evacuation is possible. This reduces risk of cost for flood related emergency service evacuation.'

Comment: If the internal access driveway were constructed to a flood free height, this would not provide a flood free access as Lue Road back to the intersection with Ulan Road remains underwater. During a 1 in 100 year flood event, at the subject site Lue Road would be under water by approximately 500mm and up to 1.5 metres of water at the intersection with Ulan Road.

'The design of the proposed dwelling site is 500mm above the 1 in 100 year flood level to reduce risk of economic costs. The building materials below this height are able to be flood compatible.'

Comment: It is acknowledged that the proposed dwelling site can be built up to a level 500mm above the 1 in 100 years flood level, and appropriate material can be achieved, however a flood free access to the Mudgee town cannot be achieved.

'Management measures are proposed that mitigate risk of impacts of flood related cost. Including:

- *Irrigation infrastructure design to enable removal of key components,*

- *Preparation of a Home Emergency Plan,*
- *Responding to communication and monitoring of Flood situation, and public warning systems'*

Comment: It is acknowledge that suitable irrigation infrastructure can be designed, however the points rely on human reaction and such measures cannot be regulated.

The land is located within the High Flood Hazard Precinct.

Clause 6.9 Essential Services

Development consent must not be granted unless the consent authority is satisfied that essential services for the proposed development are available or that adequate arrangements have been made to make them available when required. The clause requires that all development have a suitable road access; i.e. flood free access.

The applicant has acknowledged that 'technically flood free access is not possible within the PMF extending over Lue Road'. However it should be stated that a flood free access cannot even be achieved in the more frequent 1 in 20 year flood event.

The applicant states an 'internal access driveway can be constructed to a similar level to Lue Road', this driveway and Lue road at the frontage of the proposed driveway would be under approximately 500mm of water. This is not a satisfactory flood free access.

Lue Road to the east enters the medium and low flood risk precinct. The applicant has stated emergency vehicles can access the site from the east. However this would require emergency vehicles travelling east along the Castlereagh Highway crossing the Cudgegong River at Rocky Water Hole Road, however this would also be affected during a flood event and then doubling back to the subject site. This would create unreasonable response times and detrimentally impact upon response times for other community members.

The applicant has discussed the importance of Evacuation Orders issued by the SES and the potential role in this situation. The SES registers properties that may need to be contacted to warn of emergency situations. Supporting an additional dwelling within floodplain would increase the burden on the SES when having to notifying property owners.

The applicant has provided the SES Home Emergency Plan that helps households prepare for floods etc. It is Council's role to mitigate or eliminate where possible the risk to human life and property and not create the need for households to prepare these types of plans. Supporting this application would not only rely on emergency services but also place a greater burden on the household.

In summary a flood free access cannot be achieved, therefore Council cannot be satisfied that emergency services can adequately access the site during a flood event via the road.

Mid-Western Regional Development Control Plan 2012 (DCP)

Part 5.2 Flooding

The DCP provides a matrix of land uses and their appropriateness in the three hazard precincts; low, medium and high. All residential development is excluded in the high flood risk precinct; therefore the DCP does not stipulate provisions for the development of any residential development in the high flood risk precinct. The applicant has stated strict adherence cannot be achieved although claims that the performance criteria can be met (as discussed in the below table).

Part 5.2 Flooding	Requirement	Compliance/ Comment
Flood Risk Precincts	High and Medium Flood Risk	Dwellings are not permitted in high hazard precinct.
Development Control	<p>Performance Criteria</p> <p>(a) The proposed development should not result in any increased risk to human life.</p> <p>(b) The additional economic and social costs which may arise from damage to property from flooding should not be greater than that which can reasonably be managed by the property owner and general community.</p>	<p>The applicant discusses the construction of an internal driveway to Lue Road.</p> <p>Comment: Lue Road is inundated during a flood event and access cannot be gained via Rocky Water Hole Road. Therefore a flood free access cannot be achieved, so risk to human life cannot be mitigated.</p> <p>The applicant has stated the dwelling can be located up to 500mm above the 1 in 100 year flood event and impact can be managed by the landowner with the 8 hour warning time and enacting their 'SES Home Emergency Plan' and seek alternate accommodation in property the owner owns elsewhere.</p> <p>Comment: if the dwelling were approved the SES would still be relied upon during a flood emergency and the undue emphasis would be placed on future landowners to prepare a 'SES Home Emergency Plan' which Council has no legislative control over. Future owners might not own alternate property to relocate to during a flood emergency. Therefore a dwelling located in the floodplain will increase community costs through the</p>

Part 5.2 Flooding	Requirement	Compliance/ Comment
		use of emergency services and accommodating the relocation of future residents.
	(c) The proposal should only be permitted where effective warning time and reliable access is available for the evacuation of an area potentially affected by floods, where likely to be required.	<p>The applicant has stated the owner does not agree with the 8 hour warning time and state it is 24 hours. The Bureau of Meteorology 'Flood Watch' and 'Flood Warning' and SES 'Evacuation Warning' can be relied upon.</p> <p>Comment: The warning time is approximately 8 hours. In the NSW Department of Environment, Climate Change and Water document Impacts of Climate Change on Natural Hazards Profile – Western Region discusses the impacts of climate change on riverine flooding. The Report states the degree to which climate change will alter the frequency or intensity of major floods cannot yet be determined and further research will be needed to provide more specific advice on the potential scale of changes. Therefore Council when considering a hazard with the potential to worsen would always take a precautionary approach and not consider a warning time greater than 8 hours.</p>
	(d) Development should not detrimentally increase the potential	The development will marginally increase the flood

Part 5.2 Flooding	Requirement	Compliance/ Comment
	flood affectation on other development or properties.	affectation on other properties by 0.008m to the maximum flood height. This could be considered minimal, but remains an impact.
Fill	Earthworks that change the nature of a watercourse and have the potential to affect upstream or downstream properties is not permitted.	The development will require approximately 1 metre of fill and therefore will impact on up and down stream properties
	This standard applies to watercourses in the high hazard flood risk precinct.	
Development Application	Applications must include information which addresses all relevant controls listed above, and the following matters as applicable.	Yes.
Survey Plan Details	Development applications for Flood Prone Land shall be accompanied by a survey plan showing:-	
	(a) The position of the existing building/s or proposed building/s;	Yes
	(b) The existing ground levels to Australian height datum around the perimeter of the building and contours of the site;	Yes
	(b) The existing or proposed floor levels to Australian height datum; and	Yes
	(c) A reliable access route, with regular levels to Australian Height Datum along the centreline of this route, wherever development is within a high or medium flood risk precinct.	No
	Applications for earthworks, filling of land and subdivision shall be accompanied by a survey plan (with a contour interval of 0.25m) showing relative levels to Australian height	Yes

Part 5.2 Flooding	Requirement	Compliance/ Comment
Flood Study	<p>datum.</p> <p>For large scale developments, or developments in critical situations, particularly where an existing catchment based flood study is not available, a flood study using a fully dynamic one or two dimensional computer model may be required.</p> <p>For smaller developments the existing flood study may be used if available and suitable (eg it contains sufficient local detail), or otherwise a one dimensional steady state flood model would normally suffice. A flood study must demonstrate that the cumulative impact of a development on flood levels for up and downstream properties is negligible.</p>	<p>Not provided.</p> <p>Not provided, an Engineers Flood Assessment is provided.</p>
Part 6.1 Dwellings		
Primary Production Small Lots	<p>Business plan prepared by a suitably qualified professional detailing production costs, harvesting potential and conservative market prices</p> <p>Evidence of water licenses satisfactory for the use</p>	<p>The applicant has provided an agronomist report.</p> <p>The applicant has provided details however not the specific licenses.</p>
Building Setbacks	60 metre front setback	<p>The applicant is still proposing a setback of 30 metres and has provided the following justification:</p> <ul style="list-style-type: none"> • The mound will be incorporated in the landscaping and private open space. Comment: the applicant again highlights that the setback was reduced to mitigate the

Part 5.2 Flooding	Requirement	Compliance/ Comment
		<p>impacts of flooding and provide direct access to Lue Road.</p> <ul style="list-style-type: none"> The proposed setback is consistent with that of an existing dwelling on a site to the east. Comment: the dwelling discussed is located approximately 1 km east of the proposed dwelling site. The dwelling on the site directly adjoining to the east if located approximately 250m from the front setback and dwelling located across the road to the north are setback greater than 150 metres. The main outlooks have been considered and one additional dwelling will not significantly change the setting Comment: the impact of the proposed dwelling on the district outlooks is not the key visual impact rather the impact is that of the dwelling with a minimum finished floor level located 1.3 metres above natural ground level when viewed while traveling along Lue Road.

NSW Department of Environment, Climate Change and Water Impacts of Climate Change on Natural Hazards Profile – Western Region

The report discusses the impacts of climate change on riverine flooding. The report states the degree to which climate change will alter the frequency or intensity of major floods cannot yet be

determined and further research will be needed to provide more specific advice on the potential scale of changes. It is possible that flood events may be less frequent but the impacts greater.

Council would therefore take a precautionary approach when considering hazards and the applicants' contention that the warning time may be 24 hours when the long established standard has been 8 hours is not supported.

2. IMPACT OF DEVELOPMENT

(a) Context and Setting

The subject site is located directly north of the town of Mudgee and bound by Lue Road to the north and the Cudgegong River to the South. The site is developed with a shed.

Land adjoining to the north, east and west is also zone RU4 Primary Production Small Lots.

(b) Access, transport and traffic

The subject site fronts Lue Road and has an existing vehicular access. As discussed above the proposal fails to provide flood free access to and from the site.

(d) Utilities

Electricity and telecommunication services are available in the locality.

(e) Heritage

A Cultural Heritage assessment was submitted with the original application. The assessment was carried out on the subject site and two objects were identified along with scatters of existing resource materials such as quartz, volcanic material chert and quartzite. The SEE states the identified artefacts will not be disturbed by the nominated building envelope.

(f) Other land resources

The development proposal would not alter the impact or effect on other land resources.

(h) Soils

Contamination risk and salinity were addressed in the Statement of Environmental Effects provided with the original application.

(i) Air and Microclimate

During construction of any future structure onsite, there is the likelihood of limited impact; however this can be mitigated by dust suppression.

(j) Flora & fauna

The subject land has been cleared. There is no significant flora or fauna on the site.

(m) Noise & vibration

The proposal is unlikely to significantly increase the noise impacts in the locality.

(n) Natural Hazards

The site is affected by flooding as discussed earlier in this report. The flooding is of such a hazard that the DCP does not enable residential development within the high flood hazard risk precinct.

(q) Economic and Social impact in the locality

A flood free access cannot be achieved and therefore during flood events will place a greater demand on emergency services and in turn costs to the community.

3. SUITABILITY OF SITE FOR DEVELOPMENT

(a) Does the proposal fit in the locality?

Existing dwellings are located within the locality however they were approved prior to the Mudgee Floodplain Management Study and Plan.

(b) Are the site attributes conducive to development?

No, the subject site is located within the high flood risk precinct; this site with such a significant hazard is not conducive to the proposed development.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS

(a) Public Submissions

No submissions.

(b) Submissions from public authorities

No submissions.

5. THE PUBLIC INTEREST

(a) Federal, State and local government interests and community interests

Supporting such development without a flood free access within the high flood risk hazard precinct is not in the public interest as it will place additional demand on emergency services during flood events. The applicant has stated the future dwelling can be constructed above the 1 in 100 year flood level and therefore any damage and associated costs due to flooding would be reasonably managed by the property owner. However this does not account for demand on emergency services and potential placing emergency service volunteer in endangerment and therefore is not in the public interest.

6. CONSULTATIONS

The application was notified to adjoining owners and no submissions were received.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

The assessment of the development application sits under theme 1 Looking After our Community, Goal 1.1 – A Safe and Healthy Community.

SARAH ARMSTRONG
SENIOR TOWN PLANNER



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

05 February 2015

- Attachments:*
1. Locality Plan
 2. Flooding Plan
 3. Supplementary report provided by applicant
 4. Site Plan and Flood Contours

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER



Map Scale: 1:8,321

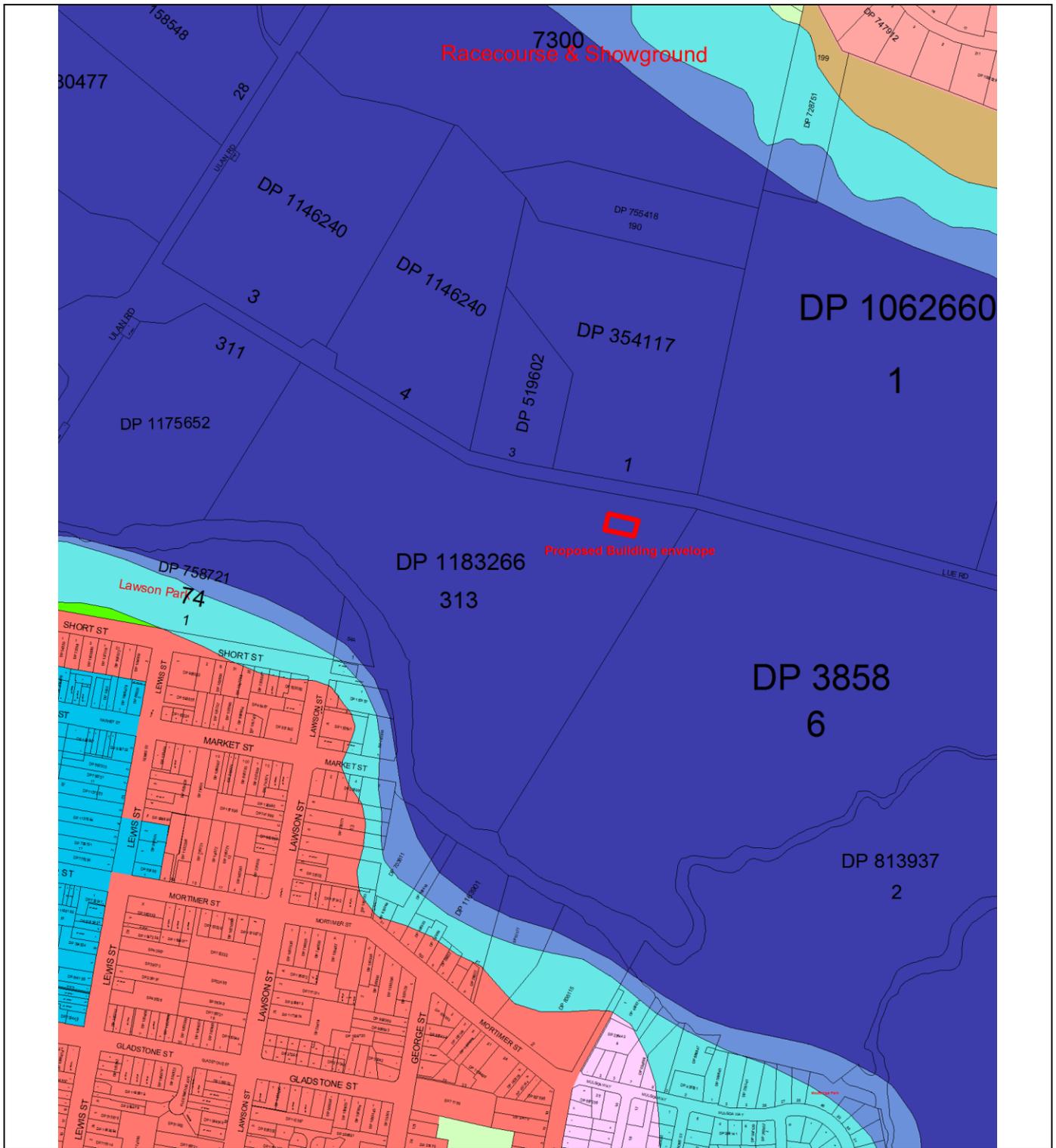
Development Application: DA0193/2014

Property Address: 52 Lue Road, Milroy

Legal Description: Lot 313 DP 1183266



ATTACHMENT 2



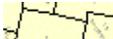
Map Scale: 1:7,455

Disclaimer

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

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

Legend

- | | | | | | |
|---|------------|---|--------------|--|--------------|
|  | Parcel |  | Parish |  | Road |
|  | Crown Land |  | Localities |  | State Forest |
|  | Railway |  | LGA Boundary |  | Waterway |
-  NORTH



Printed on Monday, 12 May 2014



Supplementary Report

The recommendation for refusal was based on the reasons discussed in the sections below. Further information is provided to answer the concerns and clarify aspects of the development as proposed.

1. DCP Matrix

The proposed development for a dwelling to be located within the High Flood Risk Precinct is inconsistent within the Mid-Western Regional Development Control Plan Clause 5.2 Flooding – Development Controls Matrix 2 that does not support residential development in the high flood risk precinct.

The Mid-Western Regional Council DCP provides guidelines for various forms of development. Development Controls within the DCP have been considered, and precedent set by development approved by Council in similar situations. Though the strict adherence to the matrix guideline is not achieved, the development is able to meet the performance criteria within the DCP.

Performance Criteria

- (a) The proposed development should not result in any increased risk to human life.

The location of the dwelling within the site has sought to reduce the risk to human life by increasing the distance from the River, rather than adding to the existing raised pad the farm shed is currently located. Further the best access arrangement has been sought for emergency ingress/egress.

- (b) The additional economic and social costs which may arise from damage to property from flooding should not be greater than that which can reasonably be managed by the property owner and general community.

*The dwelling is able to be located up to 500mm above the 1 in 100 year ARI, whether through the use of fill or other construction methods to raise the floor level. Refer to **Appendix A Preliminary Concept Sketch**. This would be consistent with the DCP requirements for a 'low' or 'medium' risk site, and is reasonable to require the same at this site. This significantly reduces the risk of damage to property and would reduce any associated costs. Flooding at this level would be able to be managed and accounted for with a warning time in excess of 8hrs for flooding at this height. The owner would be able to enact their draft 'Home Emergency Plan' without significant social or economic cost. The owner of the land also owns other property and is able to seek alternative accommodation in event of a flood emergency.*

- (c) The proposal should only be permitted where effective warning time and reliable access is available for the evacuation of an area potentially affected by floods, where likely to be required.



Effective warning time is available. With the established systems and flood prediction systems, the property owners are able to receive at least 24 hours warning of flood events (the owners do not agree with the stated 8 hours suggested by staff). The owners will complete the Home Emergency Plan to prepare and document actions to be carried out in the event of flooding (refer to **Appendix B-Home Emergency Plan**). The Plan will include methods to be aware of Public communications and flood warnings. The NSW SES issues Flood Bulletins to the media which inform people about what is expected to happen during flooding. The owners will be also aware of the natural signs of flooding, including heavy rainfall and rushing or pooling water. Early warning can be achieved through the established systems.

A **'Flood Watch'** is issued by the Bureau of Meteorology if flood producing rain is expected to happen in the near future and flooding is expected to be above Minor level. A Flood Watch covers a river basin or catchment. The general weather forecasts can also refer to flood producing rain.

A **'Flood Warning'** is issued by the Bureau of Meteorology when flooding is expected to occur or is happening. Flood Warnings provide a predicted flood level and time at which a river will reach that level. Flood Warnings are issued in relation to flood gauges which are situated at a certain point on a river. Flood Warnings may contain observed, peak or predicted river heights.

When flooding is likely to cut evacuation routes or inundate property, the SES issues an **'Evacuation Warning'** to indicate that you should get prepared to evacuate. Being prepared with the Home Emergency Plan will allow the owners to respond quickly if an Evacuation Order is issued.

Reliable Access is Available. Access to the development site is built to the appropriate RMS rural access standard as set out by Austroads Guide to Road Design. The site access is at a similar level to the Lue Road without any major depressions which could restrict access to the sealed road in a time of severe flooding from the dwelling site and the Road (refer to the site plan). The access and evacuation is discussed further below.

- (d) Development should not detrimentally increase the potential flood affectation on other development or properties.

An Engineers report was provided with the DA to demonstrate that the development would not increase the potential flood affectation on other development properties. A Flooding Assessment conducted by Jabek Pty Ltd, indicated that the development will result in an increase of 0.008m to the maximum flood height. This is considered a negligible impact on the flooding potential of the wider locality.

The survey plan is able to be refined and detailed construction plans prepared at Stage 2 of the DA. Overall, the development is able to meet the performance criteria within the DCP. Further a dwelling will support the ongoing intensive agricultural use of the land.



2. Objectives of CI 6.2(1) of the MWR LEP 2012

The proposed development for a dwelling to be located within the High Flood Risk Precinct is inconsistent with Clause 6.2(1) of the Mid-Western Regional LEP 2012 as the development does not meet the objectives of the clause to minimise risk to life and property associated with flooding.

The proposed development as supported by this information, the previous Statement of Environmental Effects and Engineers Assessment, do not indicate that the development will increase the risk to life and property above that that may reasonably be associated to development of land in the 'low' or 'medium' flood risk precincts. As such the development should similarly be considered to meet the objectives of the LEP clause. The development replaces an historic dwelling that was located on the Lucerne hay producing property, but reduces the risk to life and property by flooding through the proposed new building envelope further from the River and future dwelling design above the 1 in 100 year ARI (with freeboard), in conjunction with applying proposed measures to manage the property in emergency situations.

3. Compatibility with CI 6.2(3) of the MWR LEP 2012

The proposed development for a dwelling to be located within the High Flood Risk Precinct is inconsistent with Clause 6.2 (3) of the Mid-Western Regional LEP 2012 as the development is incompatible with the flood hazard, does not incorporate measures to reduce risk and may result in unsustainable social and economic cost to the community as a consequence of flooding.

The development of 1 (one) dwelling will not cause the community unsustainable cost with potential to be flooded only when levels reach above '500mm above the 1 in 100 year ARI' i.e. proposed floor level. The statement by Council in the reason for refusal does not acknowledge the supporting information submitted with the DA. Certification by a structural engineer can be provided to Council at a future stage that states that the structure is capable of withstanding a flood event. The development is able to be designed to meet the criteria commensurate to the flood hazard.

In summary risk mitigation measures include:

- The location of the proposed dwelling utilises the topography and reduces interference with the Lucerne crop irrigation system. The site increases the distance from the River to reduce the risk of flooding and is located to minimise any future fill requirements.
- The internal access driveway will be constructed at a height to ensure safe evacuation is possible. This reduces risk of cost for flood related emergency service evacuation.
- The design of the proposed dwelling site is 500mm above the 1 in 100 year flood level to reduce risk of economic costs. The building materials below this height are able to be flood compatible.
- Management measures are proposed that mitigate risk of impacts of flood related cost. Including:



- Irrigation infrastructure design to enable removal of key components,
- Preparation of a Home Emergency Plan,
- Responding to communication and monitoring of Flood situation, and public warning systems.

4. Consistency with CI 5.2 of the MWR DCP and 5. Consistency with CI 6.9 of the MWR LEP 2012

The proposed development for a dwelling to be located within the High Flood Risk Precinct is inconsistent with the Mid Western Regional Development Control Plan Clause 5.2 Flooding Development Control, Performance Criteria (c) as a reliable access is not available for evacuation.

The proposed development fails to provide a suitable road access which is inconsistent with the Clause 6.9 Essential Services of the Mid-Western Regional Local Environmental Plan 2012 as Council cannot be satisfied that emergency services can adequately access the site during a flood event or that the future inhabitants will have suitable means of access during flood/storm events

Reliable access is provided to the dwelling site. The internal access driveway will be able to be constructed to a similar level to Lue Road, without any major depressions which could restrict access to the sealed road in a time of severe flooding from the dwelling site and the Road (Refer to **Appendix A** – Sketch by Jabek Pty Ltd). Direct access is available to Lue Road, which provides sealed access, allowing occupants of the site to head east immediately out of the potential flood risk, towards a lower hazard area.

Technically, 'flood free access' is not possible with the PMF extending over Lue Road. However it is disputed that the addition of a single dwelling will place significant demand on Emergency Services at a cost to the community. It is acknowledged that the driveway access from Lue Road to the dwelling should be of a level to ensure safe evacuation to Lue Road and the Mudgee Township in case of the road being affected. This will be provided. The development is provided with direct access to Lue Road with Emergency vehicles able to access from the East. This is one reason for the reduced setback to provide the best location for the dwelling. A link to Mudgee is formed by Lue Road/Rocky Waterhole Road, which is shown by Council's flood impact study to only be affected by minor flooding during large rainfall events.

The warning systems, communications with neighbours and the SES will be important for the site as well as other existing dwellings within the floodplain of the River. When flooding is likely to cut evacuation routes or inundate property, the NSW State Emergency Service (SES) may issue an Evacuation Warning as a 'heads up' to prepare for possible future evacuation. The applicant is aware that being prepared will allow occupants to respond quickly if flooding is likely, and the warning time available is ample to allow this to occur. These warnings allow residents time to prepare before a possible Evacuation Order is issued, when residents may have to leave immediately. All residents within a floodplain should monitor the situation and be prepared to



evacuate when instructed to do so. An Evacuation Order will be issued by the SES only when evacuation is required. The SES will register the properties that may need to be contacted to warn of emergency situations. The proposed dwelling site would have the ability to adhere and be able to respond to the SES evacuation orders in the same capacity as the other nearby dwellings in Lue Road.

6. Setback and Amenity

The proposed development for a dwelling with a front setback of 30 metres is inconsistent with the Mid-Western Regional Development Control Plan Clause 6.1 Dwellings in Rural Areas as the setback standard of 60 metres as it will degrade the existing open visual amenity of the locality.

The design of the proposed dwelling site is proposed to be 500mm above the 1 in 100 year flood level which reduces risk of economic costs. To achieve the floor level a mound was proposed and the impact on the flood levels assessed. Visually this would be incorporated in the landscaping and private open space around the proposed dwelling and is not considered to be a significant issue. The design of the proposed dwelling has not been determined at this stage. Visual impacts are considered further.

To review the current landscape and visual context, the site is characterised by two main outlooks. The views to the south are affected by the location in vicinity to Lue Road, the existing Lucerne cropping along the Cudgegong River and existing rural residential land use. The views to the north are similarly affected by existing rural residential land use within Ulan Road and Lue Road and the Mudgee Racecourse.

The development application lodged considered the DCP setback requirements. The reduction in the setback has been proposed to mitigate possible flood impacts, by locating the proposed dwelling site away from the lower sections of the site, and providing a site whereby direct access onto Lue Road is achieved without any major depressions which could restrict access to the sealed road network in a flood event.

The proposed dwelling site is consistent with the existing setback of the nearest established dwelling on the same side of Lue Road (to the east). This neighbouring land includes a previous shop associated with market gardening, setback approx. 15m with the dwelling approx. 30m from Lue Road. Consistency with this dwelling was deliberate to fit with the standard established in the locality. Further the proposal is consistent with the existing housing located north west of the development site within the High Flood hazard precinct. Generally the setback is not consistently meeting the DCP requirements in the location and the proposal will not cause detriment to the visual setting due to the variation to the DCP standard. Further the main outlooks have been considered, and one additional dwelling in the location will not significantly change the setting. The visual amenity for existing dwellings and views from Ulan Road will not be significantly affected with separation achieved and the ongoing use of the land for Lucerne cropping.





7. Public Interest

The proposed development is not considered to be in the public interest as it will increase the costs to the community during flood events and may lead to further development on the floodplain.

The inclusion of one private dwelling within the floodplain will not influence local community costs of flooding significantly. Any damage and associated costs due to flooding would be reasonably managed by the property owner.

The dwelling is able to be located above the 1 in 100 year ARI, whether through the use of fill or other construction methods to raise the floor level. Freeboard provides a safety factor for greater protection against different types of flooding. Freeboard describes a factor of safety above a flood level and is intended to allow for the uncertainties in design and construction. Adding a freeboard to a flood level can greatly reduce the risk of a structure flooding. A freeboard of up to 500mm above the 1 in 100 year ARI could be applied. This would be consistent with the DCP requirements for a 'low' or 'medium' risk site, and is reasonable to require the same at this site. This significantly reduces the risk of damage to property and would reduce any associated costs.

The land will continue to support Lucerne cropping, with the house intended to support the carrying out of this activity. The site already has the established bore and irrigation equipment, as well as a sizeable storage shed for the agricultural machinery and Lucerne hay. The proposed dwelling will not lead to other development on the site.

The development is not seeking a reduction in the minimum lot size for the dwelling. The proposal is not setting any precedent in this regard that may lead to further development in the vicinity within existing undersized lots, on the floodplain. Further, the dwelling house is not likely to cause any conflict within the existing neighbouring agricultural activities.



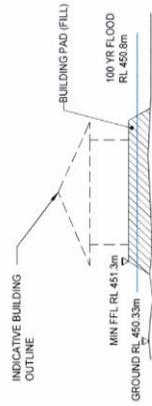
8. Water Supply

The applicant has failed to demonstrate that the intensive plant agriculture use has sufficient water supply which is inconsistent with clause 4.2B of the Mid-Western Regional LEP 2012 and the Comprehensive DCP 2013 Part 6.1.

Evidence of water entitlement is clarified. Details from the NSW Water Register are provided. The agronomist's report addresses, the water supply and its use for the proposed irrigation of Lucerne (refer to **Appendix C**). The water entitlements are supported by current water supply works and use approvals. The existing bore is to be utilised. Refer to **Appendix D** for details from the NSW Water Register. The property has the following legal water entitlements:

Reference	Volume	Nominated Works Approval	Comment
WAL 34209 Ref: 80AL718706 Tenure type – Continuing <i>(‘Continuing’ are issued in perpetuity, which means they do not need to be renewed and typically include licences granted for a commercial purpose (such as irrigation or industrial use)).</i>	122ML	80CA718707. The Approval refers to a <u>bore for irrigation purpose</u> located on Lot 5 DP 3858	(Note: The subject land is a consolidation of Lot 5 DP3858 and Lot 312 DP1175652). <i>This is the source to be utilised for the continued irrigation of the Lucerne crop.</i>
WAL 31389 Ref: 80AL716101 Tenure type – Continuing	151ML	80CA701262 The Approval refers to <u>2 (two) pumps on the River for irrigation purpose.</u>	Previous 171ML Licence 80AL701260 was cancelled and 20ML transferred to neighbours. <i>This licenced entitlement is not required for the proposed irrigation of the Lucerne cropping.</i> This entitlement will be contingency supply.
WAL 13569 Ref: 80AL701261 Tenure type – Continuing	13ML	80CA701262 <u>(same as above)</u>	Supplementary Water supply associated with the above pump on River. This may be taken in times when the Minister announces that supplementary water is available. <i>This licenced entitlement is not required for the proposed irrigation of the Lucerne cropping.</i>

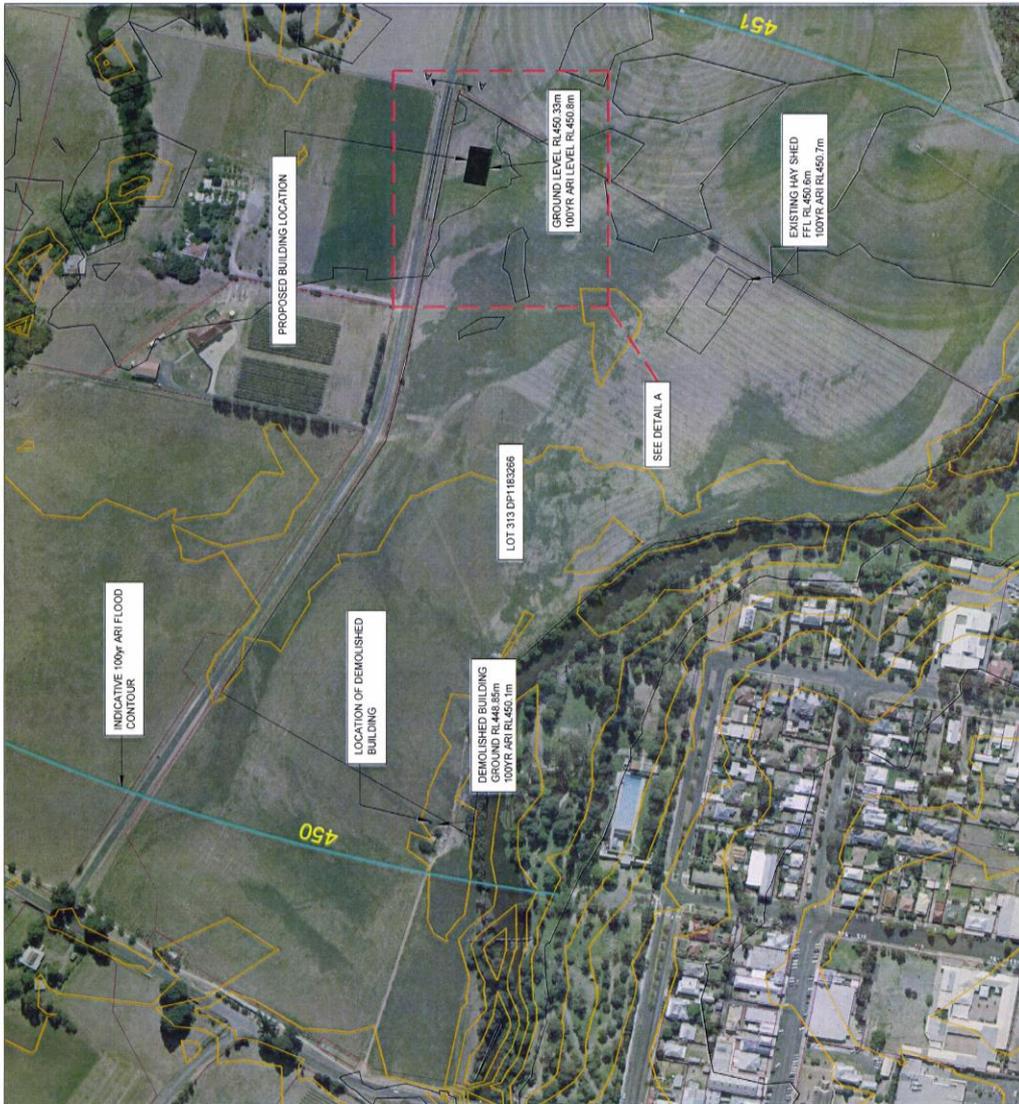
- NOTES:**
- DESIGN FLOOD LEVELS OBTAINED FROM 'MIDGEE FLOODPLAIN MANAGEMENT STUDY AND PLAN' MARCH 2002 REPORT PREPARED BY REVISHER CONSULTING.
 - PROPOSED BUILDING LOCATED AT 960m FROM TOPOGRAPHIC BOUNDARY TO 100YR FLOOD TO CHANGE (89%) ON FIGURE 3.1 IN FLOOD REPORT GIVEN IN TABLE B1 BETWEEN LINE 13 (CHANGE 6.74M) AND LINE 14 (CHANGE 6.84M).
 - SURVEY INFORMATION OBTAINED FROM JABEK PTY LTD SURVEY CONDUCTED 7 FEBRUARY 2014.
 - ALL LEVELS SHOWN ARE TO AUSTRALIAN HEIGHT DATUM (AHD).



SECTION A-A
THROUGH PROPOSED BUILDING LOCATION
N.T.S.



DETAIL A - PROPOSED BUILDING ENVELOPE
SCALE 1:2000
0.1% CONTOUR INTERVAL



SITE PLAN AND FLOOD CONTOURS
SCALE 1:2000

<p>ISSUE FOR D.A.</p> <table border="1"> <tr> <th>No.</th> <th>Date</th> <th>Description</th> </tr> <tr> <td>1</td> <td>18/02/2015</td> <td>ISSUE FOR D.A.</td> </tr> </table>		No.	Date	Description	1	18/02/2015	ISSUE FOR D.A.	<p>PROJECT NO: BK105.dwg</p> <p>DATE: 18/02/2015</p> <p>SCALE: 1:2000</p>
No.	Date	Description						
1	18/02/2015	ISSUE FOR D.A.						
<p>DESIGNER: MR TOM ADAMS</p> <p>DATE: 18/02/2015</p>	<p>CLIENT: BK105.dwg</p> <p>PROJECT: DESIGN FLOOD LEVELS AT PROPOSED BUILDING LOCATION</p>							
<p>PROFESSIONAL ENGINEER: JABEK PTY LIMITED</p> <p>107 JPS BENTLEY ROAD BENTLEY VIC 3083 PHONE: 0427 721818</p>	<p>SCALE: 1:2000 @ A4 SHEET</p> <p>CONTR. INTERVAL: 0.1% (1:100)</p> <p>1:100m</p> <p>0 10 20 30 40 50 60 70 80 90 100</p>							

6.2.2 DA0206/2015, Early Childhood Education Centre - Old Saleyards Site 43 Saleyards Lane MUDGEES NSW 2850

REPORT BY THE MANAGER, STATUTORY PLANNING TO 18 FEBRUARY 2015 COUNCIL MEETING
 DA0206_2015_Early childhood care centre_Saleyards Lane
 GOV400043, DA0206/2015

RECOMMENDATION

That:

1. the report by the Manager, Statutory Planning on DA0206/2015 Early Childhood Education Centre (Old Saleyards Site) 43 Saleyards Lane Mudgee be received;
2. DA0206/2015 Early Childhood Education Centre (Old Saleyards Site) 43 Saleyards Lane Mudgee be approved in accordance with the following conditions;

APPROVED PLANS CONDITIONS

1. Development is to be carried out generally in accordance with stamped plans:
 - Drawing No. 22321-A01 3D Perspective, Locality Plan
 - Drawing No. 22321-A02 Proposed Site Layout
 - Drawing No. 22321-A03 Proposed Floor Layout
 - Drawing No. 22321-A04 Elevations and Sections
 - Drawing No. 22321-A05 Shed Elevations

and the Application received by Council on 7 January 2015 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

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

OPERATIONAL CONDITIONS - PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING

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

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

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

Water Headworks	\$23,265.00
Sewerage Headworks	\$17,705.00
Total	\$40,970.00

- b) The adjustment of existing services or installation of new services and metres, as required, in compliance with *Australian Standard 3500: National*

***Plumbing and Drainage Code.* All costs associated with this work shall be borne by the developer.**

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

4. All building work is to comply with the requirements of the Access to Premises Standard.
5. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
6. The design, construction and fitout of any proposed kitchen, coolroom/s and associated structures must be constructed in accordance with the relevant requirements of Australian Standard 4674 - 2004 "Design, Construction and Fitout of Food Premises". Full details are to be submitted for approval with the required Construction Certificate.
7. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.
8. In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan, a levy of 1% of the cost of carrying out the development shall be paid to Council in accordance with this condition for the purpose of:

The levy is: \$8,427.00 based on the estimated cost of development of \$ 842,744.00.

PRIOR TO THE COMMENCEMENT OF WORKS – BUILDING

9. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
 - the appointment of a Principal Certifying Authority and
 - the date on which work will commence.

Such notice shall include details of the Principal Certifying Authority and must be submitted to Council at least two (2) days before work commences.
10. The site shall be provided with a waste enclose (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.

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

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

- stating that unauthorised entry to the work site is prohibited, and
 - showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - the name, address and telephone number of the principal certifying authority for the work,
 - The sign shall be removed when the erection or demolition of the building has been completed.
12. Prior to the commencement of works on site, the applicant shall advise Council's Development Directorate, in writing, of any existing damage to Council property.
13. The development site is to be managed for the entirety of work in the following manner:
- Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - Appropriate dust control measures;
 - Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
14. Prior to the commencement of works on site, the applicant shall advise Council's Development Directorate, in writing, of any existing damage to Council property.
15. 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.
16. 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.
17. A copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 (Twenty million dollars) is to be provided to Mid-Western Regional Council. Mid-Western Regional Council is to be indemnified against any works carried out by the contractor.

BUILDING CONSTRUCTION

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

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

21. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
22. The strength of the concrete used for the reinforced concrete floor slab must be a minimum 25Mpa
23. All stormwater is to discharge to the street with the use of non-flexible kerb adaptors. Please note this can be achieved by connecting to existing stormwater lines.
24. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.

ENGINEERING CONSTRUCTION

Stormwater

25. 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.
26. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5 year event. All storm water detention details including analysis shall be included with the drainage report.
27. The development must meet the water quality requirements pursuant to Council's Development Control Plan and Appendix B.

Roads, Kerbs and Vehicular Access

28. Each access provided must comply with Council's Access to Properties Policy, AUSTRROADS Part 4/4A and any associated RMS supplements.
29. A total of 10 car parking spaces are to be provided within the site of the development and comply with AS 2890.1: 2004 and the following requirements:
 - Each parking space is to have minimum dimensions of 5.5m x 2.4m;
 - Each disabled car parking space is to be in accordance with the provisions of AS 2890.6: 2009.
 - All car parking spaces are to be provided with a hard standing, all weather compacted gravel or concrete surface and must be maintained in a satisfactory condition at all times;
 - Off street parking is to be encouraged by the placement of prominent signs indicating the availability of parking.
30. 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 – 1993. Details of compliance are to be shown on the relevant plans and specifications.

31. The developer is to upgrade the existing road (Saleyards Lane) for the full frontage of the proposed development, such that it has the following characteristics:

Item	Requirement
Full Road Pavement Width	9 m (2 x 3.5m travel lanes with 1m sealed shoulders)
Nature Strip	2 x 4.5m
Concrete Footpaths	1.2m Wide
Seal	Two-coat flush seal -14/7 mm (Double/Double) as required
Kerb & Gutter	Roll back concrete kerb & gutter
Subsoil Drainage	Behind kerb if required
Underground Drainage	Where gutter flow exceeds 2.5m during minor events or adjacent to intersections.

Earthworks

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: The applicant should contact the Aboriginal Land Council and consult a suitably qualified individual to determine if artefacts were uncovered.
33. Runoff and erosion controls shall be installed prior to clearing and incorporate:-
- 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;
 - maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.
34. All finished surface levels shall be shown on the plans submitted for the Construction Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.
35. 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.

Water and Sewer Services

36. The developer is to extend and meet the full cost of water and sewerage reticulations to service the development plus the cost of connecting to existing services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act,1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.

37. 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 development.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

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

38. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
39. Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule.

The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.

GENERAL

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.

40. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
41. The Child Care Centre is limited to a total number of 40 places for early childhood care and any license from the relevant State/ Federal department should not exceed 40 places.
42. The hours of operation approved for the child care centre are Monday to Friday - 7.30am – 6.30pm.
43. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site. Signage identifying the driveway and car park as low speed environments is also to be appropriately located within the site.
44. Garbage areas are to be adequately screened from public view with an opaque fence and / or adequate landscaping.

45. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
46. Any further signage proposed on the site is subject to a separate Development Application.

Executive summary

APPLICANT:	MID-WESTERN REGIONAL COUNCIL
ESTIMATED COST OF DEVELOPMENT:	\$842,744.00
REASON FOR REPORTING TO COUNCIL:	COUNCIL IS THE APPLICANT
PUBLIC SUBMISSIONS:	0
LOT/DP	LOT 399 DP 1132580

The proposed development relates to a 40 place early childhood education centre. The development is located to the west of Mudgee between the urban footprint and the proposed Caerleon precinct.

The development will front Saleyards Lane and is proposed to be located on the old Saleyards site adjacent the old SES building (now demolished). The proposal includes closing part of the road reserve to create a larger lot for the development.

The development will have a 4.5 metre setback which is consistent with the setbacks allowed in the Residential chapter of the DCP. Side and rear setbacks are a minimum of 12 metres and therefore would not pose any constraints on adjoining properties.

The proposed development has been assessed in accordance with Council's Development Control Plan (DCP) and the LEP. The proposed development is considered generally consistent with Council's planning controls and is worthy of support.

The application was notified to adjoining land owners and an advertisement placed in the local press accordance with Part 1.10 of the DCP. The exhibition period concluded 23 January 2015 and no submissions were received.

The application is reported to Council due to the application being on Council land and a Council application.

Detailed report

1. REQUIREMENTS OF REGULATIONS AND POLICIES:

SEPP 55 – Remediation of Land

The application is benefited by a Preliminary Contamination Investigation regarding previous land use history and the potential for contamination risk. The development has had a number of land uses that may have increased contamination risk (former saleyards). The report identified an oil spill on adjacent land and the presence of analytes, however these were below residential assessment criteria.

Mid-Western Regional Local Environmental Plan 2012 (LEP)

The land is zoned R1 General Residential pursuant to the Mid-Western Regional Local Environmental Plan 2012. The proposal is defined as a child care centre under the LEP and is permissible within the zone.

The Zone Objectives have been considered below -

1 Objectives of zone

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The development will provide other facilities that cater for the day to day needs of the residents and is therefore consistent with the objectives of the zone.

Clause 5.10 Heritage conservation

The subject site is not located within the Mudgee Heritage Conservation Area and there are no heritage items in close proximity. The proposed development is unlikely to have a detrimental impact upon any listed heritage property.

A cultural heritage assessment was also undertaken on the site and adjoining land. Some artefacts were discovered but these are outside of the development footprint.

Clause 6.1 Salinity

The site is not mapped as being subject to salinity; however the Mid-Western Local Government Area is generally prone to dry land salinity. The proposed development would not alter the salinity risk associated with the development.

Clause 6.2 Flood Planning

The land is affected by the Probable Maximum Flood due to the drainage line to the north east of the development site. The Probable Maximum Flood is not the flood event used in a planning assessment unless it is critical infrastructure or an essential service. The application is not for any of these types of activities and therefore is not relevant to the assessment.

Clause 6.3 Earthworks

The development is likely to incorporate cutting and filling across the site. These will be limited to a maximum of 1 metre. As the site and adjoining land is vacant, it is unlikely to impact on adjoining properties. The land to the south is higher and therefore there will be no issues with overlooking caused by the proposed development.

Clause 6.4 Groundwater Vulnerability

The development is affected by groundwater vulnerability but it is not anticipated that the development would increase the risk of groundwater contamination or affect groundwater systems.

Clause 6.5 Terrestrial Biodiversity

The development is mapped as High Biodiversity. The areas of high biodiversity are outside of the development footprint of the application and therefore no significant impacts are envisaged.

Clause 6.9 Essential Services

Development consent must not be granted unless the consent authority is satisfied that essential services for the proposed development are available or that adequate arrangements have been made to make them available when required. Due to the sites urban location and suitable conditions included within the recommendation this Clause can be satisfied.

Mid-Western Regional Development Control Plan 2012 (DCP)

Car Parking

Council's DCP requires 1 space per 4 children for childcare centres. The development proposes a 40 place centre and therefore 10 car parking spaces are required. The development provides in excess of the spaces required with 14 spaces depicted onsite.

Water and Sewer Development Servicing Plan (DSP)

The DSP does not adequately categorise child care centres and preschools for the calculation of water and sewer headworks. Reference is made to the Water Directorate Guidelines in accordance with the requirement of the DSP.

The DSP requires 0.06 ET per person for water and 0.1 ET per person for sewer. Calculations as follows;

- Water - $0.06 \times 47 \times \$8,250.00 = \$23,265.00$
- Sewer – $0.1 \times 47 \times \$3,767.00 = \$17,705.00$

2. IMPACT OF DEVELOPMENT

(a) Context and Setting

The proposed development consists of the establishment of a 40 place early childhood education centre. The development is located between the Mudgee Township and the proposed Caerleon Precinct.

The location is largely rural in character but has been approved for a residential subdivision. The development will alter the current character of the area but this is not considered significant given the desired future character.

The surrounding development is generally vacant and an open rural landscape.

(b) Access, transport and traffic

Access to the site is from Saleyards Lane. Saleyards Lane would need to be upgraded for the frontage of the development. A condition of consent has been included in the Recommendation.

It should also be noted that the road (saleyards Lane) is within the Capital Works Programme to be upgraded.

The proposed development would not significantly impact on the road network and the local road network is considered to be capable of accepting traffic from the development subject to upgrades as proposed in the Recommendation.

(c) Public domain

The land is not adjacent to any public land. The site would not have any significant impact on the public domain.

(d) Utilities

Reticulated water and sewer can be made available to the site. Water and sewer mains are required to be extended to service the development.

Electricity and telecommunication services can be connected to the subject site.

(e) Heritage

There are no items of European heritage listed in MWRLEP 2012 in the locality and the development site is outside the Mudgee Conservation Area. European Heritage has been discussed above in this report and it is not anticipated that the development would adversely impact on the Conservation Area.

A Cultural Heritage assessment was carried out on the subject site and artefacts identified outside of the development area. The proposed development is unlikely to have any impact on the identified artefacts.

(f) Other land resources

The development proposal would not alter the impact or effect on other land resources.

(g) Water

All lots will be capable of draining to the road and water quality treatment will be required as part of the drainage infrastructure. The development being so low in the catchment does not necessitate the need for onsite detention.

(h) Soils

Contamination risk and salinity have been addressed above in the report.

(i) Air and Microclimate

The development will not adversely affect air quality nor will the micro climate be adversely affected. During construction, there is the likelihood of limited impact; however this can be mitigated by dust suppression.

(j) Flora & fauna

The subject land has been largely cleared and is located in a semi urban area. The site is highly disturbed. Despite this, there is an Ecologically Endangered Community in close proximity to the development site.

The location of the proposed early childhood education centre is outside of these areas and therefore no significant impacts are envisaged.

(l) Energy

There are no energy concerns with this application. Proposed lots can be serviced with underground electricity.

(m) Noise & vibration

The subdivision is unlikely to significantly increase the noise impacts in the locality.

(n) Natural Hazards

The site is affected by flooding but is not affected by any other natural hazard. Flood risk has been addressed earlier in the report.

(p) Safety, security and crime prevention

The development is designed to provide passive surveillance of the area and will be fenced to delineate the site.

(q) Economic and Social impact in the locality

The provision of additional early childhood education facilities will provide a beneficial impact from an economic and social perspective as it provides greater opportunities for young children and may benefit the region as a further incentive to move to the region.

(s) Site design and internal design

The development is designed to comply with Council's DCP 2013 including the provision of services and utilities.

3. SUITABILITY OF SITE FOR DEVELOPMENT**(a) Does the proposal fit in the locality?**

The proposed development will alter the locality as the site has been largely vacant for some time. The impacts are considered positive and will provide additional early childhood education facilities.

(b) Are the site attributes conducive to development?

The subject site has road frontages making the site conducive to the development.

4. SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS**(a) Public Submissions**

The application was notified to adjoining owners and advertised in the local newspaper with the public exhibition period ending on the 23 January 2015. No submissions were received.

(b) Submissions from public authorities

The application did not receive any submissions from public authorities.

5. THE PUBLIC INTEREST**(a) Federal, State and local government interests and community interests**

The public interest is served by providing additional early childhood education facilities.

6. CONSULTATIONS

(a) Health & Building.

No objection subject to conditions included within the recommendation.

(b) Development Engineer.

No objection subject to conditions included within the recommendation.

Financial and Operational Plan implications

The construction of the early childhood care centre is within the Operational Plan and has been budgeted for through the Cobbora Transition Fund.

Community Plan implications

The assessment of the development application sits under theme 1 Looking after our Community, Goal 1.1 – A Safe and Healthy Community.



GARY BRUCE
MANAGER, STATUTORY PLANNING



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

4 February 2015

- Attachments: 1. Locality Plan
2. Architectural Plans

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER



Map Scale: 1:7,036

Disclaimer

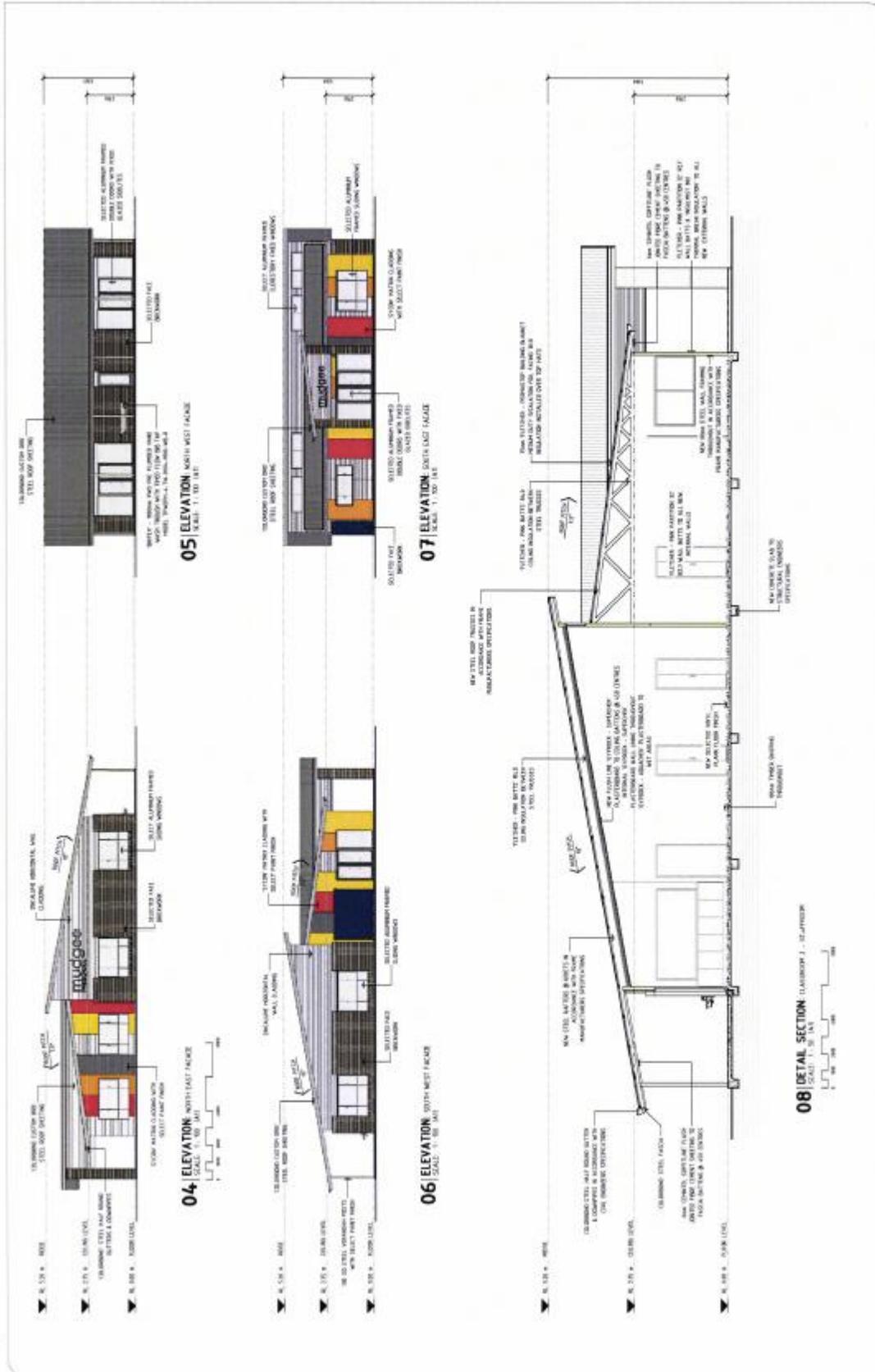
This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council Property boundaries. Wherever applicable is supplied by Department of Lands.

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

Legend

	Parcel		Road		NORTH
	Cover Lane		Localities		State Forest
	Railway		LGA Boundary		Waterway





FOR DEVELOPMENT APPLICATION
 No. 22321 - A04
 0

Client: PROPOSED EARLY CHILDHOOD CENTRE AT SALESWARD ROAD MUDGEE NSW

Drawn by: CF

Checked by: AM

Scale: 1:100 (A1)

Project No.: 22321 - A04

Revision: 0

Drawn by: CF

Checked by: AM

Scale: 1:100 (A1)

Project No.: 22321 - A04

Revision: 0

Drawn by: CF

Checked by: AM

Scale: 1:100 (A1)

Project No.: 22321 - A04

Revision: 0

barnson
 DESIGN · PLAN · MANAGE

NATA
 NATIONAL ASSOCIATION OF TECHNICAL ARCHITECTS

NSW
 NEW SOUTH WALES

6.2.3 DA0164/2015 – Proposed Commercial Alterations & Additions and Boundary Adjustment – Lots 1 & 2 DP732911 and Lot 1 DP995458 – Oriental Hotel - 6 Lewis Street Mudgee

REPORT BY THE TOWN PLANNER TO 19 FEBRUARY 2014 COUNCIL MEETING

Report to Council - DA0164_2015_Oriental Hotel

GOV400038, DA0164/2015

RECOMMENDATION

That:

1. The report by the Town Planner on the DA0164/2015 Proposed Alterations and Additions to Commercial Premises & Boundary Adjustment (Oriental Hotel) at Lot 1 DP 732911, Lot 2 DP 732911 and Lot 1 DP 995458, 6 Lewis Street Mudgee be received;
2. Development Application 0164/2015 Proposed Alterations and Additions to Commercial Premises & Boundary Adjustment (Oriental Hotel) at Lot 1 DP 732911, Lot 2 DP 732911 and Lot 1 DP 995458, 6 Lewis Street Mudgee be approved subject to the following conditions:

APPROVED PLANS

1. Development is to be carried out generally in accordance with stamped plans
 - Project No. 711 - Drawing Number DA1201 - Issue C Ground Floor and Site Plan
 - Project No. 711 - Drawing Number DA1301 - Issue C Level One Floor Plan
 - Project No. 711 - Drawing Number DA1501 - Issue C Elevations
 - Project No. 711 - Drawing Number DA1601 - Issue C Sections
 - Oriental Hotel, Mudgee Car Parking Analysis Response to Council – Ref. 2013/377.F02A.CM/hc – McLaren Traffic Engineering

and the Application received by Council on 14 November 2014 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

2. The signage on the western elevation is to generally match the existing signage on the hotel western elevation.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

3. The bi-fold doors for both levels facing the street are to incorporate treatment to minimize noise levels to a maximum of 5db(A) above background level noise. Details of compliance with this requirement are to be provided with the construction certificate documentation and certified by a qualified acoustic engineer.
4. An acoustic barrier to a height of 2m above ground level is to be provided for the length of the western boundary extending from the front boundary to the rear

access gate. Details of the barrier are to be provided prior to the issue of a construction certificate.

5. The 2m acoustic barrier proposed for the southern elevation is to be extended for the entire rear boundary of Lot 1 DP 995458.
6. Any plant or air-conditioning units are to be adequately screened. Details of screening are to be provided with the construction certificate documentation.
7. Under clause 94 of the Environmental Planning and Assessment Regulation 2000, the existing residential portion of the building, being the second storey residential part, is to be brought into partial conformity with the following Performance Requirements (PR's) of the BCA, Volume 1.

CP2 – In relation to the doors of the Sole Occupancy Units (SOU's) and doors in the path of travel to the required stairways.

DP2 – In relation to the goings/risers, handrails and balustrades of the external stairway leading down from the second storey residential part.

DP6 – In relation to the operation of the latch to the doors in a path of travel to an exit. Those being doors in public corridors and opening into required stairways.

EP1.2 – In relation to serving common areas throughout the residential part.

EP2.1 – In relation to the whole of the residential part.

EP4.1, EP4.2 – In relation to passage way, corridor and stairway of the residential part.

Details of compliance with the abovementioned Performance Requirements of the BCA are to be indicated on amended/additional plans and submitted to the Principle Certifying Authority for assessment with the Construction Certificate. A report from a suitably qualified Building/BCA Certifier is to be submitted addressing the matters which are subject to the upgrading.

8. A certificate from a Practising Structural Engineer certifying to the structural sufficiency of the existing structure to support proposed addition is to be submitted at Construction Certificate stage.
9. All building work is to comply with the requirements of the Access to Premises Standard.
10. Trade Waste Application will be required to be submitted and approved for the proposed kitchen grease trap prior to occupation.
11. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.
12. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.

13. All proposed structural foundations must not impose a load within the zone of influence of any reticulated water or sewer mains.

Note: Please contact Council regarding the calculation of the zone of influence.

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

Water Headworks	\$ 11,223
Sewerage Headworks	\$ 5,122
Total Payable	\$ 16,345

15. In accordance with the provisions of section 94 of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94 Development Contributions Plan, a contribution of \$31,977 for Civic Improvements shall be paid to Council in accordance with this condition.

16. Car parking within the development is to comply with the following:
- Car parking shall be implemented as shown on the approved drawings at the full cost of the Developer;
 - Each parking space is to have minimum dimensions pursuant to Australian Standard AS2890.1;
 - Each disabled car parking space is to be in accordance with the provisions of Clause D3.5 of the Building Code of Australia and Australian Standard as 2890.1;
 - All car parking spaces are to be line-marked and sealed with a hard standing, all weather material and must be maintained in a satisfactory condition at all times;
 - The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Traffic Authority *Guide to Traffic Generating Developments 1992* and Australian Standard AS2890.1. Details of compliance are to be shown on the relevant plans and specifications.

PRIOR TO COMMENCEMENT OF WORKS BUILDING

17. No work shall commence until a Construction Certificate has been issued and the applicant has notified Council of:
- the appointment of a Principal Certifying Authority and
 - the date on which work will commence.

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

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

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

19. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
- stating that unauthorised entry to the work site is prohibited, and
 - showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - the name, address and telephone number of the principal certifying authority for the work,
 - The sign shall be removed when the erection or demolition of the building has been completed.
20. If the work involved in the erection/demolition of the building;
- is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - building involves the enclosure of a public place

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

21. Prior to the commencement of works on site, the applicant shall advise Council's Development and Community Services Department, in writing, of any existing damage to Council property.
22. The development site is to be managed for the entirety of work in the following manner:
- Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - Appropriate dust control measures;
 - Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

BUILDING CONSTRUCTION

23. 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.
24. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
25. Construction work noise that is audible at other premises is to be restricted to the following times:
- Monday to Saturday - 7.00am to 5.00pm
- No construction work noise is permitted on Sundays or Public Holidays.
26. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.

27. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-
- a) Demolition work is not be undertaken until:
 - Council has been provided with a copy of any required Hazardous Substances Management Plan;
 - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
 - b) The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001
 - c) All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency;
 - d) Seven working days notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.
28. The removal of any asbestos material (less than 10m²) during the demolition phase of the development is to be in accordance with the requirements of the Workcover Authority and disposed of at an approved waste facility.
29. All stormwater is to discharge to the street with the use of non-flexible kerb adaptors. Please note this can be achieved by connecting to existing stormwater lines.
30. All building work is to comply with the requirements of the Access to Premises Standard.
31. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire in accordance with Clause 168 of the Environmental Planning and Assessment Regulation 2000.

PRIOR TO WORKS COMMENCING CIVIL

32. 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.
33. 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.
34. The developer is to grant Council (or an *Accredited Certifier* on behalf of Council) unrestricted access to the site at all times to enable inspections or testing of the works.

35. 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.

PRIOR TO OCCUPATION CERTIFICATE

36. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
37. All car parking and associated driveway works are to be completed prior to occupation of the development.
38. CCTV cameras are to be installed at all entrances to the premises to the standards of NSW police. An additional camera is to be located at the rear south western entrance to the premises capturing the immediate surrounding carpark.
39. Security lighting is to be installed to clearly identify the rear gate to the public carpark.
40. A sign is to be placed at the Mortimer Street driveway entrance making patrons aware of the extra parking at the rear of the site.
41. Confirmation of registration of the boundary adjustment as approved by this consent.
42. Prior to occupation or the issue of the Occupation Certificate (or Interim Occupation Certificate) the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
43. Confirmation from a registered surveyor that no part of the new building exceeds a height of 8.5m above existing natural ground level.

GENERAL CONDITIONS

44. A management plan is to be prepared for hotel staff. The plan is to incorporate measures including the closing of all bi-fold doors and all other external windows at 10pm every evening, the locking of the external gate to the rear carpark at 10pm every evening and the directing of patrons to exit the hotel through the Mortimer Street exits after 10pm every evening.
45. 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 a Annual Fire Safety Statement Certifying that each specified fire safety measure is capable of performing to its specification.

46. 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.
47. The air conditioning unit/s must be operated in accordance with the requirements of the Protection of the Environmental Operations Act (Noise Control) Regulations 2000.
48. The premises shall, at all times, be operated and maintained in accordance with Food Safety Standards 3.1.1, 3.2.2 and 3.2.3 prescribed in chapter 3 of the Australia and New Zealand Food Standards Code.
49. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
50. The colour scheme is to generally match the existing colour scheme of the hotel.
51. The rear garage is to remain open and clear for the use of car parking during opening hours.
52. The southern extent of the turfed area is to incorporate a play equipment area as committed to in the details lodged with the application.

PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

53. 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)
54. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager.
55. Three metre wide easements, including associated Section 88B instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.
56. All services including water and sewer connections are to be preserved for individual lots.

Executive summary

Applicant:	Snell Architects
Estimated cost of development:	\$880,000
Reason for reporting to council:	submissions Councillor application

Public submissions:**8**

The proposal relates to internal alterations to the Oriental Hotel together with a two storey extension to the western end of the site for the purposes of additional licensed and dining area. The site is zoned B3 – Commercial Core pursuant to Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012) and is located adjacent to the zone boundary with land zoned R3 – Medium Density Residential.

The application also includes a boundary adjustment to provide space for the turfed area.

The application was notified in accordance with Mid-Western Regional Development Control Plan 2013 (MWRDCP 2013) with a total of eight (8) submissions received.

The application was referred to the NSW Police who have provided a response generally in support of the proposal subject to certain recommended conditions.

The application is referred to Council due to unresolved submissions and the landowner being a Councillor.

The application is recommended for approval subject to conditions.

Please note that the application was referred to Council for consideration at the 17 December 2014 meeting, however was withdrawn from the meeting by the applicant to allow further time to prepare a traffic assessment.

Detailed report

PROPOSED DEVELOPMENT:

A Development Application has been submitted to Council for the erection of a two storey addition plus internal alterations to the existing licenced area at the Oriental Hotel. The Development Application includes:

- The relocation of the existing bar to allow for more area within the 'front bar'.
- The relocation of the gaming room and the provision of an outdoor gaming room.
- The relocation and upgrade of the female toilets.
- The relocation of the kitchen, plant and keg storage area to a new single storey structure at the rear of the site.
- The erection of a new two storey licenced area and dining area on the western portion of the site.
- The erection of a covered walkway between the existing building and the proposed new structure.
- The provision of a new turfed area to the rear of the site (subject to a boundary adjustment).
- Relocation of parking spaces.
- Signage.
- Boundary adjustment.

DEVELOPMENT ASSESSMENT:

The Development Application has been assessed in accordance with Section 79C (1) of the Environmental Planning & Assessment Act 1979. The main issues are addressed below as follows.

1. REQUIREMENTS OF REGULATIONS AND POLICIES:**(a) Provisions of any Environmental Planning Instrument and any draft EPI****Mid-Western Regional Local Environmental Plan 2012**

The proposal is permissible under the Mid-Western Regional Local Environmental Plan 2012 (MRLEP 2012) and the assessment of the application has determined it to be consistent with the planning objectives of the 'B3 Commercial Core' zone and of the locality pursuant to the relevant codes and policies.

Clause 4.3 prescribes maximum building heights within certain areas. The height of buildings map identifies a maximum building height of 8.5m for the site. The proposal indicates a maximum height of 8.45m. Accordingly, a recommended condition of consent has been included ensuring a survey is undertaken prior to completion of the works confirming the 8.5m is not exceeded.

The Oriental Hotel is a locally significant Heritage Item being Item 1100 in the list to Schedule 5 of MWRLEP 2013. The proposed extensions and alterations will not detrimentally affect the heritage value of the site and will compliment both the Oriental Hotel and surrounding heritage fabric. A heritage impact statement prepared by 'John Carr Heritage Design' has been included with the application confirming the suitability of the proposal in accordance with clause 5.10.

Clause 6.7 identifies areas where active street frontages are to be incorporated into the design of new buildings. The proposal satisfies this clause in that the building is orientated to the street and is proposed to be used for business premises.

The proposal is considered to generally satisfy the relevant provisions of MWRLEP 2012.

(b) Provisions of any Development Control Plan or Council Policy

The following components of the MWRDCP 2013 are applicable to the development:

DCP 2013: Chapter 4 Specific Types of Development

4.5 Commercial Development:

BUILDING SETBACKS	COMMENT/ COMPLIES
Building setback from the street	Yes
o No minimum	
Side and rear setbacks must comply with BCA	To be conditioned.
SIGNAGE	
Signage complies with relevant provisions in section 4.4 DCP 2013	Yes
DESIGN	
Buildings interact with the street	Yes. Windows incorporated.
On active street frontages ground level of building used for business or retail premises.	Yes.
Building facades are articulated by	Yes. Extensive use of windows and bi-fold dors.
o use of colour	
o arrangement of elements or	
o varying materials	
Heritage inclusions	Yes. Heritage impact assessment provided.
External plant to be screened from public	Yes. Condition of consent.

BUILDING SETBACKS	COMMENT/ COMPLIES
Development on a corner <ul style="list-style-type: none"> Includes architectural features to address both streets. 	Not applicable.
Landscape buffers to other zones	Proposed works not on zone boundary portion of the site.
SCALE FORM AND HEIGHT	
Complies with LEP height controls <ul style="list-style-type: none"> 8.5m maximum height 	Yes. Condition.
Consistent with existing heritage character of the town centres of Gulgong, Mudgee and Rylstone	Yes. Matching two storey nature of rest of the site.
MORTIMER & CHURCH STREET MUDGEE	
Maintain the streetscape established in Church Street between Market and Mortimer Streets <ul style="list-style-type: none"> Zero front and side setbacks Double storey pattern 	Generally consistent.
Provides variance particularly on upper floor levels, every 20-25m.	Variance provided.
ARTICULATION AND FAÇADE COMPOSITION	
Breaks visual bulk with fenestration or change in materials etc.	Extensive fenestration provided.
No excessive blank walls in front facade	Yes
Where blank walls are proposed (side or rear) minimise impacts with <ul style="list-style-type: none"> Landscaping Patterning of facade Signage Public art 	N/A
RESIDENTIAL-COMMERCIAL INTERFACE	
Landscape buffer to residential boundaries	Building separation provided to the west. New licenced area directly adjacent to 'Ori Cottage' provided with landscaping.
Ground and first floor do not overlook residential properties	Yes. First floor orientated to the street.
Maintain acoustic privacy through the use of acoustic fencing where vehicles movements adjoin property boundaries	Acoustic fencing proposed to southern boundary. Condition that acoustic fencing extended to separate 'Ori Cottage' and parking spaces on western edge of site. Refer to noise section of this report.
Reduce visual bulk by locating buildings and structures away from residential boundaries, or where buildings are located along residential boundaries ensure sufficient landscaping is provided.	Yes. Sufficient separation to the town houses to the west has been achieved.
Development does not reduce sunlight available to north facing windows of living areas, private open space or clothes drying areas of adjoining properties to less than 3 hours between 9am and 3pm at winter solstice.	Yes. Shadow diagrams indicate minimal overshadowing.
UTILITIES AND SERVICES	
Building and structures located clear of infrastructure	Yes
Able to be serviced by <ul style="list-style-type: none"> Water 	Yes. No changes to waste arrangements. Section 64 charges

BUILDING SETBACKS	COMMENT/ COMPLIES
<ul style="list-style-type: none"> ○ Sewer ○ Waste disposal 	applicable.
Trade waste application required?	Yes.
TRAFFIC AND ACCESS	
All vehicles must be able to enter and exit the site in a forward direction	Yes.
All vehicle movement paths are sealed	Yes.
Driveways comply with Australian Standard AS 2890.1 Parking Facilities	Generally comply given existing conditions.
All loading facilities located within the site	Yes. No change to existing situation.
All loading facilities designed to comply with Australian Standards	No change to existing situation
Application addresses traffic flow and safety issues e.g. pedestrian, car and truck movements.	Yes. No significant change to existing situation.
PEDESTRIAN ACCESS	
Maintain existing covered pedestrian access within town centres	No reduction in covered area as a result of the proposal.
Convenient and safe access through parking areas	Designated paths have been provided. Vehicle movements not expected in peak times.
Convenient and safe disabled access through parking areas, focus on improving links with existing retail.	Links to other sites not altered.
PARKING	
Discussed elsewhere in report	Yes
LANDSCAPING	
Landscaped areas in car parks should be provided incorporating the use of canopy trees and buffer planting to residential boundaries.	N/A. Existing
Landscaping to comprise low maintenance, drought and frost resistant species.	N/A

DCP 2013: Chapter 5 Development Standards

5.1 Car Parking

The table in Part 5.1 requires that a parking study be undertaken for any pubs located within the B3 Commercial Core zone.

The applicant has provided a traffic study (and additional revised details) prepared by McLaren Traffic Engineering addressing the extra demand for parking in the vicinity (Attachment 5). In summary the engineer has identified that during the evening peak times for the hotel that there is enough on-street and public carpark vacancies in the surrounding vicinity to absorb the extra parking demand of 11 vehicles.

The general methodology used was to undertake several weekend surveys and calculate the average number of patrons in the hotel. This figure was then correlated with the number of vehicles used by the average number of patrons. Subsequently, the percentage increase in floor area was then related to a percentage increase in patron numbers/vehicle usage.

The traffic engineer also surveyed the surrounding vicinity including the public car park, on street parking and the 'Coles' car park to ascertain an average parking vacancy for the evening period. It

was determined that the average vacancy rate of 244 spaces exceeded the expected further parking demand of 11 vehicles for the proposed development.

Council's Development Engineer has reviewed the assessment and generally agrees with the methodology used by McLaren Traffic Engineering.

It should be noted that the final revised 'additional floor areas' have increased since the original calculations due to the Traffic Engineer inadvertently including the existing unlawful marquee in the existing floor area and not including the full potential in useable floor area for patrons. Likewise, the applicant has now clarified which areas are to be dedicated as circulation spaces and not for the passive use by patrons.

Boundary Adjustment

The proposal includes a boundary adjustment to facilitate the proposed turfed area of the hotel. The adjustment is not expected to significantly impact on the existing 'Ori Cottage', which is currently used as a serviced apartment. An acoustic wall is recommended as a condition of consent to mitigate any noise impacts to the occupants of the cottage and the property to the south.

Section 94 Plan

The development is within Catchment 1 of the Section 94 Contributions Plan and therefore attracts contribution of \$188.10 per additional square metre of floor area. There is 170m² of new floor area (excluding kitchens and storage space) and this equates to a total contribution of \$31,977.00.

The recommendation includes the contribution as required by the plan.

2. IMPACT OF DEVELOPMENT

Context and Setting

The scale of the development under this proposal is consistent with the surrounding infrastructure and built environment in terms of its appearance, character, design and intensity.

The site is made up of three land titles, being Lots 1 & 2 in DP 732911 and part Lot 1 DP 995458 and as such will require the adjustment of boundaries prior to the issue of an Occupation Certificate and is a recommended condition of consent. The proposed works are not considered to pose any detrimental impacts on the streetscape or appear out of context within the immediate locality.

Access, transport and traffic

Vehicle access to the site is from an existing entry point on Mortimer Street. The site currently includes seven onsite parking spaces, which are proposed to be retained although in a different configuration. A condition of consent has been recommended ensuring an accessible parking space is provided with details to be provided prior to issue of construction certificate.

In accordance with the provisions of MWRDCP 2013 a condition of consent has also been recommended requiring the erection of an acoustic barrier to a height of 2m separating the parking area from the adjacent residences to the west.

The provision of extra parking has been addressed previously in this report.

Given the existing nature of the site there is no opportunity to improve the truck movements available.

Public domain

No negative impacts on the public domain have been identified as part of the assessment of the Development Application.

Utilities

Council's development engineer has incorporated the demand for extra infrastructure into the recommended conditions of consent.

Heritage

The proposed development is located in the Heritage Conservation Area and the building is heritage listed, however the proposal does not give rise to any significant reasons to refuse the Development Application. There would be minimal impact on the original fabric of the Hotel as a result of this development. The heritage impact statement provided with the application clarifies the suitability of the proposal with respect to form, scale and architectural detail.

Other land resources

There are no other land resource issues associated with the Development Application.

Water

There are no issues with respect to water associated with the development. All stormwater from the proposal will be adequately dispersed back to Mortimer Street and conditioned accordingly.

Soils

The proposed development is not likely to generate any likely impacts in respect of soils.

Air and Microclimate

It is considered that the development proposal will not further detrimentally affect air quality and microclimatic conditions in the area.

Flora & fauna

No native vegetation is present upon the site.

Waste

All waste during the construction phase shall be removed in accordance with the relevant standards and specifications. There are no trade waste requirements associated with this proposal.

Ongoing removal of waste will be as per existing situation.

Energy

There is no energy concerns associated with the proposed development. A 'Part J' report under the BCA will be required at construction certificate stage.

Noise & vibration

The impacts of noise, in particular impacting on Mortimer Street and the residences to the west, form part of the concerns raised during the notification process.

The current premises includes an open deck area at ground level directly on Mortimer Street. The proposal seeks to formalise this area with opportunities available to improve acoustic retention beyond the existing situation.

Both levels of the proposed structure include bi-fold doors facing Mortimer Street to allow for good outlook whilst providing flexibility to close this area up when in optimal use. Accordingly, a recommended condition of consent has been included to ensure that the bi-fold doors are both glazed for acoustic treatment and closed at 10pm every night to aid in acoustic retention. The combination of these two measures is considered sufficient in reducing the acoustic impact to a level commensurate with the B3 zone. It should be noted that there are no openings proposed to the western elevation of the building.

Furthermore, a recommended condition of consent has been included requiring that the proposed 2m acoustic wall located along the southern boundary be extended along the rear boundary of the 'Ori Cottage' to ensure appropriate acoustic retention to the residential house in accordance with the provisions of MWRDCP 2013. No further extension of this barrier is warranted given the above factors.

In consideration of the above factors it is not warranted to require an acoustic assessment for the proposal as the noise levels are expected to be mitigated to an acceptable level for the B3 zone.

Natural Hazards

The site is not affected by any natural hazards such as flooding or bushfire affecting the proposal. There are no other known additional natural hazards which would detrimentally impact on the development as proposed.

Technological hazards

There are no identified technological hazards associated with the proposed development.

Safety, security and crime prevention

The development application was referred to the Local Police for comment and input. A response was received in support of the application subject to several recommendations. Generally the recommendations are considered warranted (except where they would contravene the BCA) and will ensure safety of patrons and surrounding residents will be upheld to an acceptable standard. The recommendations included:

- i) Reduced access to Lewis Street to passively direct patrons away from the adjacent residential area.
- ii) Closing of the bi-fold doors after 10pm every evening.
- iii) Closing of the gate to the rear carpark after 10pm every evening to discourage disorderly behaviour in the carpark.
- iv) The inclusion of glazing to the bi-fold doors.
- v) The provision of CCTV infrastructure to both the rear carpark and the front entrances to increase surveillance and deter disorderly behaviour.

Additionally, the Office of Liquor, Gaming and Racing (OLGR) will also assess the proposal in relation to patron numbers and security. Extra measures can be incorporated into the liquor licence at the prerogative of the OLGR if deemed necessary and in particular can be implemented on an ongoing basis as any issues arise (eg security guards).

The specific measures included in the ongoing operations of the hotel are more appropriately and effectively implemented during that particular process.

The combination of the above is considered sufficient and appropriate in addressing the concerns of surrounding businesses and residences.

Social impact in the locality

No significant detrimental social or economic impacts have been identified in the assessment of the development proposal. The crime prevention issues have been discussed previously in this report.

Economic impact in the locality

The proposed development is expected to have an overall positive economic impact on the locality and the surrounding District.

Site design and internal design

It is considered that the site design and layout of the proposed development is considered sufficient given the zoning and use of the land.

Construction

The proposal will be required to comply with the BCA with further details to be provided at construction certificate stage. An initial review of the application from Council's building surveyor has not identified any obvious impediments to achieving compliance.

Cumulative Impacts

Having reviewed the Development Application there would appear to be no identified cumulative impacts associated with this development to warrant refusal of the Development Application. The Development Application involves the additions and alterations to an existing commercial premises with some measures incorporated to improve the current situation.

3. *SUITABILITY OF SITE FOR DEVELOPMENT*

(a) Does the proposal fit in the locality

It is considered that the site, being in the B3 zone, is suitable for the development as proposed subject to the various conditions recommended throughout the report.

(b) Are the site attributes conducive to development

It is considered that the site attributes are conducive to the development and no significant issues are raised to warrant refusal of the Development Application. Upon being conditioned accordingly the development shall not have any main reasons to warrant refusal of the Development Application.

4. *SUBMISSIONS MADE IN ACCORDANCE WITH ACT OR REGULATIONS*

(a) Public Submissions

During the exhibition period eight (8) submissions were received. One submission was in support of the proposal on economic grounds. Seven submissions were received objecting to the proposal from surrounding businesses and residences (serviced apartments). It should be noted that several minor amendments were made to the plans and proposal, however, none of these changes warranted re-notification of the proposal.

The traffic assessment was also lodged after the notification period, however, no formal re-notification was considered necessary as the report only provides further clarity to the proposal to the assessing officer in formulating a recommendation on that particular issue.

Each of the general concerns are outlined below:

Noise from within the pub

Concerns were raised regarding the general noise emitted from the premises, in particular in the evening.

Comment: The new structure will incorporate bi-fold doors across both levels facing Mortimer Street. Two conditions of consent are recommended to mitigate the noise emitted from this part of the premises. These include glazing treatment to the doors and the requirement for these doors to be closed after 10pm every evening. The combination of these requirements is expected to minimise noise to a reasonable level for the B3 zone.

No openings are proposed on the western elevation. However, an acoustic wall is recommended on the western boundary to reduce noise impacts associated with vehicle movements.

Anti-social Behaviour

Concerns were raised regarding an increase in anti-social behaviour associated with the Hotel.

Comment: The development application was referred to the Local Police who have raised no specific concerns with the proposal. Several recommendations were made, which have generally been included as recommended conditions of consent where appropriate as discussed previously in this report.

These measures together with any ongoing requirements of the liquor licence are expected to greatly assist in deterring this behaviour.

Parking

Questions were raised regarding the provision of parking.

Comment: An assessment of the parking situation has been previously outlined in this report. A traffic assessment prepared by a Traffic Engineer has been lodged with the application for consideration by Council. The findings of this assessment have been endorsed by Council's Development Engineer.

Air conditioning units

A concern was raised as to the location of the air conditioning units.

Comment: A recommended condition of consent has been included ensuring that the units be appropriately screened to reduce noise to a reasonable level. Details are to be provided with construction certificate documentation.

Alcohol/smoke free zones

Questions were asked as to the status of the alcohol and smoke free zones.

Comment: The footpath area is subject to a general alcohol and smoke free zone, which is enforced by the police and NSW Health respectively. This application has no bearing on the zones.

Management plan

Questions were asked as to whether there is a management plan in place for hotel operations.

Comment: It is the responsibility of the licensee to ensure all conditions of consent are met on an ongoing basis together with any liquor licence requirements. A recommended condition has been included requiring the licensee to prepare a management plan.

Due process

Questions were raised as to the conflict of interest of the proposal as the land owner is an elected councillor.

Comment: The application has been assessed and reported in accordance with Council policies. It is Council procedure to report DA's involving land owned by an elected Councillor to Council.

Loading facilities

Concerns were raised as to the provision of loading facilities.

Comment: As previously discussed there is no opportunity to improve loading arrangements due to the existing layout of the site, which has generally been restricted since its creation.

(b) Submissions from public authorities

The Development Application was referred to the NSW Police for assessment and comment. The NSW Police had no concerns in regard to the development subject to the inclusion of several recommendations.

5. THE PUBLIC INTEREST

(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. The hotel has been existing for a considerable time with this proposal to include alterations and additions to the facility.

The Development Application was referred to the NSW Police Mudgee Local Area Command for assessment and consideration and provided several recommendations, which have been included in this assessment.

6. CONSULTATIONS

(a) Health & Building

Council's Senior Health and Building Surveyor reviewed the Development Application and had no concerns with regard to its approval subject to conditions of consent.

(b) Development Engineer

Having reviewed the Development Application the Development Engineer indicated he had no concerns with regard to the proposal subject to the Development Application being approved subject to conditions of consent.

Financial and Operational Plan implications

Section 94 contributions are applicable.

Community Plan implications

The assessment of the development application sits under theme 1 Looking after our Community, Goal 1.1 – A safe and Healthy Community.

DREW ROBERTS
TOWN PLANNER

CATHERINE VAN LAEREN
DIRECTOR -DEVELOPMENT

5 February 2015

Attachments: (included at the end of the business paper)

1. Locality Plan
2. Development Plans
3. Submissions
4. Police Referral
5. Traffic Assessment

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

6.2.4 Monthly Development Applications Processing & Determined

REPORT BY THE DIRECTOR, DEVELOPMENT TO 18 FEBRUARY 2015 COUNCIL MEETING
DA applications processing and determined REPORT TO COUNCIL January 2015
GOV400043, A100055, A100056

RECOMMENDATION

That the report by the Director, Development on the Monthly Development Applications Processing & Determined be received.

Executive summary

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

Detailed report

Included in this report is an update for month ending 31 January 2015 of 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

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Not applicable.



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

6 February 2015

Attachments: 1. Monthly development applications processing and determined January 2015.

APPROVED FOR SUBMISSION:

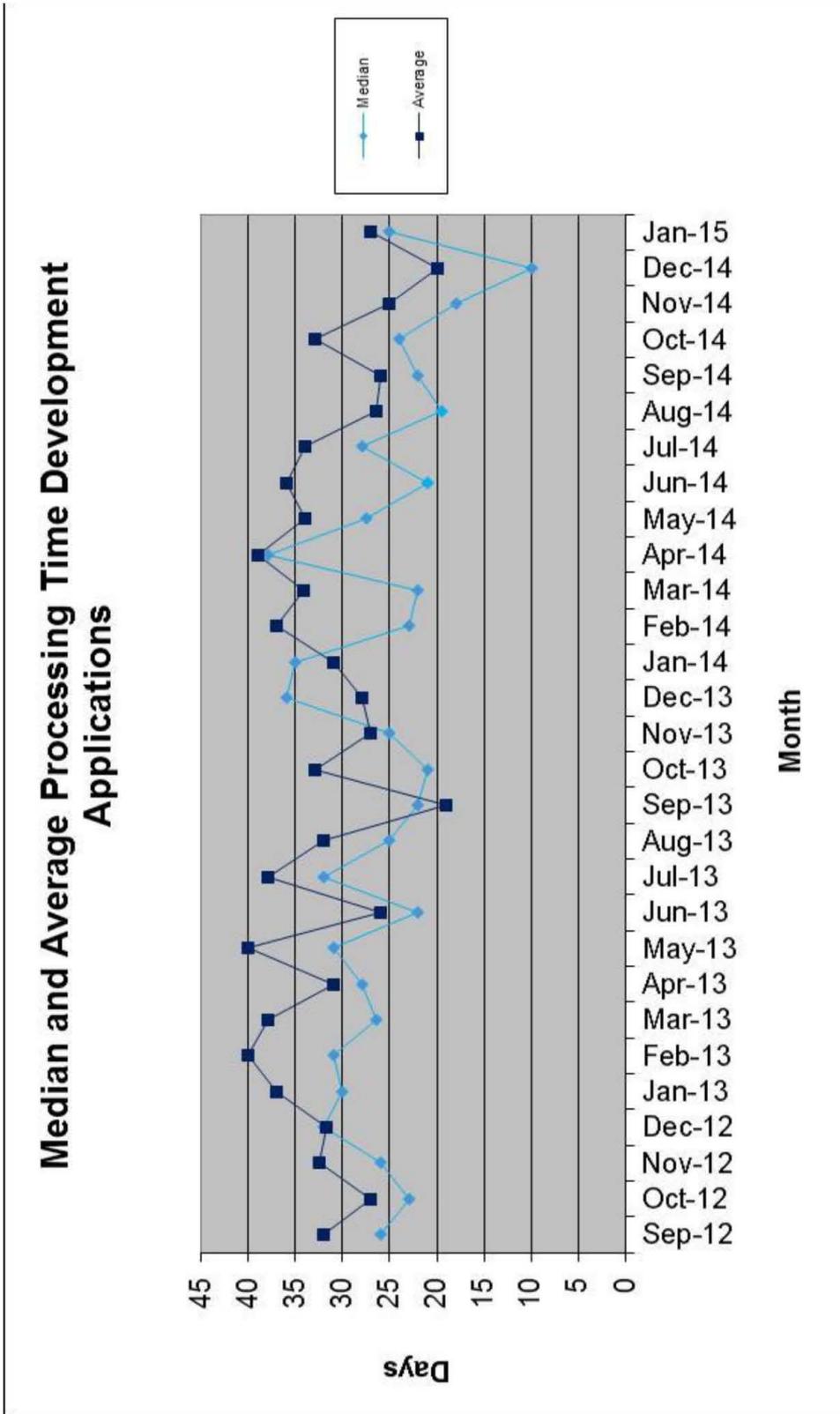


BRAD CAM
GENERAL MANAGER

Monthly Development Application Processing Report – January, 2015

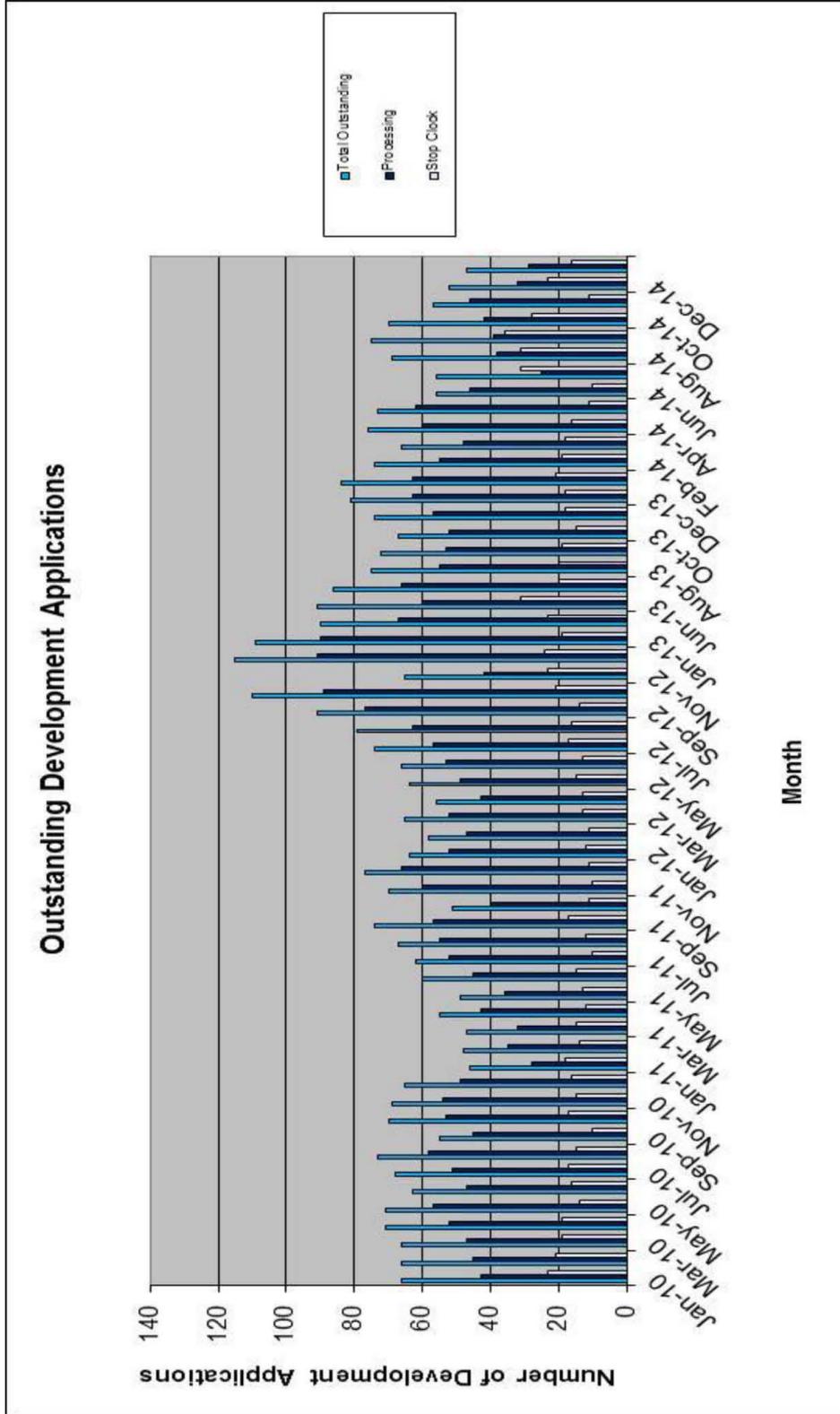
This report covers the period for the month of January 2015.

Graph 1 indicates the processing times up to 31 January 2015 with the month of January having an average of 27 days and a median time of 25 days.



Monthly Development Application Processing Report – January, 2015

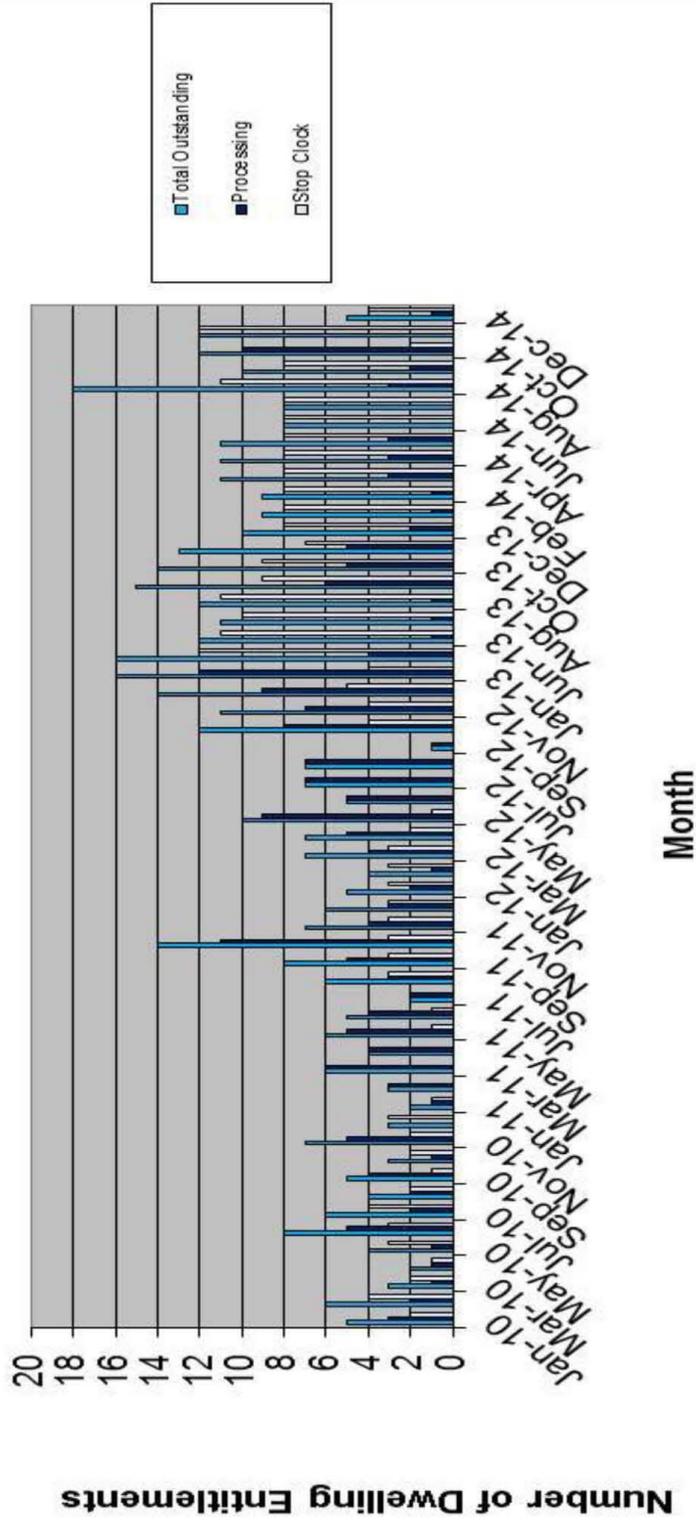
Graph 2 indicates the total number of outstanding applications (excluding dwelling entitlements), the number currently being processed and the number on “stop clock”.



Monthly Development Application Processing Report – January, 2015

Graph 3 relates solely to dwelling entitlements and indicates the number of outstanding dwelling entitlement applications, the number on stop clock and the number being processed.

Outstanding Dwelling Entitlements



Monthly Development Application Processing Report – January, 2015

The Planning and Development Department determined 26 Development Applications either by Council or under delegation during January 2015.

Development Applications Determined – December 2014.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0078/2015	Alterations & Additions	16	Buchanan Street	KANDOS
DA0102/2015	multi dwelling housing	79	Bruce Road	MUDGEES
DA0151/2015	Alterations & Additions	116	Market Street	MUDGEES
DA0163/2015	Alterations & Additions	65	Mulgoo Way	MUDGEES
DA0168/2015	Dwelling House	46	Mailia Road	COOKS GAP
DA0170/2015	Change of use to takeaway Chinese	19	Angus Avenue	KANDOS
DA0173/2015	Change of use – to serviced apartment	67	Lue Road	MILROY
DA0176/2015	moveable dwelling	24	Byrnes Lane	BURRUNDULLA
DA0178/2015	Commercial Alterations/Additions	5	Sydney Road	MUDGEES
DA0181/2015	Commercial Alterations/Additions	93	Mortimer Street	MUDGEES
DA0184/2015	Alterations & Additions	4	Nandoura Street	GULGONG
DA0187/2015	Dual Occupancy	117	White Circle	MUDGEES
DA0188/2015	Residential Shed	26	Horatio Street	MUDGEES
DA0192/2015	Alterations & Additions	8	Boronia Road	RYLSTONE
DA0194/2015	Residential Shed	1817	Queens Pinch Road	MEROO
DA0195/2015	Alterations & Additions	17	Burrundulla Avenue	MUDGEES
DA0196/2015	recreation facility (outdoor)	48	Old Ilford Road	ILFORD
DA0199/2015	Alterations & Additions	78	Oaklands Road	MOUNT FROME
DA0201/2015	Garage	163	Mayne Street	GULGONG
DA0203/2015	Dwelling House	9	Hughson Avenue	MUDGEES
DA0208/2015	Dwelling House	99	Winchester Crescent	COOKS GAP
DA0209/2015	Dwelling House	285	Pyangle Road	CAMBOON
DA0210/2015	Demolition	123	Mayne Street	GULGONG
DA0212/2015	Shed >150m2	53	Mailia Road	COOKS GAP
DA0213/2015	Residential Shed	3	Caerleon Court	MUDGEES
DA0214/2015	Dwelling House	245	Mailia Road	COOKS GAP

Monthly Development Application Processing Report – January, 2015

Development Applications currently being processed – January 2015.

App/Proc ID	Description	House No	Street Name	Locality
DA0216/2015	Carpport	8	Augusta Crescent	MUDGE
DA0085/2015	Dwelling	31	Belmore Street	GULGONG
DA0207/2015	Dwelling	18	Maier Place	MUDGE
DA0215/2015	Dwelling	1565	Lower Piambong Road	PIAMBONG
DA0096/2015	Garage	5	Burgundy Road	MUDGE
DA0097/2015	Shed	264	Goolma Road	GULGONG
DA0211/2015	Shed	82	Bunbury Road	BOCOBLE
DA0308/2012	SubTorrens	433	Ulan Road	EURUNDEREE
DA0153/2015	SwimPool	19	Nashs Flat Place	MUDGE
DA0217/2015	Dwelling	139	Honeysett Road	TALLAWANG
DA0222/2015	DualOcc	8	Hardwick Avenue	MUDGE
DA0220/2015	Shed	240	Iron Bark Road	KAINS FLAT
DA0221/2015	ShedResid	60	Macquarie Drive	MUDGE
DA0136/2015	SubTorrens	16	Henry Bayly Drive	MUDGE
DA0120/2015	BoundAdj	5	Horatio Lane	MUDGE
DA0206/2015	ChildCare	43	Saleyards Lane	MUDGE
DA0122/2015	Dwelling	202	Gladstone Street	MUDGE
DA0218/2015	Dwelling	8	Cairo Street	MUDGE
DA0174/2015	IndustBld	59-63	Depot Road	KANDOS
DA0121/2015	SubTorrens	58	Tierney Lane	MUDGE
DA0169/2015	SubTorrens	120	Bergalin Road	EURUNDEREE
DA0175/2015	SubTorrens	703	Bonds Road	GULGONG
DA0179/2015	SubTorrens	668	Cooper Drive	HARGRAVES
DA0190/2015	SubTorrens	842	Lower Piambong Road	CLANDULLA
DA0191/2015	SubTorrens	196	Robertson Road	PIAMBONG
DA0197/2015	SubTorrens	121	Bruce Road	MUDGE
DA0198/2015	SubTorrens	32-44	Henry Bayly Drive	MUDGE
DA0202/2015	SubTorrens	3019	Bylong Valley Way	RYLSTONE
DA0193/2015	Dwelling	52	Lue Road	MILROY
DA0023/2015	AltAdd	79	Angus Avenue	KANDOS
DA0073/2015	AltAdd	17	Trefusis Avenue	MUDGE
DA0180/2015	AltAdd	42	George Street	MUDGE
DA0278/2014	ChangeUse – Shed to Dwelling	2012	Aarons Pass Road	AARONS PASS
DA0014/2014	CommAltAdd	61-65	Ilford Road	KANDOS
DA0010/2015	Dwelling	1123	Botbolar Road	BOTBOLAR

Monthly Development Application Processing Report – January, 2015

App/Proc ID	Description	House No	Street Name	Locality
DA0204/2015	Dwelling	434	Melrose Road	MOUNT FROME
DA0214/2011	Dwelling	663	Castlereagh Highway	BURRUNDULLA
DA0327/2011	Shed	23	Horatio Street	MUDGEES
DA0174/2012	ShedSmall	1	Rayner Street	MUDGEES
DA0267/2014	Sign	33	Sydney Road	MUDGEES
DA0178/2014	SubTorrrens	7291	Castlereagh Highway	ILFORD
DA0134/2015	Dwelling	4156	Lue Road	CAMBOON
DA0135/2015	Dwelling	4156	Lue Road	CAMBOON
DA0185/2015	Dwelling	1819	Queens Pinch Road	MEROO
DA0050/2015	Dwelling	3634	Bylong Valley Way	RYLSTONE

Monthly Development Application Processing Report – January, 2015

Heritage Development Applications currently being processed – January 2015.

App/Proc ID	Description	House No	Street Name	Locality
DA0205/2015	SwimPool	31	Gladstone Street	MUDGE
DA0200/2015	Dwelling	111	Gladstone Street	MUDGE
DA0219/2015	ShedResid	33	Lawson Street	MUDGE
DA0271/2011	AltAdd	87	Short Street	MUDGE
DA0116/2015	ChangeUse @ Colonial Mecca Building	79	Market Street	MUDGE
DA0164/2015	CommAltAdd	6	Lewis Street	MUDGE
DA0324/2014	SubTorrens	90	Horatio Street	MUDGE
DA0199/2014	SwimPool	67	Lewis Street	MUDGE

6.2.5 Update on the Number of Matters Dealt with under the Protection of the Environment Operations Act 1997

REPORT BY THE MANAGER, HEALTH AND BUILDING TO 18 FEBRUARY 2015 COUNCIL MEETING
POEO Act Report
GOV400043, ENV200046

RECOMMENDATION

That the report by the Manager, Health and Building on the Update on the Number of Matters Dealt with under the Protection of the Environment Operations Act 1997 be received.

Executive summary

The report presented is designed to keep Council informed of the current activity in relation to matters dealt with under the Protection of the Environment Operations Act 1997

Detailed report

Included in this report is an update on the number of matters dealt with by Council Staff under the Protection of the Environment Operations (POEO) Act 1997 for the 2014/2015 financial up to 31 January 2015.

The POEO Act deals with matters relating to:

- Offensive noise
- Offensive odour
- Illegal dumping and other pollution incidents (in water, land and air)

Matters dealt with by Council Staff to date are as follows:

Environmental Complaint	Locality
Noise – farm machinery (Irrigation pump)	Mudgee
Noise – music	Mudgee
Noise – motor vehicle (motorbike idling)	Mudgee
Noise – air-conditioner	Mudgee
Noise – building works (starting to early)	Mudgee
Noise – building works (working to late)	Kandos
Noise – lawn mower (working to late)	Kandos
Noise – motor vehicle ('burnouts')	Kandos
Noise – power tool (chainsaw operating for too long)	Gulgong
Noise – PA system	Glen Willow
Noise – PA system (different complaint)	Glen Willow
Noise – motor vehicle (trucks driving passed house)	Gulgong
Noise – PA system (wedding)	Buckaroo
Noise – goat making noise to early	Kandos
Noise – piece of wire flapping in the breeze	Mudgee
Noise – CD recording of a rooster crowing	Kandos
Odour – unknown	Burrundulla

Environmental Complaint	Locality
Odour – motor vehicle ('burnouts')	Kandos
Odour – burning building material	Mudgee
Odour – burning tree clippings	Mudgee
Odour – burning smell	Mudgee
Odour – tractor spreading lime	Mudgee
Odour – cattle	Gulgong
Dumping – disposing concrete	Spring Flat
Dumping – grass clippings in river	Mudgee area
Dumping – old tyres on private property	Kandos
Dumping – general waste in front yard	Mudgee
Dumping – paint cans on side of road	Gulgong
Dumping – timber	Mudgee
Dumping – building material	Kandos
Dumping – dead sheep	Doughertys Junction
Dumping – dead cattle	Cooks Gap
Dumping – chemical drums	Windeyer
Air pollution – dust from concrete plant	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – dust (resulting from subdivision)	Mudgee
Air pollution – removal of asbestos	Gulgong
Air pollution – asbestos	Mudgee
Pollution – building waste blowing off site	Mudgee

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Theme	Goal	Strategy
Protecting Our Natural Environment	1. Protect and enhance our natural environment	1.3 Raise awareness of environmental and biodiversity issues.

TIM O'REILLY
MANAGER, HEALTH & BUILDING



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

3 February 2015

Attachments: Nil

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

6.2.6 Land & Housing Supply Monitor Quarterly Report

REPORT BY THE MANAGER STRATEGIC PLANNING TO 18 FEBRUARY 2015 COUNCIL MEETING

Residential Land Monitoring
GOV400043, LAN900042

RECOMMENDATION

That the report by the Manager Strategic Planning on the Land & Housing Supply Monitor Quarterly Report be received.

Executive summary

In November 2014 Council endorsed the Mudgee and Gulgong Urban Release Strategy. The document has since been conditionally endorsed by the Department of Planning & Environment. As part of this process Council resolved to prepare a quarterly report on the status of residential land consistent with the Land Supply Monitor developed as part of the Urban Release Strategy Process. The first report captures the data for the past six months to December 2014. Future report will be run every three months.

Detailed report

Demand for and supply of dwellings is constantly changing. To ensure Council remains ready to respond to the changing housing needs of its community HillPDA have built a custom *Land and Housing Supply Monitor* for Council to complement the Urban Release Strategy (URS). The model tracks existing and pipeline stock, flag trigger points for land release, identify the amount of land needed and differentiate between housing types needed.

The Land Supply Monitor will provide a tool to accurately gauge development activity. As the URS was not finalised until part way through the second quarter, this first report encapsulates the development activity since July 2014. This will effectively bring the data up to date and allow the end of financial year report to accurately show all of the activity over the 12 month period. Future reports will be run every three months.

The following table represents a summary of activity in the past two quarters and includes interpretation by way of notations. Full details in terms of the spread of development across the full range of residential lot sizes is shown in the attachment.

At this stage other than to note that there was a significant decline in approvals for dwellings on the second quarter, the data presented has little context. However, with time it will prove a valuable tool in terms of monitoring subdivision and development activity.

Land and Housing Monitor Summary

	1 July - 30 Sept 2014	1 Oct - 31 Dec 2014	YTD
Subdivision			
Residential Subdivision Applications (no. of lots approved - DAs)	24	172	196
Notes: Council has approved 196 lots since July 2014. Of these 149, or 76% were between 2000 and 3999m ² and include the subdivision at 220 Ulan Road. Only 6% of lots approved were in the 600-1999m ² bracket which is considered the standard residential lot size in the R1 General Residential zone.			
Residential Subdivision Certificates (no. of lots released)	35	71	106
Notes: Subdivision certificates are issued following compliance with conditions including payment of s64 and 94 contributions. Of these 31 (29%) were for lots below 600m ² (typically detached dual occupancy) and 52 (49%) in the 600-1999m ² bracket which is considered the range of standard residential lot sizes in the R1 General Residential zone.			
Dwellings			
DA Approvals for Dwellings and Dual Occupancies (no. dwellings approved)	34	19	53
CDC's for Dwellings and Dual Occupancies (no. dwellings)	6	3	9
Total	40	22	62
Notes: Of the 53 dwellings, 23 (44%) were in the 600-1999m ² bracket which is considered the range of standard residential lot sizes in the R1 General Residential zone. There was considerable activity outside the residential zones on lots greater than 2ha at 53% of the total number of dwellings approved being in this category. The number of CDC's remains low and includes those undertaken by private certifiers.			
Occupation Certificates (no. dwellings)	18	19	37
Notes: The statistics for Occupation Certificates remains low and may indicate that all dwellings are not receiving OC's on completion.			

Financial and Operational Plan implications

Not applicable.

Community Plan implications

The monitoring of residential land supply will meet the strategy 2.4 in Looking After Our Community in relation to the delivery of housing through effective land use planning.



ELIZABETH DENSLEY
MANAGER, STRATEGIC PLANNING



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

6 February 2015

Attachments: 1. Land and Housing Supply Monitor Spreadsheet

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

Mudgee Land and Dwelling Supply Monitor

	1 July - 30 Sept 2014	1 Oct - 31 Dec 2014	YTD Total	% of total
RESIDENTIAL SUBDIVISION APPLICATION				
(no. of lots approved - DAs)				
Lot Size				
less than 600m2	0	7	7	4%
600m2 to 999m2	0	6	6	3%
1000m2 to 1999m2	2	4	6	3%
2000m2 to 3999m2	13	136	149	76%
4000m2 to 19999m2	3	5	8	4%
2ha or greater	6	14	20	10%
TOTAL	24	172	196	
RESIDENTIAL SUBDIVISION CERTIFICATE				
(no. of lots)				
Lot Size				
less than 600m2	14	17	31	29%
600m2 to 999m2	6	24	30	28%
1000m2 to 1999m2	7	15	22	21%
2000m2 to 3999m2	8	4	12	11%
4000m2 to 19999m2	0	5	5	5%
2ha or greater	0	6	6	6%
TOTAL	35	71	106	
DA APPROVALS FOR DWELLINGS AND DUAL OCCUPANCIES (no. dwellings approved)				
less than 600m2	0	0	0	0%
600m2 to 999m2	9	4	13	25%
1000m2 to 1999m2	6	4	10	19%
2000m2 to 3999m2	0	0	0	0%
4000m2 to 19999m2	0	2	2	4%
2ha or greater	19	9	28	53%
TOTAL	34	19	53	
CDC's FOR DWELLINGS AND DUAL OCCUPANCIES (no. dwellings)				
less than 600m2	0	0	0	0%
600m2 to 999m2	3	2	5	56%
1000m2 to 1999m2	1	0	1	11%
2000m2 to 3999m2	0	0	0	0%
4000m2 to 19999m2	1	0	1	11%
2ha or greater	1	1	2	22%
TOTAL	6	3	9	
OCCUPATION CERTIFICATES (no. dwellings)				
less than 600m2	0	0	0	0%
600m2 to 999m2	10	9	19	51%
1000m2 to 1999m2	3	2	5	14%
2000m2 to 3999m2	0	1	1	3%
4000m2 to 19999m2	3	3	6	16%
2ha or greater	2	4	6	16%
TOTAL	18	19	37	

6.2.7 Requests for Variations to Water and Sewer Contributions

REPORT BY THE DIRECTOR, DEVELOPMENT TO 18 FEBRUARY 2015 COUNCIL MEETING

Requests for Variations to Water and Sewer Contributions

GOV400043, P1193065, DA0004/2015, DA0005/2015

RECOMMENDATION

That:

1. the report by the Director, Development on the Requests for Variations to Water and Sewer Contributions be received;
2. Condition 44 of MI0011/2013 for the child care centre on Lot 2 DP 844678 being 26 Melton Road Mudgee remain unchanged and condition 44 relating to the residential component of the development be amended to read as follows:

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

- (a) Payment of a contribution for water and sewerage headworks at the following rate for 1 additional lot

Water Headworks	\$3917
Sewer Headworks	\$3400
Total	\$7317;

3. No variation be made to the Section 64 Contributions for DA0004/2015 for multi unit Housing and subdivision on Lot 2 DP 700842 being 24 Cox Street Rylstone; and
4. Council approves the deferral of payment of Section 64 Contribution DA0004/2015 for multi unit Housing and subdivision on Lot 2 DP 700842 being 24 Cox Street, Rylstone in accordance with the provisions of the Development Servicing Plans including the provision of a bank guarantee and for deferral period of 6 months.

Executive summary

Council has received two individual requests for the variation of the Section 64 Contributions for Water and Sewer. The report will deal with each request on an individual basis.

Detailed report

CHILD CARE CENTRE – 26 MELTON ROAD

Modified development consent, MI 0011/2013, was issued for a 152 place child care centre at Melton Road on 24 April 2013.

Condition 16 required:

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

(a) *Payment of a contribution for water and sewerage headworks at the following rate for 90 persons:*

<i>Water Headworks</i>	<i>\$77,586.30</i>
<i>Sewerage Headworks</i>	<i>\$59,053.50</i>
<i>Total Payable</i>	<i>\$136,639.80</i>

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

The applicant has requested a review of the Section 64 contribution on the following basis:

- Griffith Council only charged \$ 22,000 for a similar development.
- There is a double up in charges as Section 64 has already been charged for the residence of children attending the Centre.
- 50% of the children are in nappies and there is no discharge to the sewer.
- Staff and children generally do not shower on premises and therefore the discharge is not the same as that generated by a residence.

A full copy of the submission is attachment 1 to this report.

Comment

- The charges made by Griffith Council whilst providing a comparison have little relationship to those charged by Mid-Western.
- The headwork charges have been charged in accordance with the DSP.
- The DSP was prepared in accordance with the Developer Charges Guidelines managed by the then *Department of Water, Energy, Utilities*.
- Comparison of rates to other Councils does not provide a legitimate method of determining random contribution reduction.
- Under the current DSP a 50% subsidy is provided to development.
- The level of this subsidy is determined at the time of adoption of the Plan.
- Each Council determines its Section 64 rates depending on a number of variables including but not limited to: the number of systems operating; renewal programs; and projected growth.

These variables are reflected in the table below showing the variations of cost per ET over a number of Councils.

Council	Water/ET (\$)	Sewer/ET (\$)	Total (\$)
Mid-Western	8,250	3,767	12,017
Dubbo	5,449	5,449	10,898
Orange	7,500	4,600	12,100
Lithgow	2,800	2,300	5,100
Wellington	4,773	1,679	6,452
Geurie (Wellington)	10,620	4,431	15,051
Tamworth	4,626	1,927	6,553
Eurobodalla (for comparison with coastal areas)	11,585	10,080	21,665
Griffith	4,421.00	3,764.00	8,185

The calculation of the load attributed to 1 ET for either water supply or sewerage is also based on water consumption figures across the state. So when considering that 1 ET is a suitable loading for

a single residential house on a standard urban lot size, it is considered that on average, the occupants of that house use water both at home but also away from home (usually at work place or education facility). The amount of water that a person uses away from home is extra to the 1ET loading attributed to water consumption at home. This is then a basis for how commercial and other uses such as child care centres are assessed. So in determining appropriate ET values for different commercial/residential/industrial/community service uses, a lot of data on actual water consumption across NSW has been analysed to ensure that how a community generally uses water is considered. This also addresses the issues raised by the applicant in terms of showering and nappies.

METHODOLOGY FOR CALCULATING SECTION 64

Child Care Centres are not specifically addressed in the Mid-Western Development Servicing Plan (DSP), although Day School (per student) rates are provided. It should be noted that the usage patterns between a school and child care centre are different for example linen washing, hours of operation and preparation of food. In the case where a use is not specifically addressed in the DSP the Plan states that development must be assessed in accordance with the Department of Water and Energy Guidelines. Council uses the Water Directorate (2005) S 64 Determination of Equivalent Tenement Guidelines which are based on the 2002 and 2004 DEUS guidelines referred to in the DSP. The Water Directorate Technical Guidelines (Guidelines) are intended to be used to assist Councils in proportioning developer charges across different land use categories.

To avoid confusion all amounts used in the following calculations are those applicable at the time of the original assessment. These figures are increased by CPI at the time of payment.

A dwelling currently exists on the site. The proposal will result in retention of the existing dwelling on a medium size lot, creation of a medium sized residential lot and the Child Care Centre. The DSP has different rates depending on the size of the residential lot.

CONTRIBUTIONS

Child Care Centre

The child care centre will accommodate 152 children plus 13 staff resulting in 165 persons. The Water Directorate rate for a Child Care Centre are:

Water 0.06 ET per person

Sewer 0.10 ET per person

Contribution =	rate	x	number of persons	x	MWRC amount/ET
Water					
\$77,586.30=	0.06	x	165	x	\$7,837
Sewer					
\$59,053.50=	0.1	x	165	x	\$3,579

Total \$136,639.80

RESIDENTIAL COMPONENT

Credits

Water		Amount
Existing large lot	Credit 1 large lot	-\$11,757
New Medium Lot for existing house	Debit 1 medium lot	+\$7,837
New medium residential lot	Debit 1 lot	+\$7,837
Total Credit for Water		\$3,917

Sewer		Amount
Existing large lot	Credit 1 large lot	-\$3,758
New Medium Lot for existing house	Debit 1 medium lot	+\$3,579
New medium residential lot	Debit 1 lot	+\$3,579
Total Sewer for Water		\$3,400

Based on the calculation in the table above, having regard for the credit available for the existing lot, the contribution would be \$7317 and the condition in the development consent reflects an amount of \$11,395. Condition 44 of MI0011/2013 should be amended to reflect this error in calculation.

MULTI-UNIT HOUSING AND SUBDIVISION- 24 COX STREET RYLSTONE

Development Consent was issued for multi-unit housing at 24 Cox Street on 24 September 2014. The conditions relating to headworks were staged as following

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE BUILDING

9. *Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 to carry out water supply, stormwater and sewerage works is to be obtained from Mid-Western Regional Council.*

STAGE A

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

<i>Water Headworks</i>	<i>\$ 3,767</i>
<i>Sewerage Headworks</i>	<i>\$ 8,250</i>
<i>Total Payable</i>	<i>\$ 12,017</i>

STAGE B:

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

<i>Water Headworks</i>	<i>\$ 2,826</i>
<i>Sewerage Headworks</i>	<i>\$ 6,188</i>
<i>Total Payable</i>	<i>\$ 9,014</i>

STAGE C:

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

<i>Water Headworks</i>	<i>\$ 2,826</i>
<i>Sewerage Headworks</i>	<i>\$ 6,188</i>
<i>Total Payable</i>	<i>\$ 9,014</i>

STAGE D:

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

<i>Water Headworks</i>	<i>\$ 2,826</i>
<i>Sewerage Headworks</i>	<i>\$ 6,188</i>
<i>Total Payable</i>	<i>\$ 9,014</i>

STAGE E:

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

<i>Water Headworks</i>	<i>\$ 1,885</i>
<i>Sewerage Headworks</i>	<i>\$ 4,126</i>
<i>Total Payable</i>	<i>\$ 6,011</i>

The applicant has requested that Council undertake a revision of the Water and Sewer Headworks and he also requests the deferment of payment of these charges until the completion of the sale of each residence. The applicant outlines the advantages of the development. The basis of the applicant's request is that the charges place the proposal at risk due to the economic feasibility. A full copy of the applicant's submission is attachment 2 to this report.

Comment

The Section 64 contributions have been calculated in accordance with the DSP. Credits have been granted for the existing land with DSP charges relating to the increased development of the site. Whilst the proposal has merit as expressed in the assessment report for the development, the DSP should be applied in a consistent manner to all development.

The DSP does allow for the deferment of payments as follows:

The deferral of payment of contributions is only permissible subject to formal resolution by Council prior to this occurring. Any request should provide detailed reasons and should agreement be granted, deferral will be subject to the following requirements:

- *The applicant is to arrange for a Bank Guarantee to be prepared to the value of contributions payable as agreed to by Council (this is to include indexation where applicable),*
- *The Bank Guarantee is to be made in favour of Council,*
- *Council is to be the custodian of the original Bank Guarantee, and*
- *The maximum time frame granted for deferment is (6) months. Should the contributions not be paid by this time, Council will exercise its right under the agreement to call in the Bank Guarantee without notice. Should the approved deferment overlap into the following financial year, then the contribution(s) payable will be subject to indexation.*

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

The DSP has legal standing and Council should not deviate from the provisions included in the Plan without amending the DSP by undertaking a review and public exhibition. Nevertheless, it should be noted that the payment of contributions at time of sale would be extremely difficult for Council to implement should this be introduced for all development. Apart from the significant increase in the cost of administration to track payments, the requirement to pay prior to construction certificate or linen release acts as a guarantee that Council will receive payment otherwise the development cannot progress.

Financial and Operational Plan implications

Any waiver of or reduction in the amount of Section 64 contributions payable in relation to either request would need to be treated as a donation. This means an equivalent payment would be required from General Fund (unrestricted working capital) to Water and Sewer (restricted Developer Contributions). Council has an annual allocation of \$157,000 for grants and donations, the majority of which has already been allocated for 2014/15. Applications for financial assistance

are considered in accordance with Council's Financial Assistance Policy – the objective of this policy is to

provide financial assistance to organisations, groups and individuals that offer a significant contribution to community outcomes and goals as provided in the Towards 2030 Community Plan. Financial assistance should be provided in a consistent, equitable and transparent manner.

The Policy does not prevent provision of financial assistance to an individual or organisation who act for private gain, however Council would need to consider how the provision of such assistance is aligned to the goals of the Community Plan; and whether these two cases fall within the scope and intent of the Financial Assistance Program. Where the amount of financial assistance is outside the programmed financial assistance program and budget allocation, and in the interests of transparency, any consideration to granting assistance to for-profit individuals or organisations shall only follow a period of 28 days public notice of the Council's proposal (Local Government Act 1993, Section 356).

Further, as Council progresses through the development of its Fit for the Future Improvement Proposal, it must carefully consider the implications of waiving set fees and charges that contribute to the cost of critical servicing infrastructure. Reducing the amount of Developer Contributions payable shifts the burden from the Developer to the broader Ratepayer base.

Community Plan implications

The assessment of the development application sits under theme 1 Looking After our Community, Goal 1.1 – A Safe and Healthy Community.



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

6 February 2015

Attachments: (included at the end of the business paper)
1. Submission – 24 Melton Road, Mudgee
2. Submission – 26 Cox Street, Rylstone

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

6.2.8 Food Inspection Update

REPORT BY THE MANAGER, HEALTH AND BUILDING TO 18 FEBRUARY 2015 COUNCIL MEETING

Food Update Report

GOV400043, A0130009

RECOMMENDATION

That the report by the Manager, Health and Building on the Food Inspection Update be received.

Executive summary

The report presented is designed to keep Council informed of the current activity in relation to its food inspection program.

Detailed report

Included in this report is an update on the progress of the food inspection program for the 2014/2015 financial up to 31 January 2015.

This report focuses on the number of inspections carried out to date, the number of defective inspections and the number of '5 Star' inspections which are awarded to premises that are maintaining the highest standard of food safety.

To date a total of **18** out of an estimated **117** inspections have been carried out, of which:

- Six have received a 5 star rating, and
- Eight have received warning letters citing unsatisfactory food safety conditions.

It is schedule for all the inspections to be completed by the end of the financial year.

Financial and Operational Plan implications

These inspections contribute to the expected revenue nominated in the 2014/15 operational budget.

Community Plan implications

Theme	Goal	Strategy
Looking After Our Community	1. A safe and healthy community	1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community.

TIM O'REILLY
MANAGER, HEALTH & BUILDING



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

3 February 2015

Attachments: Nil

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

6.2.9 Central West Regional Growth Plan Update

REPORT BY THE MANAGER STRATEGIC PLANNING TO 18 FEBRUARY 2015 COUNCIL MEETING

CW Regional Plan Update

GOV400043, LAN900016, A0100001

RECOMMENDATION

That the report by the Manager Strategic Planning on the Central West Regional Growth Plan Update be received.

Executive summary

In December 2014 the Department of Planning and Environment in collaboration with CENTROC commenced work on the preparation of a Regional Growth Plan for the Central West under the State government's commitment to regional planning.

Detailed report

In June 2014 the NSW Government released new draft regional boundaries for NSW. Mid-Western Regional Local Government Area has been incorporated into the Central West Region and the regional growth plan will be consistent with the CENTROC boundaries. The Department of Planning and Environment are the lead agency in close collaboration with CENTROC as part of the Joint Organisation of Council's (JOC) in line with the Fit For Future process. The Department of Planning & Environment web site states that the regional growth plans will provide the basis for a new generation of strategic plans.

The Department acknowledge that there are no existing strategies in place for this region. The Regional Growth Plan will identify areas suitable for housing and employment expansion in the region. However, not all parts of the region are projected to experience growth equally and as such the plan will identify strategies to ensure population sustainability and to manage population decline.

The timeframe for the delivery of a draft plan is very tight with a deadline for completion of a Draft document by the end of March 2015. Given the time constraints, the Department, rather than collate data and prepare the plan in isolation have engaged the assistance of CENTROC and the individual Council's involved to provide all of their available data around the "themes" of economy, housing, infrastructure, agricultural land and natural resources and environment and heritage.

A technical working group representing the planning expertise from within all of the participating Council's will continue to meet over the coming two months as the Department prepare and finalise the Draft Plan.

All Council's will be provided with the opportunity to review the Draft Regional Growth Plan which will then go through a rigorous community consultation process. It will be important that Mid-Western take the opportunity at this point to review the Draft and ensure that the needs of this community into the future are adequately addressed in the document.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Not applicable.



ELIZABETH DENSLEY
MANAGER, STRATEGIC PLANNING



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

6 February 2015

Attachments: Nil

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

6.2.10 Delivery Program 2014 – 2017 Six Monthly Progress Report

REPORT BY THE DIRECTOR CORPORATE TO 18 FEBRUARY 2015 COUNCIL MEETING

Delivery Program 2014_2017 Six Monthly
GOV400043, COR400059

RECOMMENDATION

That the report by the Director Corporate on the Delivery Program 2014 – 2017 Six Monthly Progress Report be received.

Executive summary

Council is required to report on its progress against the adopted Delivery Program at least every six months. This report presents progress against the Delivery Program 2014 – 2017 for the six months to 31 December 2014.

Detailed Report

Council adopted the 2013/14 – 2016/17 Delivery Program on 19 June 2013. A review of the Delivery Program was endorsed by Council on 25 June 2014 as part of the annual budgeting/Operational Plan process.

Section 404 of the Local Government Act requires the General Manager to ensure progress reports are provided to the council, with respect to the principal activities detailed in the Delivery Program, at least every 6 months.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

The progress report demonstrates Council is making significant progress against the Delivery Program. Ultimately, delivering on the Actions and Strategies set out in the Delivery Program/Operational Plan helps achieve the goals as established by our community in the *Towards 2030* Community Plan.

CLARE PHELAN
DIRECTOR, CORPORATE

6 February 2015

Attachments: 1. Six Monthly Progress Report – Delivery Program 2014 – 2017 – December 2014

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

6.2.11 Quarterly Budget Review December 2014

REPORT BY THE MANAGER FINANCE TO 18 FEBRUARY 2015 COUNCIL MEETING
 REPORT_December Budget Review 2014
 GOV400043, FIN300062

RECOMMENDATION

That:

1. the report by the Manager Finance on the Quarterly Budget Review December 2014 be received;
2. the 2014/15 Operational Plan be amended in accordance with the variations as listed in the quarterly budget review attachments; and
3. the opinion by the Responsible Accounting Officer regarding the satisfactory financial position of Council, based upon the revised estimates of income and expenditure, be noted.

Executive summary

This report, with its incorporated attachments, makes up the December 2014 Quarterly Budget Review of the 2014/15 Operational Plan. Proposed variations to the Operational Plan are included in the attachments, with relevant financial implications included below.

Detailed report

Clause 203 of the Local Government (General) Regulation 2005 states that the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.

A budget review statement must include or be accompanied by:

- (a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure, and
- (b) if that position is unsatisfactory, recommendations for remedial action.

GENERAL FUND

Council finished the 2014 financial year with an unrestricted cash balance of \$7.861 million. The 2015 Original Budget for General Fund as adopted by Council projected a negative movement to 30 June 2015 in unrestricted cash of \$805k. Council has since adopted revotes funded via unrestricted cash of \$211k. Additional budget movements since this time are summarised below:

Variation	Amount (\$'000)	Movement
Original Budget	(805)	Deterioration
Revotes	(211)	Deterioration
Council Minutes – July to Feb	(216)	Deterioration

Variation	Amount (\$'000)	Movement
September QBR	(1,092)	Deterioration
December QBR - proposed	38	Improvement
Estimated movement to 30 June	(2,286)	Deterioration
Projected balance at 30 June	5,575	

A projected unrestricted cash balance of \$5.575 million represents about 5 weeks of Council's 2015 operating expenditure budget. This is an adequate level of unrestricted cash to ensure Council is able to meet its debts and obligations as they fall due.

Proposed variations to the Operational Plan for General Fund are included in the quarterly budget review attachments (attachment 1).

Depreciation

The December quarterly budget review includes recommended variations to depreciation expense, to bring these budgets to anticipated end of year amounts. Increases are mostly due to purchases in plant and equipment last year, and infrastructure built (buildings). These entries are non-cash, and as such their impact has been deducted at the end of the variations listing in the attachments.

WATER FUND

Council finished the 2014 financial year with a Water Fund cash balance of \$7.731 million, made up of:

Restricted/unrestricted	Amount (\$'000)
S64 Developer Contributions	3,206
Water Reserves	1,661
Unspent Grants	43
Unrestricted	2,821
Total	7,731

Council has a large amount of capital works budgeted within the 2014/15 Operational Plan, funded from restricted cash (\$5,991k), which will see these balances depleted, once complete.

The 2015 Original Budget for Water Fund as adopted by Council projected a positive movement to 30 June 2015 in unrestricted cash of \$127k.

Subsequent to the Original Budget, Council has adopted budget variations as summarised below:

Variation	Amount (\$'000)	Movement
Original Budget	127	Improvement
Revotes	0	Nil
Council Minutes – July to Feb	(300)	Deterioration
September QBR	0	Nil
December QBR - proposed	0	Nil
Estimated movement to 30 June	(173)	Deterioration
Projected balance at 30 June	2,648	

Proposed variations to the 2014/15 Operational Plan for Water Fund are included in the quarterly budget review attachments (attachment 1), and have no impact to unrestricted Water Fund cash.

SEWER FUND

Council finished the 2014 financial year with a Sewer Fund cash balance of \$6.581 million, made up of:

Restricted/unrestricted	Amount (\$'000)
S64 Developer Contributions	1,397
Sewer Reserves	3,229
Unspent Grants	0
Unrestricted	1,955
Total	6,581

Council has a large amount capital works budgeted within the 2014/15 Operational Plan, funded from restricted cash (\$3,101k), which will reduce these balances, once complete.

The 2015 Original Budget for Sewer Fund as adopted by Council projected a positive movement to 30 June 2015 in unrestricted cash of \$31k.

Subsequent to the Original Budget, Council has adopted budget variations as summarised below:

Variation	Amount (\$'000)	Movement
Original Budget	31	Improvement
Revotes	0	Nil
Council Minutes – July to Feb	0	Nil
September QBR	(65)	Deterioration
December QBR - proposed	0	Nil
Estimated movement to 30 June	(34)	Deterioration
Projected balance at 30 June	1,921	

Proposed variations to the 2014/15 Operational Plan for Sewer Fund are included in the quarterly budget review attachments (attachment 1).

WASTE FUND

Council finished the 2014 financial year with a Waste Fund cash balance of \$3.431 million, made up of:

restricted/unrestricted	Amount (\$'000)
Waste Reserves	2,344
Unspent Grants	0
Unrestricted	1,087
Total	3,431

The 2015 Original Budget for Waste Fund as adopted by Council projected a positive movement to 30 June 2015 in unrestricted cash of \$376k.

Subsequent to the Original Budget, Council has adopted budget variations as summarised below:

Variation	Amount (\$'000)	Movement
Original Budget	376	Improvement
Revotes	0	Nil
Council Minutes – July to Feb	0	Nil
September QBR	0	Nil
December QBR - proposed	(103)	Deterioration
Estimated movement to 30 June	273	Improvement
Projected balance at 30 June	1,360	

Proposed variations to the 2014/15 Operational Plan for Waste Fund are included in the quarterly budget review attachments (attachment 1).

OTHER FUNDS

Council maintains a number of other funds including:

- Private Works
- Saleyards
- Mudgee Sports Council
- Gulgong Sports Council
- Rylstone Sports Council

At 30 June of each financial year, the cash balance held in the above Funds forms part of the overall Unrestricted Cash Balance. There is a non-cash depreciation variation of \$800 in the Saleyards fund which is listed in the attached variations.

CERTIFICATION

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

As the Responsible Accounting Officer, it is my opinion that the December Quarterly Budget Review for Mid-Western Regional Council indicates that Council's projected financial position as at 30 June 2015 will be satisfactory, having regard to the projected estimates of income and expenditure for the 2014/15 financial year.

LEONIE JOHNSON
MANAGER FINANCE

Financial and Operational Plan implications

Proposed variations to the 2014/15 Operational Plan are included in the quarterly budget review attachments (attachment 1). Financial implications are discussed in the attachments, and in the detailed report above.

Community Plan implications

The Quarterly Budget Review meets Community Plan Theme 5 - Good Governance:

Goal 2: Good Communications and Engagement

Strategy 2.1: Improve communications between Council and the community and create awareness of Council's roles and responsibilities.

Goal 3: An Effective and Efficient Organisation

Strategy 3.3: Prudently manage risks associated with all Council activities.



LEONIE JOHNSON
MANAGER, FINANCE

CLARE PHELAN
DIRECTOR, CORPORATE

6 February 2015

Attachments: (included at the end of the business paper)

1. Proposed budget variations
2. Reserves
3. Developer Contributions
4. Loan Borrowings
5. Contracts, Legal Expenses & Consultancies
6. Investment Portfolio Commentary
7. Capital Works Program
8. Consolidated income statement and balance sheet
9. Key performance indicators
10. Councillor fees

APPROVED FOR SUBMISSION:

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

BRAD CAM
GENERAL MANAGER

6.2.12 Monthly statement of investments and bank balances as at 31 January 2015

REPORT BY THE MANAGER FINANCE TO 18 FEBRUARY 2015 COUNCIL MEETING

Investments and Bank balances.docx

GOV400038, FIN300053

RECOMMENDATION

That:

1. **the report by the Manager Finance on the Monthly statement of investments and bank balances as at 31 January 2015 be received;**
2. **the certification of the Responsible Accounting Officer be noted**

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.

Detailed report

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

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

This report has been made up to the last day of the month preceding this meeting.

Financial and Operational Plan implications

Council requested a list of restricted cash balances (internally restricted and externally restricted) to clarify what makes up Council's cash at bank. This has been provided as attachment 3. It should be noted that there are timing issues which occur when money is received (income) as budgeted in the Operational Plan and when expenditure occurs, throughout the year. These timing issues can cause fluctuations in the cash balance. The budgeted unrestricted cash balance is not the difference between cash at bank and estimated restricted cash, because of these timing differences. For a full breakdown of unrestricted cash, restricted cash and fund balances Council should refer to the most recent Quarterly Budget Review.

Community Plan implications

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



LEONIE JOHNSON
MANAGER FINANCE

CLARE PHELAN
DIRECTOR, CORPORATE

5 February 2015

- Attachments:*
1. Monthly statement of bank balances and investments
 2. Schedule of MWRC investment policy requirements
 3. Restricted cash summary
 4. Monthly investment portfolio activity

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

For the month ended: 31-Jan-15

Bank Accounts	Opening Balance	Receipts	Payments	Closing Balance	Overdraft Limit
National Australia Bank	\$ 1,826,116	\$ 9,700,293	\$ 11,319,898	\$ 206,512	\$ 700,000

The bank balance has been reconciled to the General Ledger as at

31/01/2015

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Rating	Govt Rating
National Australia Bank	At Call	1,015	2.80%	N/A	At Call	A-1+	1
National Australia Bank	Term Deposit	1,000	3.55%	1/04/2015	182	A-1+	2
National Australia Bank	Term Deposit	1,000	3.58%	15/04/2015	175	A-1+	2
National Australia Bank	Term Deposit	1,500	3.52%	22/04/2015	140	A-1+	2
National Australia Bank	Term Deposit	1,000	3.55%	17/06/2015	189	A-1+	2
National Australia Bank	Term Deposit	1,000	3.65%	4/02/2015	189	A-1+	2
National Australia Bank	Term Deposit	2,000	3.65%	11/03/2015	189	A-1+	2
National Australia Bank	Term Deposit	1,600	3.58%	8/07/2015	182	A-1+	2
St George Bank	Term Deposit	500	3.50%	6/05/2015	182	A-1+	1
St George Bank	Term Deposit	700	3.70%	22/07/2015	182	A-1+	2
St George Bank	Term Deposit	1,500	3.65%	11/02/2015	189	A-1+	2
St George Bank	Term Deposit	1,000	3.55%	10/06/2015	189	A-1+	2
St George Bank	Term Deposit	1,500	3.50%	18/03/2015	173	A-1+	2
St George Bank	Term Deposit	1,400	3.58%	29/04/2015	181	A-1+	2
St George Bank	Term Deposit	1,300	3.40%	29/07/2015	180	A-1+	2
Bankwest	Term Deposit	2,000	3.45%	6/05/2015	180	A-1+	1
Bankwest	Term Deposit	2,000	3.45%	13/05/2015	182	A-1+	2
Bankwest	Term Deposit	2,000	3.45%	20/05/2015	182	A-1+	2
Bankwest	Term Deposit	1,800	3.40%	1/07/2015	175	A-1+	2
Bankwest	Term Deposit	1,000	3.40%	15/07/2015	182	A-1+	2
ANZ	Term Deposit	1,000	3.56%	3/06/2015	189	A-1	1
ANZ	Term Deposit	1,300	3.56%	3/06/2015	189	A-1	2
ANZ	Term Deposit	1,000	3.59%	8/04/2015	182	A-1	2
ANZ	Term Deposit	1,000	3.68%	4/03/2015	189	A-1	2
AMP	Term Deposit	1,500	3.50%	18/02/2015	195	A-1	1
AMP	Term Deposit	1,500	3.50%	25/02/2015	202	A-1	2
ING Australia Bank	Term Deposit	1,000	3.52%	24/06/2015	189	A-2	1
ING Australia Bank	Term Deposit	1,000	3.54%	25/02/2015	189	A-2	2
Bank of Queensland	Term Deposit	2,000	3.55%	27/05/2015	189	A-2	1
Bank of Queensland	Term Deposit	1,500	3.60%	10/06/2015	189	A-2	2
Peoples Choice C/Union	Term Deposit	1,100	3.50%	25/03/2015	175	A-2	1
Members Equity Bank	Term Deposit	1,000	3.48%	22/04/2015	175	A-2	1
Total Investments		41,715					

Financial Claims Scheme

- 1 Guaranteed to \$250,000
- 2 Not Covered

ATTACHMENT 2

MWRC Policy Requirements:

Investments by Institution	Long/Short Term Ratings	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA/A-1+	10,115	24%	25%
Bankwest	AA/A-1+	8,800	21%	25%
St George Bank	AA/A-1+	7,900	19%	25%
ANZ	AA/A-1	4,300	10%	25%
AMP	A+/A-1	3,000	7%	15%
ING Australia Bank	A-/A-2	2,000	5%	10%
Bank of Queensland	A-/A-2	3,500	8%	10%
Members Equity Bank	BBB+/A-2	1,000	2%	10%
Peoples Choice C/Union	BBB+/A-2	1,100	3%	10%
		41,715	100%	

Investments by Rating	Rating*	Amount \$'000	% of Portfolio	
			Actual	Limit
Direct Securities	AA/A-1+	26,815	64%	100%
	AA/A-1	4,300	10%	100%
	A/A-1	3,000	7%	60%
	BBB/A-2	7,600	18%	20%
	BBB-/A-3	-	0%	20%
	Unrated	-	0%	20%
Managed Funds	AAA	-	0%	
	AA	-	0%	
	A	-	0%	
	BBB	-	0%	
	Unrated	-	0%	
		\$ 41,715	100%	

*Investments lower than AA/A-1 are restricted to licenced banks, credit unions and building societies

Term to Maturity	Amount \$'000	Actual	% of Portfolio	
			Minimum	Maximum
Less than 1 year	41,715	100%	30%	100%
Between 1 and 3 years	-	0%	0%	70%
Between 3 and 5 years	-	0%	0%	50%
More than 5 years	-	0%	0%	25%
	41,715	100%		

ATTACHMENT 3

	As at 31 Dec 2014*	Est. at 30 June 2015
Restricted Cash Summary (as at 30 September 2014*)	\$ '000	\$'000
Internal Reserves		
Employee Leave Entitlements	2258	2,295
Emergency	200	200
Land Development	544	361
Airport Development	(235)	(235)
Elections	165	195
Plant Replacement	38	765
Asset Replacement	927	1,108
Capital Program	573	410
Livestock Exchange	52	32
State Roads Warranty	395	200
Rylstone Community Services	6	6
Community Plan	313	33
Future Fund	100	200
Airline Support	-	-
External Reserves		
Waste Fund	2626	2,809
Sewer Fund	3288	2,314
Water Fund	1968	997
Community Services	77	77
Community Tenancy Scheme	64	64
Family Day Care	90	118
Bequest – Simpkins Park	96	96
Bequest – Kandos Museum	32	32
Community Transport Vehicle Replacement	79	79
Ulan Road Strategy	-	-
Total Reserves	13,656	12,156
Section 94		
Traffic Management	1194	1,214
Open Space	1457	1,569
Community Facilities	473	520
Administration	252	132
Civic Improvements	(5)	(5)
Car Parking	235	241
S94A Levies	376	391
Drainage	15	(240)
Section 64		
S64 Water	4087	703
S64 Sewer	1820	1,749
VPA	896	2,190
Total Developer Contributions	10,800	8,464
Other Restrictions		
Unspent Loans	-	-
Unspent Grants	755	317
Trust Deposits	867	867
Water Fund	3604	2,648
Sewer Fund	2740	1,921
Waste Management	5170	1,360
Total Other Restrictions	13,136	7,113
Total Restricted Cash	37,592	27,733

* As reported in the December QBR

ATTACHMENT 4

Monthly Investment Portfolio Activity:

The below table shows monthly investment activity within the portfolio including investments that have matured and have been redeemed or re-

Bank Accounts	Opening Balance \$'000	Redeemed Balance \$'000	Re-invested Balance \$'000	Change in interest rate	Change in Term (days)	New Term Rate
National Australia Bank	760		1,015	0.00%	At Call	2.80%
Commonwealth Bank	1,400	1,400	-	Redeemed		
National Australia Bank	-		1,600	New Deposit		3.58%
Bankwest	-		1,800	New Deposit		3.40%
ANZ	1,700	1,700		Redeemed		
Bankwest	-		1,000	New Deposit		
St George Bank	1,700	1,000	700	-0.33%	-7	3.37%
St George Bank	1,250	1,250	-	Redeemed		
St George Bank	-		1,300	New Deposit		3.40%
	6,810		7,415			
Net Portfolio Movement		605	Addition			

6.2.13 Financial Assistance applications

REPORT BY THE FINANCIAL ACCOUNTANT TO 18 FEBRUARY 2015 COUNCIL MEETING

Financial Assistance Applications

GOV400043, A0140201

RECOMMENDATION

That:

1. the report by the Financial Accountant on the Financial Assistance applications be received;
2. Council provide an in-kind contribution to the following applicants in accordance with the criteria and guidelines of the Financial Assistance Policy, subject to those requirements being met:

Painters@Mudgee2015	\$160
Pioneer Auxiliary Ladies	\$200
Mudgee District University of the Third Age (U3A)	\$500
Mudgee Disability Support Service Inc	\$618
Rotary Club of Mudgee Sunrise	\$4,300

Executive summary

This report considers requests for financial assistance under the Council's Financial Assistance Policy.

Detailed report

Provision is made in Council's Financial Assistance Policy for community not for profit organisations, groups and individuals which offer a significant contribution to the social, economic and/or environmental well-being of the Community.

PAINTERS@MUDGEE2015

From the 22nd March to 29th March 2015 a group of landscape artists will be visiting the region for the course of a week.

At the end of the week of painting, on Friday 27th and Saturday 28th March a group showing is being organised to be held at the Stables which will be open to visiting artists and local alike.

The request is for in-kind support by waiving the hire fees of \$160 for the use of the Stables for this 2 day showing and it is recommended to approve this request.

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

PIONEER AUXILIARY LADIES (P.A.L.S)

The members of PALS would like to thank Council for allowing the use of the Stables in 2014 at no cost and would like to request use the Stables again this year to hold card parties which are used to help with purchases for the residents of Pioneer House.

The complex is required 4 times throughout the year at a cost of \$50 per afternoon. In accordance with last year's donation, it is recommended that Council provide in-kind support to waive the booking fee for the use of the Stables at a total of \$200.

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

MUDGEE DISTRICT UNIVERSITY OF THE THIRD AGE (U3A)

Mudgee District U3A are said to provide affordable learning opportunities for older people, using the skills and abilities of the members themselves. The Mudgee District U3A relies on the generosity of members as volunteer organisers, administrators and presenters. They are seeking in-kind support to run 3 courses at The Stables in 2015. It should be noted that Council has already approved the amount of \$2,000 for in-kind support of The Stables for courses during 2015. The added hire fees are valued at a total of \$500 and it is recommended that Council provide in-kind support to waive the hire fees.

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

MUDGEE DISABILITY SUPPORT SERVICE INC

Mudgee Disability Support Service has been putting on an annual concert for the past four years. This year will mark the fifth show, with their parody of Annie the musical. The show raises funds for Mudgee Disability Support Service to put back into their productions and drama groups which runs weekly in the lead up to production. The request is to waive or reduce the booking fee for the Town Hall Theatre for their performance dates on April 17th and 18th as well as access to the Theatre for the week prior. The recommendation is to provide in-kind support of \$618 for the hire fee of the Mudgee Town Hall Theatre.

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

ROTARY CLUB OF MUDGEE SUNRISE

The Rotary Club of Mudgee Sunrise has made a loss of \$8,661.03 for the annual Carols community event. It should be noted that Council has already provided \$5,000 for this event and it is recommended that Council approved 50% of the loss being \$4,300.

Link to Community Plan: *Strategy 3.2.1. Promote the Region as a great place to live, work, invest & visit.*

Financial and Operational Plan implications

Funding of \$157,000 is provided in the Operational Plan for Financial Assistance. \$139,115 has been allocated to date, leaving a balance of \$17,885.

Should Council approve the recommendations in this report, a balance of \$12,107 will remain.

Community Plan implications

Council's Financial Assistance Policy applies.

NEIL BUNGATE
FINANCIAL ACCOUNTANT

CLARE PHELAN
DIRECTOR, CORPORATE

6 February 2015

Attachments: 1. Applications for financial assistance

APPROVED FOR SUBMISSION:

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

BRAD CAM
GENERAL MANAGER

ATTACHMENT 1



Boonyumba Studio

159 Cypress Dr.

Yarrawonga

30/11/2014

Mid-Western Regional Council

Mudgee

Dear Councillors,

From the 22th of March to 29th of March 2015 forty renowned Australian landscape artists, with their partners will be converging on the township of Mudgee and surrounding areas for a week of plein air painting with ten Mudgee artists. Plein Air painting means to go out into our beautiful region and paint.

This trip has proved so popular that I had to close the books last month as we were over booked. All these visitors will be staying at various accommodation around the town. This will boost the local tourist economy, something I'm sure you will agree is beneficial to the region.

At the end of the week of painting, on Friday 27th and Saturday 28th of March 2015 a group showing is being organised to be held at the Stables which will be open to visiting artists and locals alike. I have already booked the stables for the event on March 27th and 28th 2015. As all of the organization for the entire weeks events has been done on a voluntary basis by myself and with the influx of tourist dollars into the region, I feel it would be beneficial if the Mid-

Western Council could show their support by waiving the hire fees of the Stables for this event as was done and greatly appreciated last year. In return I would be pleased to advertise your generosity through use of your logo on our exhibition poster and invitations.

This is an annual event, with more artists coming to the region each year from interstate we even have a couple from Western Australia this year. They are coming to the region purely from word of mouth. Unfortunately this year it has become so popular I have had to limit numbers. What better way to explore the beauty of our region than through the eyes of landscape artists. It is a shame I have had to turn numbers away but any support you would be able to show us would be greatly appreciated by all.

With regards

Merilyn Burch Carney

0262741790

merilyncarney@bigpond.com

P.A.L.S.
Pioneer Auxiliary Ladies
Pioneer House Aged Care, Court Street, Mudgee 2850

Pioneer House Auxiliary Ladies
President
Barbara Smith
Court Street
Mudgee 2850.

Mr Des Kennedy
Mayor
Mid West Regional Council
Market St
Mudgee 2850



Dear Sir

The members of PALS would like to thank the council for allowing us the use of the Stables in 2014 at no cost and would like to inquire if these facilities will be able to be used again this year.

The venue was very popular with our card players which allowed us to raise a considerable sum to help with purchases for the residents of Pioneer House.

So again I say thank you very much and hope that we can use the venue again this year

Yours Sincerely

Marie mclean
Secretary

0428 573826.

ACK ✓

Name of organization

MUDGEES DISTRICT UNIVERSITY OF THE THIRD AGE (U3A)

Address

P.O.Box 469
MUDGEES 2850

Contact Person

Marianne Matthews
Secretary, Mudgees District U3A
P.O. Box 469
MUDGEES

Email: marianne_matthews@bigpond.com

Insurance Details

Coverage provided through the U3A NSW Network

Bank Account

NATIONAL AUSTRALIA BANK
Church Street
MUDGEES

Purpose of Funding

to provide suitable and accessible accommodation for health and well-being courses at the Stables Community and Cultural Centre.

Amount of Funding

We are seeking **in kind support** to run one course.

1. RELAXATION – a course where community members can learn relaxation skills to help their body and mind well-being. This course has been scheduled to run on a Friday morning for 10 weeks. We request in kind funding to waive the booking fee for The Stables to the value of \$500.

Benefits to the Community

Mudgees District U3A provides affordable learning opportunities for older people, using the skills and abilities of the members themselves. All presenters are volunteers.

The courses will assist people in their daily lives through exercise and relaxation, in particular through enhanced physical activity reducing the health, social, medical and financial impact of falls.

The courses run by Mudgees District U3A are determined through the interests of the members themselves, allowing a sense of self-determination and responsibility in our older people who make up 26% of the local population.

The use of the Stables Community and Cultural Centre allows us sufficient space to run these popular courses in a degree of comfort for participants.

This venue, which is central to Mudgees' central business district allows members easy access and parking.

Relationship to the Towards 2030 Community Plan

The following goals of the plan relate directly to the outcomes delivered by Mudgee District U3A:

Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles.

Provide infrastructure and services to cater for the current and future needs of our community.

Provide equitable access to a range of places and spaces for all in the community.

In addition, the Mudgee District U3A relies on the generosity of members as volunteer organisers, administrators and presenters. We note that the Community Plan seeks to increase the level of volunteerism in our community.



Marianne Matthews
Secretary



MUDGEES DISABILITY SUPPORT SERVICE INC.
 Quality of life, integration and empowerment in the community
 49 Lewis Street Mudgee NSW 2850

PO Box 598 Mudgee NSW 2850
Email: mdss@internode.on.net

Ph/fax: (02) 6372 3848
ABN: 35956852902

Att: Simon Jones
 Mid-Western Regional Council
 Mudgee, NSW, 2850

19/1/15



Dear Simon,

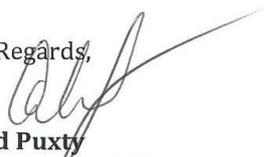
Mudgee Disability Support Service has been putting on an annual concert for the past four years. This year will mark our fifth show, with our parody of *Annie the musical*. Last year's parody of *Mary Poppins* saw us sell out two shows. This community event brings together a variety of organisations and individuals to display theatre is not off limits to people with disabilities. We are very focused in our rehearsal time to bridge the divide between ability and disability, so it is for this reason we include Reps School of Dance, and Stepping Out in Mudgee. This endeavour i

We would like to request the Town Hall Theatre for April the 17th and 18th as our performance days, as well as access to the theatre for the week prior (from Monday the 13th) to bump in and hold dress rehearsals. Each year our show raises funds for Mudgee Disability Support Service to put back into our productions, and drama group which runs weekly in the lead up to our production. We believe by putting on a production that looks like any other amateur theatre production, our clients feel a sense of belonging in the Mudgee community as citizens not people with disabilities.

We would greatly appreciate you considering hiring the theatre space to us at a reduced rate for this charity event. We are more than happy to include on the front of our programmes Mid-Western Regional Council as a principal sponsor for our event, on our posters, Facebook page, website, and give thanks to council during our performances.

If you require any further information do not hesitate to contact Ingrid on 63723848 or at ingridpuxty@gmail.com

Kind Regards,


Ingrid Puxty
 MDSS Program Officer
 Director


Tim Blackman
 Musical Director for *Annie?*

ROTARY CLUBS OF MUDGEES

2014 CAROLS

Income		Expenditure	
Sponsorship (see sponsorship sheet)	\$ 24,650.00	Sound & screen equipment hire, etc.	\$ 26,548.52
Vendors' contributions	\$ 900.00	Fireworks	\$ 5,000.00
Bucket brigade & gate donations	\$ 2,951.80	Candles (3000)	\$ 4,565.98
Drinks & popcorn	\$ 1,063.80	Image Signs - reusable banners	\$ 1,848.04
		Stationery & postage	\$ 136.50
		Sponsors' breakfast	\$ 90.00
		Refreshments for volunteers	\$ 37.59
		Juice /water for sale	\$ 247.86
		Popcorn supplies	\$ 106.48
	\$ 29,565.60		\$ 38,226.63
Loss for 2014 Carols	\$ 8,661.03		

6.2.14 Fit for the Future Program

REPORT BY THE MANAGER, CORPORATE & ECONOMIC DEVELOPMENT TO 18 FEBRUARY 2015
COUNCIL MEETING

Fit for the Future - Progress Report
GOV400043, GOR500026

RECOMMENDATION

That:

1. **the report by the Manager, Corporate & Economic Development on the Fit for the Future Program be received; and**
2. **a Councillor workshop be held during April to participate in the development of Council's Improvement Proposal.**

Executive summary

The purpose of this report is to provide an overview of the timetable and activities involved for Council to complete the requirements of the Fit for the Future local government reforms.

Detailed report

BACKGROUND

In September 2014, the NSW Office of Local Government released A Blueprint for the Future of Local Government. The key message in this document was that the NSW Government are laying the foundations for a stronger and more viable local government sector.

The reform program is about enabling each council to put together a roadmap of how it will become Fit for the Future. A Fit for the Future council is one that is:

- Sustainable
- Efficient
- Effectively manages infrastructure and delivers services for communities
- Has the scale and capacity to engage effectively across community, industry and government

BECOMING FIT FOR THE FUTURE

All councils must prepare a submission by 30 June 2015 which will be assessed by a panel of independent experts.

Preparation of this submission involves:

- Completion of a self-assessment against the Fit for the Future Benchmarks (sustainability, efficiency, infrastructure service and management); and
- The development of a Council Improvement Proposal and Action Plan.

Staff have commenced the self-assessment calculations to consider Council's current position. These calculations are made based on both historical and existing forecast financial information. The objective of the self-assessment is to identify the key drivers of Council's current position and assess the gap areas against the Fit for the Future benchmarks.

An initial review of the data indicates that Council will not satisfy a number of these benchmarks. Further work will be completed over the coming weeks to complete the self-assessments, review the results and identify the main gap areas.

It is important to note that the majority of councils are not expected to satisfy the Fit for the Future benchmarks, but that these benchmarks will provide a tool for councils to identify where they need to make changes to become more sustainable in the future.

The preparation of a Council Improvement Proposal requires Council to identify the key strategies it will use to improve its current position and actions that it will implement in the future to move towards the benchmarks provided.

It is proposed that a Councillor Workshop will be held in April to develop the Council Improvement Proposal and identify these key strategies. Further information will be provided prior to the workshop and as the self-assessments are completed.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

The Fit for the Future program is aligned with community plan goal 5.1. An Effective and Efficient Organisation.

JULIE ROBERTSON
MANAGER, CORPORATE & ECONOMIC
DEVELOPMENT

CLARE PHELAN
DIRECTOR, CORPORATE

5 February 2015

Attachments: Nil

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

6.2.15 Crudine Road Closed Road Transfer

REPORT BY THE REVENUE & PROPERTY MANAGER TO 18 FEBRUARY 2015 COUNCIL MEETING
Crudine Road Closed Road Transfer
GOV400043, R0790175

RECOMMENDATION

That:

1. **the report by the Revenue & Property Manager on the Crudine Road Closed Road Transfer be received;**
2. **that Council authorise the transfer of Lots 8, 9 and 10 in DP 44884 to the ownership of the adjoining property owner;**
3. **the General Manager be authorised to sign all documentation necessary to facilitate the transfer;**
4. **that the Common Seal of Council be affixed to all necessary documentation to facilitate the transfer.**

Executive summary

Residual land identified as Lots 8, 9 and 10 in DP 44884 created from a plan of road closure and opening along Crudine Road, Crudine are now required to be transferred into the ownership of the adjoining property owner to satisfy conditions of the original agreement with the former Rylstone Shire Council.

Detailed report

In 1980, the former Rylstone Shire Council facilitated a road realignment of Crudine Road through private property. Through negotiation with the affected property owner, the matter entailed Council formalising areas of road openings/encroachments over their property in conjunction with the closure of sections of unformed Council road reserve which were eventually to be transferred to the property owner as part of the agreed compensation arrangement.

The sections of closed road reserve are now identified as Lots 8, 9 and 10 DP 44884 and will soon be transferred to Council's ownership by the Crown Lands Division of NSW Trade & Investment.

Council will then be required to endorse the relevant transfer documents in order to transfer ownership of this land to the adjoining land owner and finalise this matter.

The document to facilitate the transfer of ownership will require execution under the Common Seal of Council.

Financial and Operational Plan implications

Land & Property Information Office - \$500

Community Plan implications

This report meets Community Plan Theme 4 Connecting Our Region:

Goal 4.1: High quality road network that is safe and efficient

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

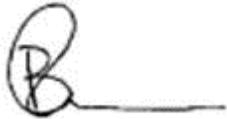
DIANE SAWYERS
REVENUE & PROPERTY MANAGER

CLARE PHELAN
DIRECTOR, CORPORATE

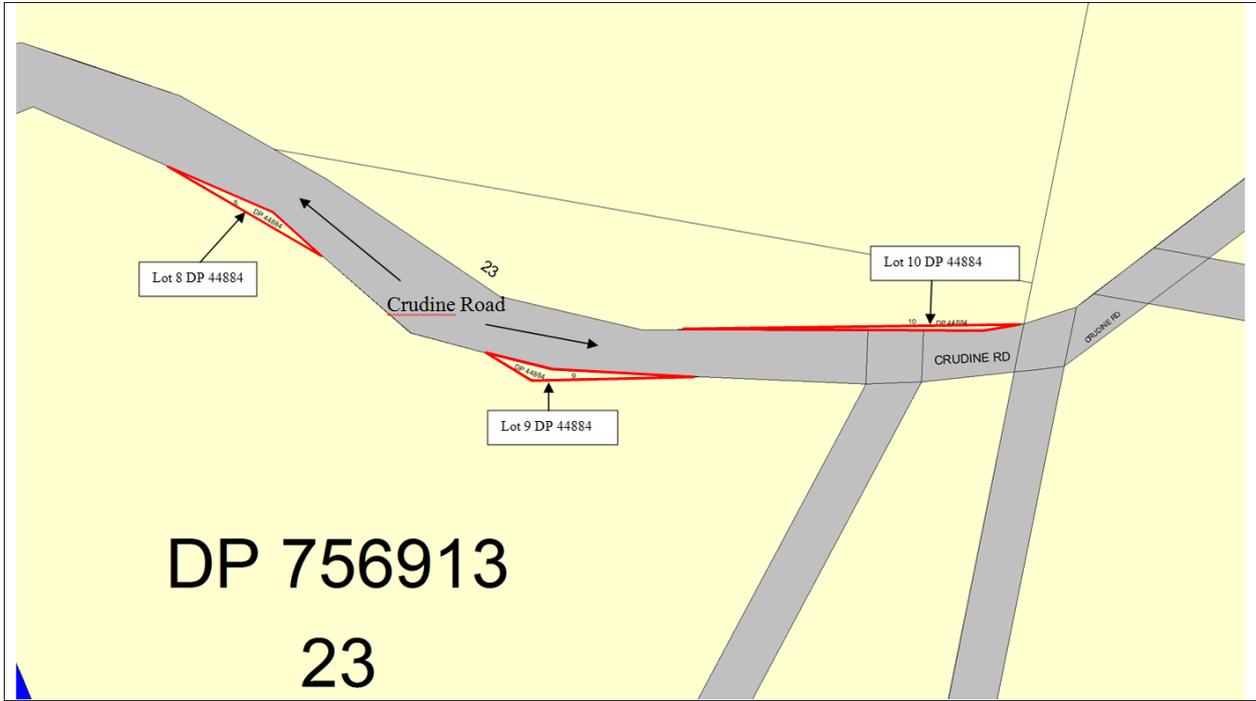
4 February 2015

Attachments: 1. Map of depicting Road Opening & Closure areas

APPROVED FOR SUBMISSION:

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

BRAD CAM
GENERAL MANAGER



6.2.16 Naming of the new road in a subdivision off Adams Lead Road

REPORT BY THE REVENUE & PROPERTY MANAGER TO 18 FEBRUARY 2015 COUNCIL MEETING
Report to Council (final) – Street Naming – Joinery Lane
GOV400043, R0790041

RECOMMENDATION

That:

1. **the report by the Revenue & Property Manager on the Naming of the new road in a subdivision off Adams Lead Road be received;**
2. **Council formally approve the name of Joinery Lane for the new road in this subdivision.**

Executive summary

Formal approval is requested to name the new road in the subdivision off Adams Lead Road in Gulgong, Joinery Lane.

Detailed report

Following the approval of the new subdivision off Adams Lead Road, Council wrote to neighbours of the subdivision requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 3/10/14 issue of The Mudgee Guardian.

From submissions received, Council provisionally approved the name of Joinery Lane at their 3/12/14 Council Meeting.

The Geographical Names Board had been advised of this road name and has no objection. Please note that Lane is used rather than Road as listed in the submissions as the Geographical Names Board will not accept the road type of Road for this cul-de-sac.

Joinery Lane was advertised in the 19/12/14 issue of The Mudgee Guardian and on Council's website with no additional submissions received.

Notice of the new street name was served on Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire Service, NSW Rural Fire Brigades, NSW Police Force, NSW SES and NSW VRA, with no objections received.

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

In accordance with Council's Road Naming Policy, should Council formally endorse the naming of this new road, notice of the approved name will be:

1. published in the Government Gazette and the Mudgee Guardian.

2. concurrently, notice of the new names will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, The New South Wales Volunteer Rescue Association Inc, and, in the case of a classified road - the RMS.

Financial and Operational Plan implications

Cost of Gazettal notice at approx \$60. Purchase and installation of street signs will be met by the Developer.

Community Plan implications

This report meets Community Plan -

Theme 4 Connecting Our Region

Goal 4.1 High quality road network that is safe and efficient

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

DIANE SAWYERS
REVENUE & PROPERTY MANAGER

CLARE PHELAN
DIRECTOR, CORPORATE

5 February 2015

- Attachments:*
1. Correspondence received from the Geographical Names Board
 2. Submissions received
 3. Map of the new street to be named.

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER



ATTACHMENT 1

PO Box 143
Bathurst NSW 2795
T: 02 6332 8214
F: 02 6332 8217
E: gnb@lpi.nsw.gov.au
www.gnb.nsw.gov.au

Your Reference: CA:R0790041
Our Reference:
Contact Officer: Rhet Humphrys
Telephone No: 02 6332 8363
Email: rhet.humphrys@lpi.nsw.gov.au

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

ATTENTION: Carolyn Atkins

Dear Carolyn

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

I refer to your letter of 27th October 2014, which proposed the following public road names:

GIBBADAIRE ROAD, WOODCRAFT ROAD, JOINERY ROAD

On behalf of the Geographical Names Board (GNB), Surveyor General (SG) and Registrar General (RG), the names have been reviewed under the GNB NSW Road Naming Policy and there is no objection to its use provided that the road type of **ROAD** is not used, an appropriate road type for a cul-de-sac should be chosen from the NSW Road Naming Policy.

It should also be noted that **WOODCRAFT** and **JOINERY** are approved provided that the business Gulgong Joinery is no longer in operation.

Kind Regards,

Rhet Humphrys
Geographical Names Board Secretariat

4th November 2014

ATTACHMENT 2

"Park View"

P.O. Box 56

Gulgong.

20.10.14

General Manager
Mid Western Reg Council
P.O. Box 156
Mudgee

Dear Sir,

Re Naming of New Road off
Adams Lead Road.

I would like to see the road named Gibbadaire Road, as my late husband named the property some sixty years ago as "Gibbadaire"

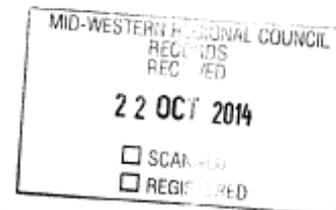
Thanking You
Gloria Gossage.

Following a query on the meaning of Gibbadaire, Mrs Gossage advised that the block bordered by Adams Lead Road had been known as Gibbs Paddock for many years and was owned by Mr Gossage's mother. When Mr & Mrs Gossage built their house on the property around 60 years ago, they kept Gibb and gave it a more formal name of Gibbadaire.

**GULGONG
JOINERY P/L**

A B N 4 9 0 0 3 7 8 2 2 9 8

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



Dear Sir,

RE: NAMING OF NEW ROAD OFF ADAMS LEAD ROAD GULGONG
(Your Reference- CA:R0790141)

Further to your letter of 29 September 2014 and as required under Consent Item 5 (Construction Requirements) DA 0131/2014 of 5 March 2014, I submit the following 3 names for the new road for consideration by Council.

PREFERRED OPTION: WARNER ROAD

My Company has owned the site where the new road is going for 25 years. Not only that I believe that I have made a valuable contribution to the town since moving here in 1972. It was my 1983 submission which led to the establishment of the Red Hill Environmental Education Centre and I have been an executive member for the past 32 years of Gulgong MADS Inc. which owns, maintains and promotes the Prince of Wales Opera House as a centre of excellence for the performing arts. In recognition of this work I have been a recipient of Council's Australia Day Arts Award. I have been past presidents of the Gulgong Conservation Society and the Henry Lawson Society of NSW and I have also served on the committee of the Gulgong Pioneers Museum. I am currently a member of the Red Hill Mining Precinct and the Gulgong Holtermann Museum Inc. committees. In naming the road after an individual numerous precedents have been set, the nearest being GOSSAGE Road which is the road leading onto Adams Lead Road from town and thence onto this yet to be named new road.

OTHER OPTIONS:

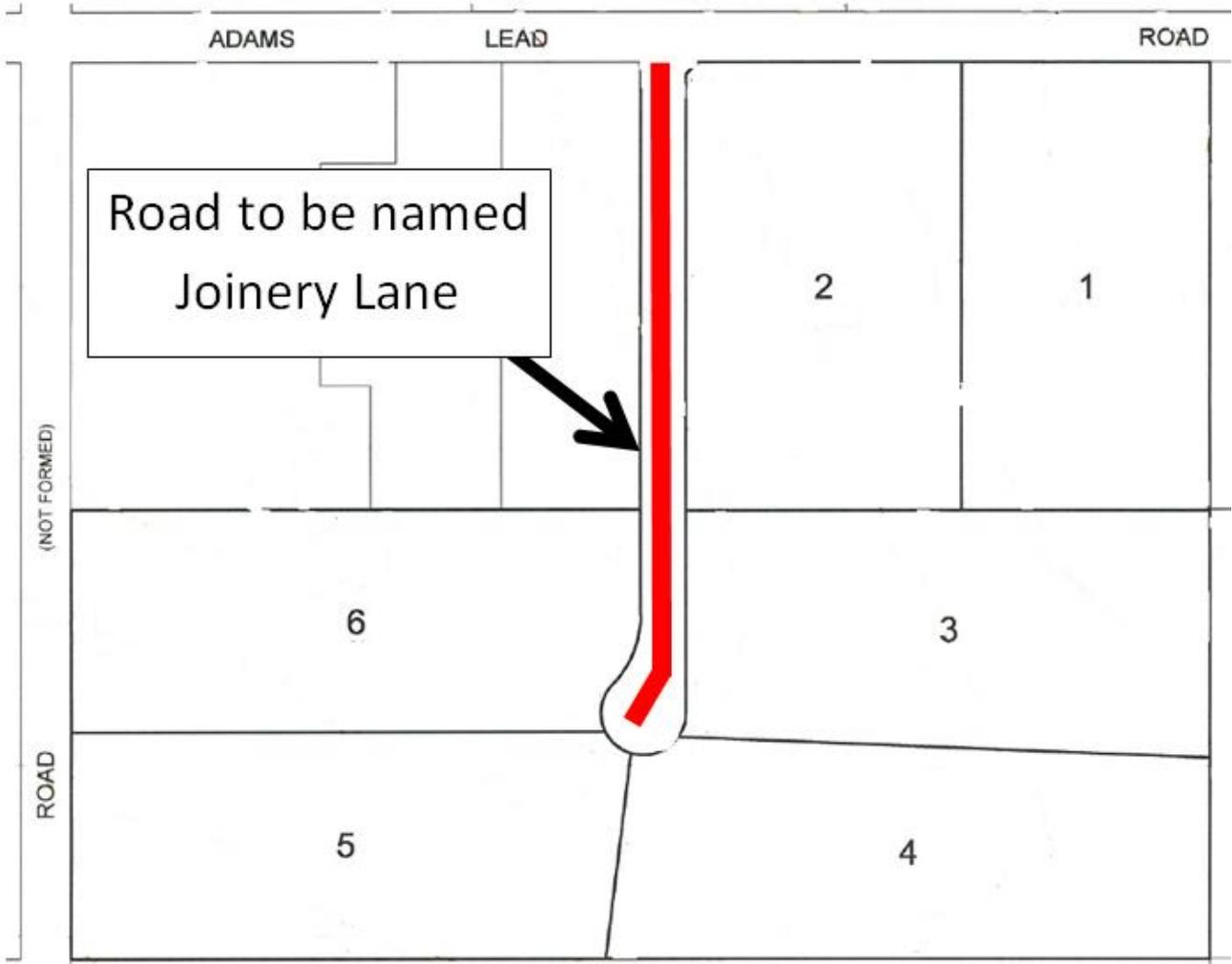
- **WOODCROFT ROAD**
This is the name of the new subdivision my company is developing off Adams Lead Road. The name was chosen because it acknowledges the fact that a business which specialised in the making of items from **wood** operated from the site for about 25 years. **Croft** too indicates that the lots in the subdivision are small rural holdings.
- **JOINERY ROAD**
Suggested too because the site is being developed by Gulgong Joinery P/L and is where the business of the same name operated from.

Yours faithfully,


A D Warner

GULGONG JOINERY P/L ACN 003 782 296
Postal Address: PO BOX 581 MUDGEES NSW 2850 AUSTRALIA
MOBILE: 0458741838 EMAIL: adwarner182@gmail.com

Mr Warner confirmed that Gulgong Joinery had closed down several years ago and was no longer in operation.



6.2.17 Proposal to sell surplus land at 1535 Bylong Valley Way, Kandos

REPORT BY THE REVENUE & PROPERTY MANAGER TO 18 FEBRUARY 2015 COUNCIL MEETING
Proposal to sell surplus land at 1535 Bylong Valley Way Kandos
GOV400043, P2168311

RECOMMENDATION

That:

1. the report by the Revenue & Property Manager on the Proposal to sell surplus land at 1535 Bylong Valley Way, Kandos be received;
2. Council refuse the offer to purchase Lot B DP 191803, 1535 Bylong Valley Way, Kandos made by the adjoining owner as indicated in the attachment in the Confidential section of this business paper;
3. Council seek Expressions of Interest for the purchase of Lot B DP 191803, 1535 Bylong Valley Way, Kandos;
4. Council approve the sale of Lot B DP 191803, 1535 Bylong Valley Way, Kandos at a price not less than 10% below the current market appraisal, as attached in the Confidential section of this business paper;
5. the General Manager be authorised to negotiate the sale price for Lot B DP 191803 not less than 10% below the current market appraisal, as attached in the Confidential section of this business paper;
6. in addition to sale price, the purchaser be responsible for all costs in relation to the land purchase, including Council's reasonable legal costs;
7. the General Manager be authorised to sign all documentation necessary in relation to the sale of Lot B DP 191803 to the purchaser;
8. the Common Seal of Council be affixed to all necessary documentation for the sale of Lot B DP 191803;
9. the Operational Plan for 2014/2015 be amended to reflect the proposed sale proceeds of Lot B DP 191803;
10. the sale proceeds of Lot B DP 191803 be transferred to the Land Development Reserve with the Operational Plan 2014/15 amended accordingly.

Executive summary

This report seeks to secure a resolution to the proposal to seek Expressions of Interest to sell a surplus allotment located at 1535 Bylong valley Way, Kandos at a price not less than 10% below the current market appraisal.

Detailed report

The following resolutions form the premise for the sale and subsequent allocation of funds in relation to Lot B DP 191803, 1535 Bylong Valley Way, Kandos.

At its Council Meeting on 16 August 2006, Council passed a resolution that stated:

"That where any assets are sold in the former Rylstone Shire, Council give consideration to expending these funds in the former Rylstone Shire area."

At its Council Meeting on 7 February 2007, Council passed a resolution that stated:

"Council agrees in principle to sell land no longer required for operational or strategic purposes."

Lot B DP 191803 has a total area of 1.67 ha, is zoned RU1 Primary Production and is classified as Operational land. The property is not required for operational or strategic purposes and is considered surplus to Council's needs.

The land is vacant and is located near the cement works bucket-way as it crosses over Bylong Valley Way. The land appears to be fenced in with the land owned by an adjoining neighbour. Under the current LEP the land does not qualify for dwelling entitlement due to its size and even if it was to be purchased by the adjoining owner and added to that owner's existing holdings, the increased area is still not sufficient for that property owner to qualify for building entitlement.

The owner of the land adjoining Lot B DP 191803 has approached Council with a proposal to purchase the land for an amount as indicated in the attachment to the Confidential section of this business paper.

Council's *Disposal of Assets Policy* seeks to ensure that the disposal of assets surplus to Council requirements is carried out in a manner that promotes obtaining best value for money; accountability; fairness and impartiality; and avoids any conflicts of interest. These objectives are best met, in this instance, by advertising for Expressions of Interest (EOI) for the purchase of the land.

It is recommended that the current offer put forward by the owner of the land adjoining Lot B DP 191803, be refused. If this owner is still interested in purchasing the land, an EOI can be submitted to Council for consideration during the EOI advertisement period.

A current market appraisal of Lot B DP 191803 was obtained and is attached to the Confidential section of this business paper. It is recommended that Council consider offers to purchase the land that are not less than 10% below the current market appraisal.

Financial and Operational Plan implications

The Operational Plan 2014/2015 would be amended to reflect the proposed sale proceeds of this land, and subsequent transfer of net proceeds to the Land Development Reserve.

In addition to the price paid for the land, the purchaser would be also be responsible for all costs associated with the purchase from Council, including Council's reasonable legal costs.

Council, by directly seeking EOI for the purchase of the land, eliminates the need to engage a real estate agent and the subsequent payment of commission to an agent.

Community Plan implications

The proposed sale of Lot B DP 191803 sits under theme 3 - Building a Strong Local Economy, Goal 3.2.4 – Develop tools that simplify development processes and encourage high quality commercial and residential development.

DIANE SAWYERS
REVENUE & PROPERTY MANAGER

CLARE PHELAN
DIRECTOR, CORPORATE

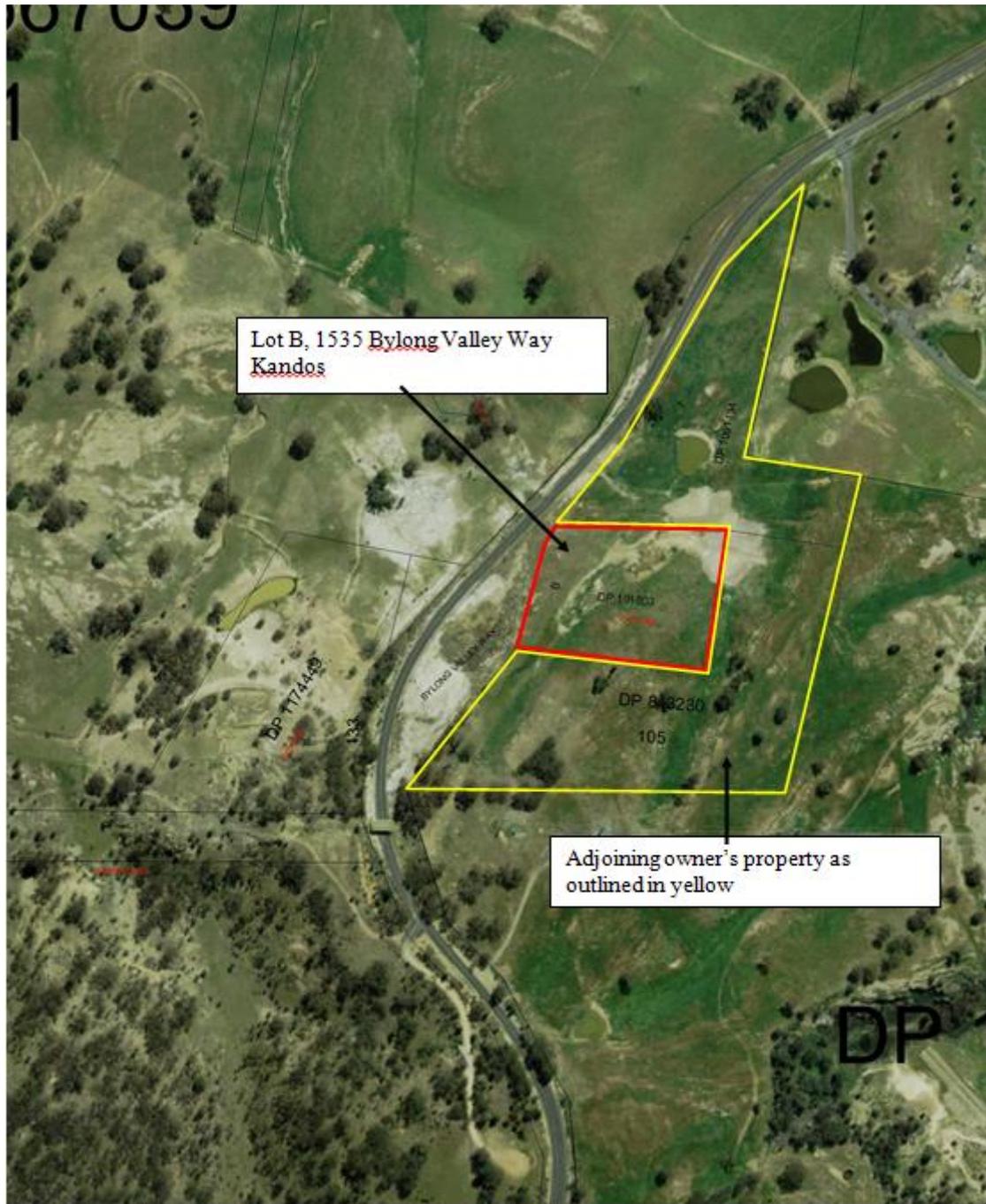
4 February 2015

- Attachments:*
1. Plan Lot B DP 191803
 2. Photograph – Approximate Location Lot B DP 191803
 3. Proposal from adjoining owner to purchase (included in the confidential section of the business paper)
 4. Current market appraisal (included in the confidential section of the business paper)

APPROVED FOR SUBMISSION:

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

BRAD CAM
GENERAL MANAGER



Map Scale: 1:4,414

Disclaimer
 This map has been created for the purpose of showing basic locality information over Mid-Western Regional Council. Property boundary line network data is supplied by Department of Lands.
 This map is a representation of the information currently held by Mid-Western Regional Council. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions.

Legend

- | | | | | | |
|--|------------|--|--------------|--|--------------|
| | Parcel | | Parish | | Road |
| | Crown Land | | Localities | | State Forest |
| | Railway | | LGA Boundary | | Waterway |

NORTH

Printed on Tuesday, 25 November 2014

ATTACHMENT 2



[1](#) - Photograph Approximate Location Lot B DP 191803

6.2.18 Names to be included in the Pre-Approved Street/Road Names List

REPORT BY THE REVENUE & PROPERTY MANAGER TO 18 FEBRUARY 2015 COUNCIL MEETING

Report to Council – Street Naming – Additions to Pre-Approved List 180215

GOV400043, R0790141, R0790041

RECOMMENDATION

That:

1. **the report by the Revenue & Property Manager on the Names to be included in the Pre-Approved Street/Road Names List be received;**
2. **Council approve the inclusion of Lucas, Cant, Singh, Oakden, Kearins, Wurth, Goodlet and Bugg in the pre-approved street/road names list for use at a later date.**

Executive summary

Street/Road naming submissions are often made by the public that do not relate to a new road or street or are submitted when there are no new roads or streets being named.

Detailed report

Council, being the Roads Authority, is required to name new or unnamed streets and roads. Street/Road naming submissions are often made by the public that do not relate to a new road or street or are submitted when there are no new roads or streets being named.

Council has received several submissions suggesting names for consideration when naming streets in the Kandos, Mudgee or Cooyal/Wollar area. It is requested that the following names be approved for inclusion in Council's Pre-Approved Street/Road Names List for future use:

- Lucas
- Cant
- Singh
- Oakden
- Kearins
- Goodlet
- Bugg

The Geographical Names Board has been advised of the submitted names and has no objection to the above names.

Additional names submitted were Walsh, but an objection was raised by the GNB due to Walsh Road in BUDGEE BUDGE, and Candos, but an objection was raised due to Kandos Tip Road located in KANDOS.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

This report meets Community Plan Theme 4 Connecting Our Region:

Goal 4.1: High quality road network that is safe and efficient

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

DIANE SAWYERS
REVENUE & PROPERTY MANAGER

CLARE PHELAN
DIRECTOR, CORPORATE

5 February 2015

Attachments: 1. Correspondence received from the Geographical Names Board
2. Submissions

APPROVED FOR SUBMISSION:

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

BRAD CAM
GENERAL MANAGER



PO Box 143
Bathurst NSW 2795
T: 02 6332 8214
F: 02 6332 8217
E: gnb@lpi.nsw.gov.au
www.gnb.nsw.gov.au

Your Reference: CA-R0790141 R0790041
Our Reference:
Contact Officer: Rhet Humphrys
Telephone No: 02 6332 8363
Email: rhet.humphrys@lpi.nsw.gov.au

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

ATTENTION: Carolyn Atkins

Dear Carolyn

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

I refer to your letter of 28th November 2014, which proposed the following public road names:

**LUCAS, CANT, SINGH, OAKDEN, CANDOS, KEARINS, WALSH, WURTH,
GOODLET, BUGG**

On behalf of the Geographical Names Board (GNB), Surveyor General (SG) and Registrar General (RG), the name has been reviewed under the GNB NSW Road Naming Policy and I would raise the following objections:

CANDOS - objection is raised under *Principle - 4 Uniqueness, Duplication*. There is already a **KANDOS TIP ROAD** located in Kandos.

WALSH - objection is raised under *Principle - 4 Uniqueness, Duplication*. There is already a **WALSH ROAD** located in Budgee Budgee.

Should you wish to proceed with adoption of the names to which objection has been raised, then Council should write to the **Secretary of the Geographical Names Board, Land and Property Information, PO Box 143, Bathurst NSW 2795** setting out reasons why the names are valid. The matter will then be put to the Board who may choose to overturn the objections.

Kind Regards,

Rhet Humphrys
Geographical Names Board Secretariat
3rd February 2015

ATTACHMENT 2

From: Alison Cameron
 To: Carolyn Atkins
 Cc:
 Subject: Road Naming

http://www.mudgeehistory.com.au/cooyal/cooyal_lady_bushranger_p1.html

I wish to submit my application for road naming Bugg Boulevard

Regards,



Alison Cameron
 Mid-Western Regional Council
 Revenue Officer - Water
 PO Box 156 | Mudgee NSW 2850

e: council@midwestern.nsw.gov.au



COOYAL's own lady bushranger



Babyfeet Caves (pic right and above), out near Bylong, were once home to the infamous Captain Thunderbolt, who was 'adopted' by local aboriginal people when he married Mary Ann Bugg, an Aboriginal woman. Local Aboriginal elder, Wally Washbrook says Thunderbolt lived in one of the large caves at one time, and there was certainly evidence of someone with old bush skills living in the cave, the remains of an old bush bed being one item, a huge stone fireplace another.

Did you know that Cooyal lays claim to Mudgee's own lady bushranger, Aboriginal woman Mary Ann Bugg, an amazing woman who became 'Captain Thunderbolt's wife.

The famous bushranger was also associated with Cooyal, being paroled to *Cooyal Station*, then imprisoned again when he failed to 'follow the rules'.

But the amazing and beautiful Mary Ann Bugg aided and abetted him in all his endeavours. It is said that without Mary Ann, Fred Ward, alias Captain Thunderbolt, would never have succeeded as a bushranger. Mary Ann not only taught the bushranger to read and write, but used her Aboriginal skills to help him hide and to keep him well fed and safe for years at a time when as a wanted man, he 'took time off' bushranging to devote time to his family each time she had a new baby. Thunderbolt became one of the Aboriginal people; he belonged to them; and they protected him and aided him.

There are many legends about Thunderbolt and his lady, and, interestingly enough, both of them were rumoured to have died, mysteriously but rumoured to have lived on for many years after their official death. In her new book, *Captain Thunderbolt and His Lady* being released on August 22nd, 2011, Carol Baxter, professional researcher and historian, says she puts an end to some very false rumours concerning Thunderbolt and Mary Ann's death. See www.thunderboltbushranger.com.au

However, the family of Fred Ward, alias Captain Thunderbolt, have their own family stories that have been passed down and they insist they know the real story. See Barry Sinclairs story at: <http://users.tpg.com.au/users/barymor/Mary%20Ann%20Bugg.html>

There are also many other versions of the Thunderbolt and Mary Anne Bugg legend.

Mary Ann Bugg

From Wikipedia, the free encyclopedia

Mary Ann Bugg (7 May 1834^[1] – 22 April 1905^[2]) was one of two notable female *bushrangers* in mid 19th century *Australia*.

Contents [hide]

- 1 Early years
- 2 Relationship with Fred Ward
- 3 Bushranging with Captain Thunderbolt
- 4 Death
- 5 References
- 6 Sources
- 7 External links

Early years [edit]

Mary Ann Bugg was born at the Berrico outstation near in 175 Gloucester in New South Wales, Australia.^[3] Her father, James Bugg, who was born in Essex, England in 1801, was convicted of stealing meat (two lambs, a wether sheep and two pigs) at the Essex Assizes held at Chelmsford in July 1825 and was sentenced to death.^[4] Reprieved to life transportation, he sailed on the convict transport "Sesostris" (incorrectly recorded as "James Brigg"), which reached Sydney on 21 March 1826.^[4] On 15 January 1827, he was assigned to the Australian Agricultural Company as a shepherd.^[5] Successful in his duties, he was promoted to overseer around 1829 and soon afterwards assigned to oversee the Company's outstation at Berrico.^[6] In 1834 he was granted a ticket-of-leave - the colonial equivalent of a parole pass - which allowed him to work for himself so long as he remained in the district and attended a regular muster; he chose to continue working for the Company.^[7]

In 1833, Bugg established a relationship with an Aboriginal woman he called Charlotte, and from this union were born Mary Ann (1834), John (1836), Eliza (c1839), William (1841), James (1843), Jane (1845), Elizabeth (1847) and Thomas (1850).^[8] Mary Ann and her brother John were baptised by the Company's chaplain, Reverend William Macquarie Cowper, on 24 February 1839.^[9] The following day Bugg headed to Sydney with them, where they were to be educated. He and Charlotte had requested the Company's Commissioner, Colonel Henry Dumaresq, to find a school for them so as to "elevate them above the Barbarism of her Tribe". Dumaresq received approval to send them to the Orphan School at Parramatta, however they were not eventually educated there.^[10] All that is known with certainty is that Mary Ann attended school somewhere in Sydney where she learnt literacy, numeracy, and domestic skills, before returning to Berrico when she was around ten years of age.^[10]

On 1 June 1848, less than a month after her fourteenth birthday, Mary Ann married a man named Edmund Baker at the Church of England in Stroud.^[11] Baker was almost certainly ex-convict Edward Baker, a "Lady Harewell" transportee (1831).^[12] They appear to have given birth to a daughter Helena, although this cannot be stated with certainty.^[13] Their relationship ended within a year or two of their marriage.^[14]

Mary Ann moved to the Bathurst district with her second partner, John Burrows, where they were living when gold was discovered at the Turon River in July 1851.^[15] A son James was born in 1851 and another son John in 1853; by the time her second son was baptised the couple had settled in the Mudgee district.^[16] By mid-1855, Mary Ann had left Burrows and was living with ex-soldier James McNally, to whom she bore another three children: Mary Jane (1856), Patrick Christopher (1857) and Ellen (1860).^[17] McNally was a farmer at Cooyal north of Mudgee, and it was there in 1860 that Mary Ann met ticket-of-leave convict Frederick Ward (later to become bushranger Captain Thunderbolt).^[18]

Relationship with Fred Ward [edit]

Mary Ann fell pregnant soon after meeting Fred Ward. Ward took her back to her father's farm at Monkerai near Dungog for the baby's delivery, and their daughter Marina Emily was born late in 1861.^[19] In taking Mary Ann to Monkerai, however, Ward was in breach of the ticket-of-leave regulations which required him to remain in the Mudgee district and to attend three-monthly musters. As it turned out, he was late returning for the muster, and he compounded the problem by riding into town on a horse claimed by the owner to have been "stolen" (although the owner admitted during Ward's trial that the horse had simply gone missing and that he had heard that it had been seen near Cooyal but had not tried to retrieve it).^[20] Ward's ticket-of-leave was revoked, and he was returned to Cockatoo Island to serve the remaining six years of his previous ten-year sentence, along with an additional three years for being found in possession of a stolen horse.^[21]

Most Thunderbolt books claim that Mary Ann helped Ward escape from Cockatoo Island, one of the few successful escapes during the island's history as a penal settlement, however this is not correct. Mary Ann, in fact, remained in the Dungog district where she was working to support herself and her two youngest children. She did not meet up with Ward again until after his escape from Cockatoo Island in September 1863.^{[22][23]}

Bushranging with Captain Thunderbolt [edit]

After the Rutherford toll-bar robbery, where "Captain Thunderbolt" first introduced himself,^[24] Ward returned to Dungog and collected Mary Ann and her two youngest daughters, Ellen and Marina. In February 1864 they travelled through the mountains west of Gloucester during what became known as the Great Flood of 1864, eventually ending up at the Culgoa River, north-west of Walgett, where Ward's brother William was working.^[25] They lived quietly for the remainder of the year, however early in 1865 Ward joined forces with three other miscreants and began to rob hawkers and stations in the north-western plains near Collarenebri.^[26] He eventually travelled extensively during his six-and-a-half years as a bushranger, robbing from Newcastle as far north as Queensland, and from Narrabri nearly as far west as Bourke.^[27]

In 1865, Mary Ann gave birth to another child, seemingly a daughter named Elizabeth Ann Ward,^[28] although she later left the child with friends or relations - as she had her two older daughters - so she could remain on the run with Ward. She was not only his lover but his eyes and ears, helping to keep him safe from the troopers. She acted as his scout, visiting towns to find out if the troopers were around, however there is no evidence to suggest that she accompanied him during his robberies although the community at large believed that she did. Primarily, she looked after their bush camps, hamstringing cattle and foraging for food for Ward and his accomplices.^[29] Several reports describe her as looking like a young man wearing knee-length, Wellington boots, moleskin trousers, a Crimean shirt, a monkey jacket and a cabbage tree hat, the dress of the flash stockmen of the day (and at a time when women did not wear men's clothing). Also, she rode astride (as did a man) and not sidesaddle as was customary for women in those days. She was proud of her association with Ward and on several occasions referred to herself as the "Captain's Lady".^[30]

Mary Ann's involvement with the outlaw led to her apprehension by the police on three occasions. In 1866, she was sentenced to six months in gaol for vagrancy, however an outcry in Parliament led the Attorney General to examine the paperwork associated with her conviction and to recommend her release on the grounds that the charges had been poorly phrased and did not use the necessary terminology to convict her under the Vagrancy Act.^[31] Another conviction, in 1867, for being in possession of stolen goods was overturned when a concerned magistrate looked into her case and discovered that a shop assistant could identify her as having purchased some of the goods.^[32]

Death [edit]

Most Thunderbolt books claim that Mary Ann died at the Goulburn River in November 1867, however this was a woman named Louisa Mason alias Yellow Long, wife of Robert Michael Mason of Rouchel near Scone.^[33] Mary Ann fell pregnant again a few weeks after Louisa Mason's death, but she and Ward separated a short time later. Their son Frederick Wordsworth Ward was born at Carroll in August 1868.^[34] In the aftermath, Mary Ann settled again with John Burrows and had another four children who survived infancy: Ada Gertrude (1870), Ida Margaret (1874), George Herbert (1876) and Arthur (c.1879).^[35] Burrows died prior to 1900 and Mary Ann found work as a nurse to support herself, before dying on 22 April 1905 at Mudgee.^[3] Her son Frederick took after his birth father, becoming a groom and later a horse-trainer; he died unmarried as Frederick Wordsworth Burrows in 1937.^[36]

References [edit]



Constructs such as *ibid.*, *loc. cit.* and *idem* are **discouraged by Wikipedia's style guide for footnotes**, as they are easily broken. Please [improve this article](#) by replacing them with [named references \(quick guide\)](#), or an abbreviated title. *(February 2013)*

- ↑ NSW Registry of BDM: Baptism Vol.23 No.1494
- ↑ ^ ^ NSW Registry of BDM Death 1905/5831
- ↑ Baxter, p.11
- ↑ ^ ^ Baxter, p.7.
- ↑ Bushranger Thunderbolt and his Lady: Timeline James and Charlotte Bugg and is a famous australian for all the things she has set for us familyurl=http://www.thunderboltbushranger.com.au/timeline-bugg-family.html
- ↑ ibid
- ↑ ibid
- ↑ Bushranger Thunderbolt and his Lady: Timeline James and Charlotte Bugg and family http://www.thunderboltbushranger.com.au/timeline-bugg-family.html
- ↑ NSW Registry of BDM: Baptism Vol.23 Nos. 1494 & 1495
- ↑ ^ ^ Baxter, pp.33-34 & 39-40.
- ↑ NSW Registry of BDM: Marriage Vol.33 No.518
- ↑ Baxter, p.44.
- ↑ Bushranger Thunderbolt and his Lady: Mary Ann Bugg's husbands and children http://www.thunderboltbushranger.com.au/chart-mary-ann-bugg-and-her-family.html
- ↑ Baxter, pp.44-6.
- ↑ *Mudgee Guardian*, "Obituary: Mary Ann Burrows", 27 April 1905, p. 13.
- ↑ NSW Registry of BDM: Baptisms Vol.37 No.2296 & Vol.40 No.627
- ↑ Baxter, p. 47.
- ↑ Baxter, pp.116-17.
- ↑ NSW Registry of BDM Birth 1861/7193
- ↑ Baxter, pp. 116-17.
- ↑ Baxter, pp.113-16.
- ↑ Baxter, p. 142.
- ↑ Bushranger Thunderbolt and his Lady: Did Mary Ann Bugg help Fred Ward escape from Cockatoo Island? http://www.thunderboltbushranger.com.au/analysis-mab-help-escape-ci.html
- ↑ Maitland Mercury 22 Dec 1863 p.3, 24 Dec pp.2 & 3, 26 Dec p.2, 29 Dec p.2, 2 Jan 1864 p.2
- ↑ Baxter, Carol "Captain Thunderbolt and His Lady", Allen & Unwin, 2011, pp.171-77
- ↑ ibid pp.181+
- ↑ ibid pp.181+
- ↑ Bushranger Thunderbolt and his Lady: Searching for Mary Ann Bugg's children http://www.thunderboltbushranger.com.au/analysis-searching-for-mary-ann-buggs-children.html
- ↑ Baxter, Carol "Captain Thunderbolt and His Lady", Allen & Unwin, 2011
- ↑ http://users.tpg.com.au/users/barrymor/Kali%20Bierens.htm
- ↑ Baxter, Carol "Captain Thunderbolt and His Lady", Allen & Unwin, 2011, Chapter 29
- ↑ ibid pp.274-76 and Chapter 34
- ↑ Bushranger Thunderbolt and his Lady: Did Mary Ann Bugg die in 1867? http://www.thunderboltbushranger.com.au/analysis-mab-death-1867.html
- ↑ NSW Registry of BDM Birth 1868/0016881 and Baptism Vol.161 No.1400
- ↑ Baxter, Carol "Captain Thunderbolt and His Lady", Allen & Unwin, 2011, p.336; also Bushranger Thunderbolt and his Lady: Searching for Mary Ann Bugg's children http://www.thunderboltbushranger.com.au/analysis-searching-for-mary-ann-buggs-children.html
- ↑ NSW Registry of BDM Death 1937/00016011

Sources [edit]

- Baxter, C. (2011) *Captain Thunderbolt and His Lady*, Allen & Unwin: Sydney. ISBN 9781742372877.

External links [edit]

- Bushranger Thunderbolt and Mary Ann Bugg: Biography - Mary Ann Bugg
- Original source for article - Life of Captain Thunderbolt



Mudgee NSW 2850.

26/9/2014.

General Manager,

Mid-Western Regional Council,

PO Box 156,

Mudgee NSW 2850.

Nomination for Street Name – Mudgee.

I wish to propose my family name of "GOODLET" for use as a street name in the Mudgee area.

To support my nomination I would like to provide the following information:-

My wife and I have lived in Mudgee now for over 30 years. We raised our family of three here and our 2 sons have also made their life here in the Mudgee area. One son is employed in a managerial position with Western Health at the Mudgee Hospital and the other son has his own engineering business.

I worked with Australia Post serving the Mudgee community for about 25 years. 12 of those years I served as Postal Manager for Mudgee from 1994 – 2006 when I retired and have remained living in Mudgee. My wife served the community by working at Pioneer House for approximately 19 years. Over the years we have served on the committees and supported several junior and senior sporting clubs.

My wife and I have continued to serve the Mudgee community by assisting several charities such as Meals on Wheels, door knocks for Red Cross and others, and have supported our local church.

History.

My father worked on the construction of the Mudgee Weir. Although not a Mudgee resident he was one of the workers employed under the work creation programme by the then Government to construct the weir. He and my mother were brought to Mudgee and were accommodated in the Sydney hotel. According to my mother, my eldest sister who was only a toddler at that time was one of the first to walk over the completed weir. My sister is now 89 years old.

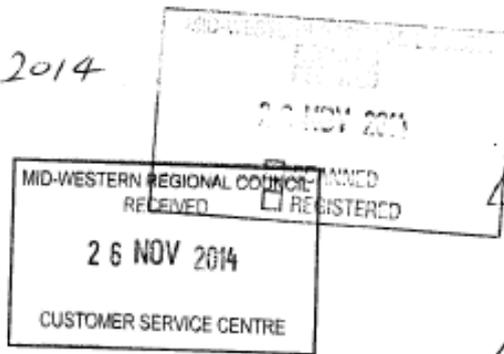
I forward this for your consideration and thank you for your time and interest.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Eric K. Goodlet", written over a horizontal dotted line.

Eric K. Goodlet.

26. 11. 2014



PAUL WURTH

MUDGE MUDGE

N.S.W.

2850

MOB PH No.

DEAR MUDGE COUNCIL,

I WOULD LIKE TO MAKE A
SUGGESTION FOR A NEW STREET NAME OF
- WURTH -

THE WURTHS ARRIVED IN MUDGE IN 1850'S
(FRED AND ELIZABETH WURTH)

THE WURTH FAMILY HAS BEEN INVOLVED
WITH THE WINE INDUSTRY (ONE OF THE
FIRST COMMERCIAL WINERY) - ALSO THE DISCOVERY
OF GOLD AT "GOLDEN GULLY STRIKE" IN 1867.

ALSO THEY WERE INVOLVED WITH THE RAILWAYS,
THE POST OFFICE, THE EDUCATION DEPT AND

THE HENRY LAWSON FAMILY. MY FAMILY WOULD
APPRECIATE YOUR CONSIDERATION IN NAMING A STREET
AFTER THEM.

YOURS SINCERELY

PAUL WURTH

VINTAGE TIME

The Eurunderee vineyards are presently in the throes of this season's vintage. Gottlieb Wurth had a big cellar under "Weinsburg" the Wurth family home. John Tierney ("Brian James") son of John Tierney the first school teacher at Eurunderee Provisional School has written... "No one made better or more honest wine than old Gottlieb Wurth especially his Reising, Hermitage and Verdello. On the heavier side, his Port and Muscat were in a class by themselves. No wonder Gottlieb himself was fond of wine - good stuff, full bodied, that captured the sunshine of bygone summers in its clear amber and ruby red." The old winemaking traditions were carried on by vignerons through the years - and today those working in the industry, especially in Eurunderee, must often feel those pioneer winemakers are looking over their shoulders as they go about their work.

WURTH FAMILY

Researching family histories can be both frustrating and rewarding. The Foundation, since its inception has been keen to establish not only the links between the pioneer Eurunderee families but also their association with the Eurunderee School. The early families who kept diaries or notebooks have been relatively easy. Apart from a few published anecdotes the Wurth family story has been very obscure. Gradually we are establishing their links with Eurunderee Gottlieb Frederick Wurth, on his naturalisation papers, shows he and his family arrived in Australia in 1855, and soon afterwards came to Eurunderee to farm the land. It was in 1863, his sons, John and George, found gold in Golden Gully. His first wife Elizabeth having died, Gottlieb Frederick married a widow, Johanna Barbara Bossler, in May, 1870. He died a month later on 28th June, 1870. The cause of death was exhaustion from overwork (shown on his death certificate).

FAMILY LINKS

The joy of discovery comes when least expected. The frustrations of wrongly spelt or changed names melts away when you flip over a page or a document and something you least expect almost jumps out of the page. In researching the Wurth family links with Eurunderee I came across a Marriage Certificate which joined two pioneer families together. On the 19th May, 1908 at St. Mary's Church, Mudgee, Peter Wurth, son of John Wurth, Farmer, married Katie Tierney, daughter of John Tierney, school teacher. (First school teacher at Eurunderee School). Next step, for another day, is to go back to Elizabeth Tierney's diary and see what she wrote about the wedding.

RETURN OF LANDHOLDERS

The Return of Landholders, 1884, quoted above made interesting reading. The statistics provided a social study of the Eurunderee community. The largest landholder was W H Lowe with 1,440 acres, 20 horses, 83 cattle, 8 sheep and no pigs. Lowe was followed by Jonathon Bones with 1,000 acres, 13 horses, 87 cattle, no sheep and 7 pigs. The smallest acreages, each of 40 acres, were held by George Wurth and William Leonard. John Tierney, with a better than average holding of 180 acres had 1 horse and 2 cattle, indicating (as proved later in the diaries of his wife Elizabeth) that "Hill View" was being developed for agriculture and horticulture rather than for raising stock. Henry O'Brien, with 260 acres, 5 horses and 4 cattle was as expected the occupier of the Lawson property.

PIONEER NAMES

The Eurunderee section of the 1884 Returns is made up of most of the familiar pioneer family names like Bucholtz, Wurth, Franca, Roth, Rheinberger, as well as those mentioned above. Less familiar names were William Mason, Francis Conn and Adam Reith, probably Adam Roth as previous research has shown. It is interesting to note, however, that Adam Roth is also shown as holding 85 acres, 4 horses, 6 cattle and 3 pigs under the Pipeclay Section. Frederick Bucholtz is also shown with 249 acres, (with horses, cattle and pigs). The Kurtz family figure predominantly with Frederick, Andreas, William, Joseph and Andrew all shown as landholders with various acreages. Ellen Duggan, Sarah Gossage, Maria Taylor and Mrs J Rheinberger were representatives of the female landholders in Pipeclay.

1 December 2014

Dear Councillor

I am writing to express my concern at the recent naming of Bloodsworth Lane in Kandos and hope you will reconsider your decision.

Bloodsworth Lane does not reflect Kandos history. Because James Bloodsworth is an ancestor of mine I am very aware of his significance in Australian history and his connection with Rylstone through his son and grand-daughter. There is no connection between Bloodsworth and Kandos. Kandos is a twentieth century town and distinctively different from Rylstone.

I realise that Council has gone through the proper process in naming the lane in Kandos but sometimes the proper process does not result in the correct outcome. Unfortunately all the names which Council chose from, in naming the lane, were rural and shipping names connected to the nineteenth century.

Over the past two years I have been researching the history of Kandos streets and parks and have come to better appreciate the importance of street names within a town. Sam Paine in his many articles on Mudgee streets has also reminded us that the history of a town is embedded in its streets.

The streets of Kandos capture Kandos history. We can trace local land-holding families like Lloyd and Donoghue who subdivided some of their land, named streets and organised the sale of town blocks; the officials and directors of the cement company who appear on nine streets as well as in the name of the town; those who progressed our town, including councillors like Mason, McLachlan and Jamison and state politicians like Fleming and Dunn.

Kandos is an unusually young town and as you know this year celebrates its centenary. A newly named street should properly reflect someone associated with Kandos' 100 years of history. There are many significant people in Kandos history who could fittingly be memorialised on a Kandos street. I have attached brief histories for seven possible names.

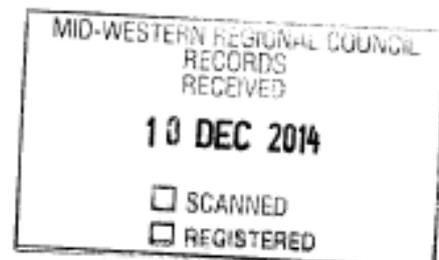
I hope you will act to avoid the gazettal of an inappropriate name.

Yours sincerely



Colleen O'Sullivan

17 Rodgers Street
Kandos 2848
colosullivan@optusnet.com.au



POSSIBLE NAMES FOR A LANE IN KANDOS

William Herbert Lucas, First Kandos Police Officer

Sergeant Lucas was appointed to Rylstone in 1908 and in 1918 he was appointed Police Officer in charge of the newly built Kandos police station and lock-up. Besides protecting the community, keeping the peace, enforcing traffic regulations, making arrests and pursuing escaped criminals, his duties included collecting the census, manning lost property, rescuing injured people and animals, overseeing Art Union draws, giving evidence at licensing, police magistrate and coronial courts, and crowd control at the local football match or race meeting. It wasn't until 1922 that the newly promoted Sergeant Lucas was sent an assistant.

When he was transferred to Portland in July 1929 a grateful and sad community said farewell and thanked him "for the good service he had rendered." They presented him with an illuminated address which is now at the Kandos Museum.

William Cant, Cement Works Chief Gardiner

The company employed up to six gardeners to maintain the company gardens, including the gardens surrounding the cement works, those at 'Warburdie', the general manager's house, and the gardens of staff houses high on the hill overlooking the town. Bill Cant was chief gardener for thirty seven years. The works' gardens were the most popular venue in Kandos on a Sunday afternoon, for picnics and sporting activities.

Bill Cant's reputation as local garden guru grew. He freely gave advice on garden matters and produced tomato and lettuce seedlings for sale. Kikuyu runners taken from the cement works' lawn started many of the lawns in Kandos. Every Friday during the Depression boxes of fruit and vegetables were sent to needy families.

Bill Cant built a reputation across Australia. Among the plants that Bill Cant received praise for were his dahias ('one that Mr Cant has named "The Old Man" is twelve inches across the bloom'). In a 1937 Mudgee Guardian article 'Mr Cant has succeeded in placing Kandos on the map in the gardening world and in the Botanical Gardens in Adelaide one can see a fine rose which is called the "Kandos" rose'. His gladioli corms were dispatched to South Australia, Victoria and Sydney.

Besides constructing and tending the gardens Bill Cant and his team built tennis courts and a bowling green. A greenkeeper's certificate helped him broaden his reputation and had him visiting Sydney bowling clubs to share his expertise.

Jundah Singh, Migrant, Pioneer and Businessman

Jundah Singh arrived from The Punjab at the turn of the twentieth century, married Harriet Bromwich in the Holy Trinity Church of England at Kelso in 1910, and started a family and business in the Portland area.

In mid-1918 the family settled in Kandos. Jundah drove, at different times, a cutting cart (for meat) and a hawker's cart (often fruit and vegetables) and also operated a general business. He was astute, hard-working and successful in business. In the early years he purchased at

least seven blocks of land and built a store, which is still standing, though since converted to a house.

In 1927 his wife of seventeen years died of pneumonia at the age of 39, leaving nine children whom he continued to look after: Bertie 17, Roy 16, Irene 14, Arthur 12, Emily 10, James 8, Violet 6, Victor 4 and Cora 2.

At times he and his family experienced discrimination. At times cultural differences caused misunderstanding and conflict. He often argued his case in court.

Sadly stress took its toll and in 1934 Jundah was admitted to Orange Mental Hospital where he died four months later from inflammation of the kidneys and gall bladder, a condition he had had for many months. His children were put into care.

His eulogy reads: 'Jundah Singh [was] one of the familiar figureheads of Kandos.'

All five sons enlisted and fought for their country in the Second World War.

Irene Kearins, corner-store owner for more than 60 years

Irene Alice Priscilla Kearins née Bowers bought a shop on the corner of Rodgers Street and Dabee Road in 1947. Her husband Vincent Michael Kearins (known as Mick) agreed to her purchasing the shop as long as he didn't have to work in it and she didn't go into debt. They raised their family, two sons, Terry and Lance, in the residence attached to the shop and she was still running the shop at the time she died in 2009 at the age of 92.

It was a shop that generations of Kandos children knew and loved because this gentle, kind woman welcomed them and provided a wide choice of sweets, ice blocks and ice creams at reasonable prices. She also had a "tip jar" where customers could leave donations for the Rylstone hospital. She regularly presented the contents to the hospital as a donation from the children of Kandos and always kept the receipts to show children.

Irene Kearins was a member of the CWA for over 60 years and held the roles of President, Treasurer and International Officer. She volunteered at the Kandos Museum from its opening in 1988 until 2006. She was a member of the Catholic ladies group and at one time did voluntary work with Kindergarten students at the local school. She drove her car until she was 90.

There are only two of thirty-nine streets in Kandos named after women.

Frank Oakden, First General Manager of the Cement Works

Frank Oakden was brought to Australia in 1912 to report on the establishment of a State cement works near Clandulla. He was at that time Manager of the Milburn Lime and Cement Company in New Zealand and had established a reputation as an expert in the field of cement manufacture. He gave a very favourable report to the NSW Government. In 1913 he was head-hunted for the position of General Manager by the newly established NSW Cement Lime and Coal Company.

In 1914 he sailed twice to Europe and America to purchase the best machinery available for cement manufacture. He remained in the position of General Manager till 1922 and then took up the position of chairman of directors.

In 1924 he became superintending consulting engineer in establishing the Standard Portland Cement Company at Charbon. So he was involved in the establishment of the two cement industries in the Kandos area. He also provided consulting engineering advice for Queensland and Western Australian cement industries.

Walsh Brothers

Walsh brothers, Jim, Bill and Jack, built the first business premises in Kandos (butcher and baker), took out the first telephone, were foundation members of the Progress Association, Kandos Race Club and Kandos Masonic Lodge. Jack was a Councillor. Walsh butchery was the longest family owned business in Kandos.

William Walsh was my grandfather.

Candos, the original name for the town

On 15 January 1914 the *Mudgee Guardian* in an item headed "Candos" reported "For better or worse the new mining township has been christened as above...The plan of survey of the proposed new cement town at Coomber to be known as "Candos" was laid on the table by the clerk showing the streets and other details."

For more than a year this name appeared in every newspaper item up to March 11 1915 when the *Mudgee Guardian* reported, "You are required to spell the industrial centre known hitherto as Candos with a K instead of a C." Post Office records show that the Secretary of the Post Master General had sent approval for the name Kandos instead of Candos on the 26 February 1915.

Most Kandos residents know that the naming of their town had something to do with a place in South Australia called Chandos. The connection was explained in a *Daily Telegraph* supplement on 7 October 1966 headlined "Much Controversy Over Town's Name". It reported that the Rylstone Shire Clerk Mr D White having researched the subject, found that Kandos had to be changed from Candos because the latter name caused confusion with Chandos in South Australia.

The story of how Candos got its name has been repeated often. Bruce Fleming in *History of Kandos* (1984) explains that James Angus' daughter grouped the first letters of the names of the company officials together and came up with a proposed town name of Candos. The name, carefully chosen, is forever associated with its company roots: C for Campbell (Company Secretary), A for Angus (Chairman of the Board), N for Noyes (the consulting Engineering firm) D for McDonald (a Director and Member of Parliament) and O for Frank Oakden (the first general manager) and S for A C Stephen (the company's solicitors).

6.2.19 Naming of the new streets in a subdivision off Henry Bayly Drive

REPORT BY THE REVENUE & PROPERTY MANAGER TO 18 FEBRUARY 2015 COUNCIL MEETING
Report to Council (final) – Street Naming – Cover Street Croan Court
GOV400043, R0790141

RECOMMENDATION

That:

1. **the report by the Revenue & Property Manager on the naming of the new streets in a subdivision off Henry Bayly Drive be received;**
2. **Council formally approve the name of Cover Street for Street 1 and Croan Court for Street 2 in this subdivision.**

Executive summary

Formal approval is requested to name the new streets in the subdivision off Henry Bayly Drive in Mudgee, Cover Street and Croan Court.

Detailed report

Following the approval of the new subdivision off Henry Bayly Drive, Council wrote to neighbours of the subdivision requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 17/10/14 issue of The Mudgee Guardian.

From submissions received, Council provisionally approved the names of Cover Street and Croan Court at their 3/12/14 Council Meeting.

The Geographical Names Board has been advised of these street names and has no objection.

Cover Street and Croan Court were advertised in the 19/12/14 issue of The Mudgee Guardian and on Council's website with no additional submissions received.

Notices of the new street names were served on Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire Service, NSW Rural Fire Brigades, NSW Police Force, NSW SES and NSW VRA with no objections received.

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

In accordance with Council's Road Naming Policy, should Council formally endorse the naming of these new streets, notice of the approved names will be:

1. published in the Government Gazette and the Mudgee Guardian.
2. concurrently, notice of the new names will be sent to Australia Post, the Registrar General, the Surveyor General, the Chief Executive of the Ambulance Service of NSW, New South

Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, The New South Wales Volunteer Rescue Association Inc, and, in the case of a classified road - the RMS.

Financial and Operational Plan implications

Cost of Gazettal notice at approx \$60. Purchase and installation of street signs will be met by the Developer.

Community Plan implications

This report meets Community Plan -

Theme	4	Connecting Our Region
Goal	4.1	High quality road network that is safe and efficient
Strategy	4.1.1	Provide traffic management solutions that promote safer local roads and minimise traffic congestion

DIANE SAWYERS
REVENUE & PROPERTY MANAGER

CLARE PHELAN
DIRECTOR, CORPORATE

5 February 2015

- Attachments:*
1. Correspondence received from the Geographical Names Board
 2. Submissions received
 3. Map of the new street to be named.

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT1



PO Box 143
Bathurst NSW 2795
T: 02 6332 8214
F: 02 6332 8217
E: gnb@lpi.nsw.gov.au
www.gnb.nsw.gov.au

Your Reference: CA:R0790141
Our Reference:
Contact Officer: Rhet Humphrys
Telephone No: 02 6332 8363
Email: rhet.humphrys@lpi.nsw.gov.au

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

ATTENTION: Carolyn Atkins

Dear Carolyn

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

I refer to your letter of 11th November 2014, which proposed the following public road names:

COVER STREET, CROAN COURT

On behalf of the Geographical Names Board (GNB), Surveyor General (SG) and Registrar General (RG), the names have been reviewed under the GNB NSW Road Naming Policy and there is no objection to their use.

Kind Regards,

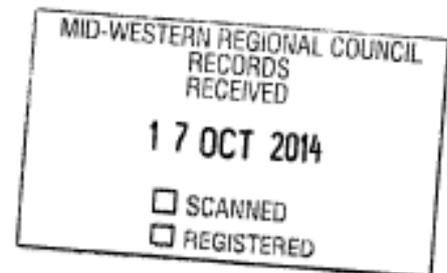
Rhet Humphrys
Geographical Names Board Secretariat

12th November 2014

ATTACHMENT 2

Resiland Pty Ltd
4 Stockmans Drive
Mudgee NSW 2850

Diane Sawyers
Manager Revenue & Property
Mid-Western Regional Council
86 Market Street
Mudgee
NSW 2850



Dear Diane,

Your ref CA: R0790141

I refer to your letter of 9th October regarding road naming of new streets off Henry Bayly Drive Mudgee.

We propose the following two names:

Tim Loneragan or Loneragan Road & Jack Cover or Cover Road

Both the above former residents and their families have made contributions to the town and region.

Tim Loneragan –

A pioneering Australian Aviator, who was the matriarch of the Jas Loneragan Company who established the first supermarket west of the Blue Mountains and 2nd in Australia, built the 1st Motel in Mudgee and 2nd west of the Blue Mountains, and held major agricultural interest in the region.

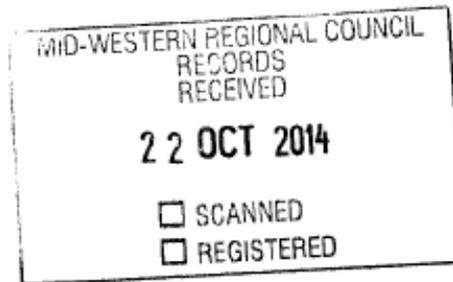
Jack Cover & the Cover family –

A well-known family emanating from the Hargraves area and being involved in the race house industry, shearing and farming and owners of the well-known property Mt Frome at Melrose.

Yours Faithfully,

Hugh Bateman
Director

Resiland Pty Ltd
4 Stockmans Drive
Mudgee NSW 2850



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

Your ref CA: RO790141

I refer to my letter of 15th October regarding naming of street off Henry Bayly Drive, Mudgee.

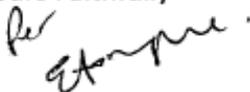
It has been brought to my attention that a road may already be named after Mr Loneragan at the airport.

If this is the case then we would submit the name Croan in its place.

Carmel Croan was a well-known 'al derman' and councillor of Cudgegong Shire / Mudgee Shire Councils for many years.

She worked tirelessly for the community on many charities and individuals over the years with her own radio programme on the local radio station. Her husband owned a well-known Mudgee carrying business known as J & D Croan operating from corner of Lewis and Horatio Street Mudgee (now a vacant lot).

Yours Faithfully



Hugh Bateman
Director

Road No 2 to be named
Croan Court



Road No 1 to be named
Cover Street

6.2.20 Adoption of Mudgee Traffic Management Study 2014

REPORT BY THE DIRECTOR, OPERATIONS TO 18 FEBRUARY 2015 COUNCIL MEETING

Adoption of Mudgee Traffic Study 2014

GOV400043, TRA300029

RECOMMENDATION

That:

1. **The report by the Director, Operations on the adoption of the Mudgee Traffic Management Study 2014 be received;**
 2. **Council adopt the Mudgee Traffic Management Study 2014.**
-

Executive summary

A traffic study for Mudgee township was carried out in 2014. This report supports adoption of the Mudgee Traffic Management Study 2014.

Detailed report

Brief was issued to consultants October 2013 requesting quotations to conduct a traffic study in Mudgee. In late 2013 Gennaoui Consulting Pty Ltd was commissioned to carry out the study. Extensive stakeholder consultation was undertaken and 30 intersections were computer modelled in order to understand Mudgee's traffic issues and provide recommendations for the future.

The draft document was displayed on public exhibition between 22nd October and 24th November 2014 with ten submissions received. A public meeting was also held October 29th 2014 where public suggestions were noted.

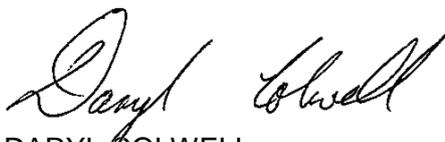
A councillor workshop was conducted February 4th 2015 where submissions and outcomes of the meeting were discussed. The draft document was amended to address community expectations.

Financial and Operational Plan implications

The main purpose of the study was to recommend treatments to address traffic management in Mudgee as it develops. These treatments have been costed and will inform the MWRC s94 plan.

Community Plan implications

This report is in line with the theme of 'looking after our community' and more specifically the goal of 'effective and efficient delivery of infrastructure'.



DARYL COLWELL
DIRECTOR, OPERATIONS

9 February 2015

Attachments: 1. Mudgee Traffic Management Study 2014 (included at the end of the business paper)

APPROVED FOR SUBMISSION:

A handwritten signature in black ink, consisting of a stylized capital letter 'B' followed by a horizontal line extending to the right.

BRAD CAM
GENERAL MANAGER

6.2.21 Regional Organics Opportunity

REPORT BY THE MANAGER WASTE AND WEED SERVICES TO 18 FEBRUARY 2015 COUNCIL MEETING

Council Report Regional Organics Opportunity (2)
GOV400043, WAS400028

RECOMMENDATION

That:

1. **the report by the Manager Waste and Weed Services on the regional organics opportunity be received;**
2. **that Council participates in the tender process for a regional organics collection and processing service facilitated by Dubbo Regional Council to determine transport and processing costs;**
3. **that the 2014/15 Operational Plan be amended to increase Domestic Waste consultant costs by \$5,000 to cover the initial cost of participating in the tender, to be funded from Waste fund cash; and**
4. **that the 2015/16 Operational Plan include a further allocation of \$5,000 within the Domestic Waste operating budget to cover estimated continuing costs of participating in the tender.**

Executive summary

The purpose of this report is to determine Council's interest in pursuing offsite organics processing, given that the Community Plan highlights a need to "work regionally and collaboratively to implement strategies that will enhance environmental outcomes in regards to waste management and minimisation", and that the short term financial impact may be an increased cost to the waste rate payer.

This report recommends MWRC agree to participate in the regional organics processing and collection service tender process to determine the costs of participating in this regional opportunity including what the collection / transport costs might be. Once these costs are known a further report will be presented to Council to determine if the tender should be accepted or not. Other councils considering their participation include Narromine, Wellington and Gilgandra.

Detailed report

BACKGROUND AND THE TENDER PROCESS

Netwaste undertook a regional strategy investigation to identify the infrastructure needs and priorities of member Councils that may attract funding under the Waste Less Recycle More program. This strategy identified organics as a priority area for councils and an opportunity to establish regional organic processing facilities. Dubbo City Council (DCC) has since gone through a lengthy application process and feasibility study to establish a tunnel composting facility at its waste facility site, Cooba Rd Dubbo.

Mid-Western Regional Council expressed an interest only, with no commitment to this project, to form part of Dubbo City Councils feasibility investigations.

Dubbo has been successful in attracting \$3.26 million towards the \$6.93 million cost of the project however, needs to formally accept the funding and the project at its February 2015 meeting. All indications are this will occur.

The project will then be at the stage where DCC is seeking to firm up the interest and commitment from neighbouring councils to participate in the tender during February 2015.

This project will end up being a processing and regional collection contract to provide the organics feedstock for the processing facility. Separate grants are available for councils looking to introduce organics collection services through the Waste Less Recycling More grant program.

Councillor and community acceptance need to be sounded out soon and DCC staff are keen to know during February 2015 the councils that are keen to participate in the tender process. There is no obligation on the Council to accept a tender however, as this will be a regional tender not accepting a tender will impact the price for the remaining Councils.

Initially, the challenges for MWRC in pursuing this opportunity will be around transport costs, upgrading the existing recycling plant, bin change over, ongoing processing costs verses cost of landfill and ever changing legislation. Transport and processing costs will not be fully known until the tender process is complete and estimates will be used for this report. The Dubbo facility will be approximately 140km from Mudgee and 210km from Rylstone / Kandos.

CURRENT ORGANICS PROCESSING

MWRC currently does not provide a kerb-side organics collection service to its residents. Council runs a three bin system where two of the bins are dedicated to recycling and one to general waste. The primary reason for doing this is the recycling facility at the Mudgee Waste Depot is broken into two streams, one being paper and cardboard and the second is the remainder of the recycling. Councils that have an organics service traditionally have a three bin system that provides for a general waste bin, a recycling bin and a green waste bin. The green waste bin may or may not contain food waste.

3 Bin Collection System



Residents that wish to separate their organics in the MWRC area either need to home compost the organics or deliver them separately to the waste depot to go in the green waste area. There is no ability to deal with separated food waste and this is land filled.

It should be noted that should MWRC wish to introduce an organics service, whether or not as part of a regional solution, modifications will need to be made to the recycling plant to ensure residents only have to deal with three bins not four.

Why Remove Organics?

There are a number of cost and environmental benefits in removing organics from the waste stream.

- Organics in waste is what is responsible for producing carbon as methane emissions in landfills. The Federal Government has currently repealed Carbon Price Mechanism to be replaced with the Direct Action Plan. The Direct Action Plan aims to reduce emissions from landfills and it is unknown at this time what cost will be attributed to emissions from landfills, if any. There is more than likely going to be a cost of carbon in some way in the future.
- Reduced volumes of waste going to landfill satisfies state government targets for recycling and organics form a significant part of the waste stream that are reusable. Generally after normal recycling is taken into account organic material forms 51.5% (food 35% and garden 16.5%) of what is left in the residual waste bin. Removing food and garden waste from the waste stream will therefore reduce the tonnes of waste going to landfill. For MWRC this may equate to 2,608 tonnes from the kerb-side collection service.
- The waste levy that has been reported to Council as possibly coming in with a change to the Protection of the Environment and Operations Act (POEO Act) will be charged on every tonne of waste sent to landfill. The only way to avoid paying the levy is by recycling and sending the waste off site. Organics processed by the Dubbo facility will not be subject to the levy. If the levy is introduced it is still unknown what the amount per tonne will be however, based on when it was first introduced to the regional regulated area the best case would be \$10 p/t in the first year. This would mean \$25,500 in savings to Council. The current levy is \$74.40 or the equivalent of \$194,035 if the organics were removed from the waste stream. There is the added benefit of extending the life of the landfill by removing anything that is reusable including organics, bricks and concrete etc.
- The EPA has changed the raw mulch exemption that allows councils to chip green waste and give or sell back to the community in the form of raw mulch. This raw mulch exemption has been changed to not permit green waste in the form of raw mulch if it contains leaves, flowers, fruit and plant propagules. The bulk of the green waste received at Council contains these elements. Essentially this means without processing the green waste to a pasteurisation level MWRC will have to landfill all the organics currently being dropped to the facility.
- Triple bottom line benefits in terms of financial, social and environmental performance of Council.

MWRC's current process is to shred the organics to a 50mm grind and reuse without further processing.

The question for Council is whether providing a kerbside collection service for garden organics is the best option. It is well established that providing a kerbside organics service increases the generation of a stream of waste material that was previously dealt with by the householder. Where food remains in the general waste stream, there is a challenge to try to remove or capture this reusable material. Another consideration for the collection of garden organics for Council shall be whether or not to include food with garden organics.

Co-collection of domestic food waste and garden organics has been happening in Australia for some time at Coffs Harbour, Lismore, Port Macquarie Hastings, Camden, Penrith and Broken Hill. Removing food waste from the general waste stream reduces the amount of waste deposited to landfill and reduces the environmental issues associated with landfilling putrescible material. A Council in northern NSW who introduced a food and garden organics collection in 2012/2013 experienced a 13% drop in residual waste which required landfilling.

MWRC Waste Streams

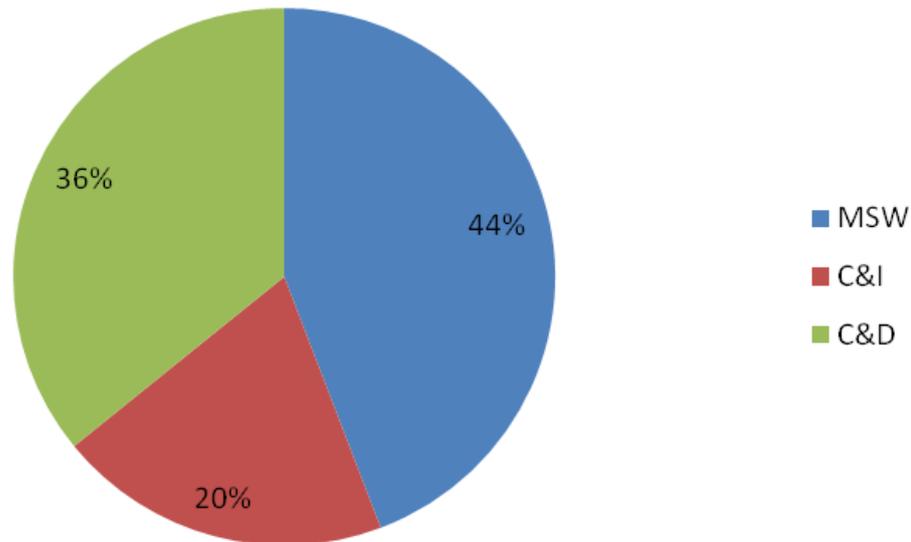
MWRC has waste streams as depicted by the following graph for 2012/13. Municipal Solid Waste forms the highest percentage and this is made up of:

MUNICIPAL WASTE	WEIGHT (T)	PERCENTAGE
Kerbside	5,114	36%
Recycling (including kerbside)	2,206	16%

Drop-off	6,764	48%
Total	14,084	100%

Assuming garden and food organics make up 51% of the kerb-side waste, 2,608 tonnes may be diverted from landfill. There is an additional estimated 1,800 tonnes of self haul organics brought to the facility.

The graph also demonstrates one the biggest issues we face in terms of managing waste is construction and demolition waste (C&D) particularly soils, bricks and concrete.



Financial and Operational Plan implications

Cost to participate in the regional organics collection and processing tender

The costs to participate in the tender process are likely to be in the order of \$10,000 over the 18 month period. Netwaste provides a 50% subsidy which has already been allowed for (total cost \$20,000). These costs would be paid throughout the tender period. It is recommended that an initial amount of \$5,000 be included in the 2014/15 Operational Plan (Domestic Waste consultancy costs) to cover the initial costs of the tender process, and a further \$5,000 be included in the 2015/16 Operational Plan

Organics off site processing costs - collection and transport costs

Collection costs will be known once the tender is received however, it's important to provide an estimate at this point. The tender for collection of organics from the kerb-side will be a regional tender that has the potential to aggregate the costs so all collection costs are the same for all Councils. This would obviously be a huge benefit to MWRC due to the distances involved.

Consultants, Impact Environmental, recently investigated collection costs in the NetWaste region for a weekly organics service using 240 litre bins. Costs were around \$0.95 to \$1.20 per service per week or \$50-60 per annum plus or minus 20% depending on the inclusions in the contracts such as ongoing education, kitchen organics bin and biodegradable bags.

Adding transport may result in a further \$15-\$20 per household per annum.

Organics off site processing costs - availability and processing costs

The following table indicates the scenario's being promoted by Impact Environmental for processing and availability fees. The availability fee is the fee to cover capital.

There is a gap in the capital required to construct the organics processing facility at Dubbo of approximately \$2.941million. Capital can be handled in three ways:

1. Paid by the contractor as part of the contract with an availability charge per tonne paid by the users of the facility,
2. DCC has indicated they may be able to fund the remainder through their waste fund reserve, once again an availability charge would apply to refund DCC
3. Participating councils cover the additional required capital reducing the per tonne availability charge.

AWT Capital and Processing Costs - 20 Year Term			
	SCENARIO 1	SCENARIO 2	SCENARIO 3
	Capital Fully Funded by Contractor	Capital 50% funded by Council, 50% by Contractor	Capital fully funded by Council
Availability Fee per tonne Yr 1	\$25.01	\$23.17	\$21.33
Processing Fee per tonne Yr 1	\$70.00	\$70.00	\$70.00
TOTAL YEAR 1 cost per tonne	\$95.01	\$93.17	\$91.33

AWT Capital and Processing Costs - 15 Year Term			
	SCENARIO 1	SCENARIO 2	SCENARIO 3
	Capital Fully Funded by Contractor	Capital 50% funded by Council, 50% by Contractor	Capital fully funded by Council
Availability Fee per tonne Yr 1	\$28.67	\$26.93	\$25.19
Processing Fee per tonne Yr 1	\$70.00	\$70.00	\$70.00
TOTAL YEAR 1 cost per tonne	\$98.67	\$96.93	\$95.19

AWT Capital and Processing Costs - 10 Year Term			
	SCENARIO 1	SCENARIO 2	SCENARIO 3
	Capital Fully Funded by Contractor	Capital 50% funded by Council, 50% by Contractor	Capital fully funded by Council
Availability Fee per tonne Yr 1	\$36.55	\$34.90	\$33.24
Processing Fee per tonne Yr 1	\$70.00	\$70.00	\$70.00
TOTAL YEAR 1 cost per tonne	\$106.55	\$104.90	\$103.24

Looking at the 20yr term and scenario 2 a gate fee of \$93.17 per tonne might be applied.

For MWRC at 2,608 tonnes = \$243,000 or \$35.30 per service p/a¹.

The table below summarises the potential costs. If the collection and transport costs are significantly more favourable due to a regional contract the price may be reduced.

ITEM	COST P/A	HOUSEHOLD P/A
-------------	-----------------	----------------------

¹ BASED ON 6,886 WASTE RATES ASSESSMENTS

Collection and Transport	\$567,406	\$82.40
Processing and Availability	\$243,000	\$35.28
Total	\$810,406	\$117.68
Per tonne	\$310.00	

The costs of this service will need to be passed onto the community in the form of increased domestic waste management charges.

Current Landfill Costs

MWRC has current landfill costs of approximately \$90p/t. Landfilling will become more expensive once a levy is introduced however, it will take some years before high order processing of organics is more expensive than landfilling. A long term view needs to be undertaken due to the potential impacts of a levy, price on carbon and landfill space.

The cost of a new cell will be in the order \$1 million dollars and then closure of the current site of close to \$2 million. The life of the next cell will be approximately 16-20 years depending on diversion rates. The costs associated with this capital work is \$150,000 p/a or \$21.80 per household per annum (over 20 years).

Other Costs

MWRC will need to upgrade the recycling facility, introduce a kerb-side collection system for organics and change over one of the existing recycling bins to an organics bin. All of these activities will have additional costs to the collection, transport and processing fees listed above.

Detailed costing of recycling plant upgrades have not been determined at this stage however, the waste capital 30 year plan has identified as part of the 2015/16 budget money for plant upgrades.

As an example, a Council in the north of NSW recently constructed a materials recovery facility capable of processing 10,000 tonnes per annum. The capital cost of construction was around \$1,200,000 which involved:

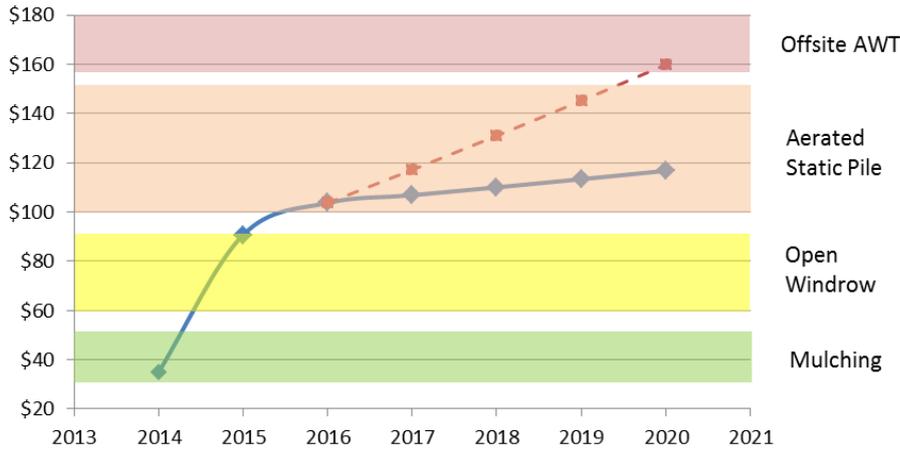
- An Extension of the shed;
- Hopper;
- Two incline conveyors;
- Trommel for paper and cardboard;
- Air separator for glass and plastic;
- Eddy current and magnetic separator for aluminium and steel.

It is reasonable to assume that any upgrades to the materials recovery facility at the Mudgee Waste Depot would be lower than this figure and more like 300 - 500K due to lower throughput required and less automation. However, it is also worth noting that some of these costs will be fixed and will not scale down.

Potential Offsets

Section 88 Waste Levy

Figure 5 below graphs an estimate of the cost of landfill including potential waste levy prices. At present the levy is set to increase until 2016. There is uncertainty whether the NSW Government plans to continue increasing the levy by a fixed amount + CPI or will cap it and only increase it by CPI. Scenario 1 in blue is if the levy is introduced in 2015, increases to 2016 and by CPI thereafter. Scenario 2 in red is if the levy continues to increase at the current rate of \$10 + CPI each year. The shaded bars represent the cost range of each processing technology currently available.



In the initial years of a levy, diverting organics from landfill will result in savings. However, the graph shows that until the levy increases significantly off site processing of organics remains the more expensive option.

Price on Carbon

Until the Federal Government decides this policy issue it is very difficult to determine what long term savings might be realised. There is the possibility that legacy emissions will be an added cost that is a further driver to remove organics from the waste stream for future generations. Council may not be a liable entity i.e. may be under any threshold that triggers an obligation under a price on carbon mechanism.

Community Plan implications

Council’s Community Plan under the theme Protecting our Natural Environment has the following strategy:

To work regionally and collaboratively to implement strategies that will enhance environmental outcomes in regards to waste management and minimisation.

The measure of this strategy is a reduction in landfill tonnes per capita.

It is considered participation in a regional tender and sourcing solutions for organics in Councils waste stream meets the strategic direction of the Community Plan.

JULIAN GEDDES
MANAGER WASTE AND WEED SERVICES

Daryl Colwell
 DARYL COLWELL
DIRECTOR, OPERATIONS

29 January 2015

Attachments: Nil.

APPROVED FOR SUBMISSION:

Brad Cam

BRAD CAM
GENERAL MANAGER

6.2.22 Draft Stormwater Asset Management Plan – Public Exhibition

REPORT BY THE DIRECTOR, OPERATIONS TO 18 FEBRUARY 2015 COUNCIL MEETING
Draft Stormwater Asset Management Plan
GOV400043, A0010002

RECOMMENDATION

That:

1. **the report by the Director, Operations on the Draft Stormwater Asset Management Plan be received;**
2. **the Draft Stormwater Asset Management Plan be placed on public exhibition for 28 days**
3. **If no submissions are received following public exhibition of the draft report, adopt the Stormwater Asset Management Plan**

Executive summary

Council is required as part of the Integrated Planning and Reporting process to formulate asset management plans for each of its major asset classes. This report recommends that the attached Draft Stormwater Asset Management Plan be placed on public exhibition for a period of 28 days and if no submissions are received adopt the draft report as the final Stormwater Asset Management Plan.

Detailed report

In accordance with the Integrated Planning and Reporting process, Council is required to formulate asset management plans for each of its major asset classes. The Goals and objectives of asset management are:

- setting levels of service and monitoring performance;
- managing the impact of growth through demand management and infrastructure investment;
- taking a lifecycle approach to developing cost-effective management strategies for the long term that meet defined level of service;
- identifying, assessing and appropriately controlling risks; and
- having a long term financial plan which identifies required, affordable expenditure and how it will be financed.

This Plan is for Council's stormwater assets. The Plan sets out present knowledge of the stormwater network, including replacement value and confidence levels associated with this information. The Plan identifies knowledge gaps and sets out the course of action to close those gaps and refine the valuation of the network. Ultimately the Plan will inform long term financial strategies which take into account whole of life costs and assist Council in managing its stormwater assets in a sustainable manner.

This is Council's initial stormwater asset management plan and it is intended to be a living document that is reviewed each year. Community consultation and expectations will inform desired levels of service in subsequent reviews.

The Plan was workshopped with Councillors 4th of February 2015 with each Councillor provided a copy of the Draft Stormwater Asset Management Plan on that day. This report recommends that the Draft be placed on public exhibition for a period of 28 days and further, if no submissions are received, adopt the draft as the final plan.

Financial and Operational Plan implications

All asset management plans will inform the long term financial and operational management of Council's assets. This Plan requires \$33,000 to be allocated annually for a five year period for data collection and condition assessment of the assets. This has been submitted as a Community Plan Proposal for the 2015/16 budget. The Plan recommends that Council also consider an annual Stormwater Management Services charge of up to \$25 per assessment to fund activities associated with the management of stormwater assets.

Community Plan implications

This Plan is aligned with the 'looking after our community' theme and more specifically the goal of effective and efficient delivery of infrastructure. As the Plan is related to managing stormwater assets it also overlaps with the 'protecting our natural environment' theme.



DARYL COLWELL
DIRECTOR, OPERATIONS

6 February 2015

Attachments: 1. Draft Stormwater Asset Management Plan (included at the end of the business paper)

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

6.2.23 Local Traffic Committee Minutes of Meeting held 9 December 2014

REPORT BY THE DIRECTOR, OPERATIONS TO 18 FEBRUARY 2015 COUNCIL MEETING
LTC Minutes of Meeting 9 Dec 2014
GOV400043, A0100009

RECOMMENDATION

That the report by the Director, Operations on the Local Traffic Committee Minutes of Meeting held 9 December 2014, items 14/44 – 14/45 be received; accepted and endorsed.

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) meetings held on 9 December 2014.

Detailed report

The minutes and discussion notes are attached.

Financial and Operational Plan implications

Minimal with maintenance budgets.

Community Plan implications

Item 14/44 – recommendation in line with Council's *looking after our community* theme.

AS1742.2: Manual of Uniform Traffic Control Devices

Item 14/45 – Barnson Mudgee CBD Parking Study 2005



DARYL COLWELL
DIRECTOR, OPERATIONS

9 February 2015

Attachments: 1. Minutes and discussion notes of LTC meetings – 9 December 2014
(reports available upon request)

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

**MINUTES OF THE LOCAL TRAFFIC COMMITTEE MEETING
HELD ON TUESDAY, 9 DECEMBER 2014**

Present: Daryl Colwell (Chairperson MWRC), Prue Britt (RMS), Inspector Julie Boon (NSW Police), Cr John Weatherley, Adrian Moore (MWRC – Development Engineer) and Mette Sutton (MWRC).

Apologies: Nil.

The LTC meeting commenced at 9.35am.

The minutes of the previous meeting held 14 October 2014 were accepted as correct.
Moved: John Weatherley; Seconded: Julie Boon.

14/42 MATTERS IN PROGRESS – nil

ITEM	ACTION
Rifle Range Road Stop Sign	Adrian re-measured the sight distance at the intersection pursuant to RMS supplement as directed at previous meeting. Sight distance meets warrant for a stop sign.
Lower Piambong Road/Goolma Road intersection	<p>Adrian spoke to Jeff Neil (Ogdens). Jeff suggested that the sealing of the neck of Lower Piambong Road would do little to remedy the problem as the tyres on the school bus do not spin when leaving the intersection. He insisted that a geometric upgrade (for instance: seagull arrangement) would be the ideal solution. He re-iterated that the problem is when leaving Lower Piambong Road, the initial acceleration is the culprit whilst travelling on Goolma Road. Although motorists may be able to see the bus there is insufficient space to stop and there have been reported near misses.</p> <p>Traffic counts shall be available at the intersection within the next fortnight. RMS re-iterated that it is unlikely that the intersection would meet the criteria for an upgrade due to a lack of crashes (minimum of two required over five years).</p> <p>It has come to the attention of the committee that the bus route has already recently changed to allow right turns out of Lower Piambong Road. There needs to be confirmation if the route is an active B-Double route. It was thought that B-Doubles were allowed to only turn left out of Lower Piambong Road into Goolma Road.</p>

	<p>An upgrade of the intersection may be covered under the Country Passenger Transport Infrastructure Grant Scheme (CPTIGS).</p> <p>If the volume of traffic is insufficient to warrant an intersection upgrade a change of bus route may be warranted to avoid the problem entirely.</p> <p>Adrian will follow up with the traffic counts and the Transport Co-ordinator at Transport for NSW (stationed in Bathurst) to assess the viability of options.</p>
Elderly Usage of Motorised Scooters (gophers)	<p>Cr John Weatherly requested that RMS and NSW Police provide Council with any documentation or media that Council can use to raise awareness of individual responsibility whilst driving motorised scooters (gophers) in public places.</p> <p>Julie Boon unable to find information. RMS to provide information.</p>

14/43 SPECIAL EVENT DEBRIEF

Kandos Centenary Celebrations – Daryl had a debrief with organiser. Only incident was shop owners upset with the length of the road closure and they proceeded to remove the road closure signs themselves. Council staff were close to removing them at that time.

Rylstone Streetfeast – Daryl had slightly modified traffic control plan prior to the event. The revised TCP greatly improved pedestrian movements and organiser will now continue to use the new TCP for future events.

14/44 NSW FIRE AND RESCUE PARKING SIGNAGE

The following recommendation was moved by Cr John Weatherly, seconded by Inspector Julie Boon and carried as a recommendation to Council.

That a decision on the parking signage to be installed outside the Mudgee NSW Fire and Rescue Station, on the corner of Horatio and Church Street, be deferred until advice on the appropriate signage is received from the RMS.

14/45 TWO HOUR PARKING, CHURCH STREET BETWEEN SHORT AND MARKET STREETS

The following recommendation was moved by Inspector Julie Boon, seconded by Cr John Weatherley and carried as a recommendation to Council.

That Council implement two hour parking in Church Street, between Market and Short Streets, such that it is consistent with the rest of Church Street.

DISCUSSION NOTES FROM THE 9 DECEMBER 2014 LOCAL TRAFFIC COMMITTEE MEETING

Any items not listed in the discussion notes generally had minor discussions prior to the recommendation to the report being resolved by the Committee. In all those cases the items were relatively straight forward and the Committee agreed with the content of the reports.

14/44 NSW FIRE AND RESCUE PARKING SIGNAGE

RMS confirmed signage used at Lithgow is not correct. RMS awaiting feedback on signage that indicates "*name of service* – authorised vehicles accepted". Emergency personnel will then display the rescue emblem in the front windscreen of their vehicles.

Committee agreed to defer further consideration until advice on appropriate signage from the RMS is received.

GENERAL BUSINESS

Tri Club Races – Daryl advised unable to get this event over the line at such short notice. Points made by RMS were provided to the organiser. Daryl tabled TCPs from Orange and Cowra tri events supplied by the organiser who questioned why these events are only required to use 'cyclist ahead' signage.

Prue noted the "NSW Guidelines for Bicycle Road Races" which the organiser should use for reference and that TCPs are provided in the back of this publication for varying traffic situations. The guidelines also stipulate event documentation should be provided for consideration 3 months prior to event.

Police also impose conditions for these type of events and require at least 3 months for the appropriate approvals.

Daryl would like to assist tri club to get this event up and running. Daryl will contact tri club and provide a copy of the "NSW Guidelines for Bicycle Road Races". Daryl to also discuss getting the junior events involving the closure of a section of Short Street up and running as soon as possible.

LTC Local Member Representative – Daryl has discussed the position of local member's representative on the LTC with Mr Phillip Blackman. Mr Blackman will accept the invite if meetings are held on Fridays. Prue offered Friday meetings may be more suitable for her as Lithgow LTC meetings are scheduled for the first Thursday of each month in the afternoon, however she will need to check with Lithgow to ensure they are going to keep to that schedule for 2015.

Daryl to confirm availability to meet on Fridays with Prue and then write to Local Member offering Mr Phillip Blackman as Mal Petrie's replacement on the LTC.

Mudgee Cup – Inspector Julie Boon raised that the patronage at this year's Mudgee Cup Day held on Friday 5 December was exceptional resulting in more than the usual number of vehicle movements to and from the racecourse. There was no traffic signage in place, no warning signage and no marshals. Given that other events held in the region that draw very large crowds and have their own parking off street are required to obtain Council approval, Julie questioned whether this event should require approval.

Daryl suggested the use of variable message boards and that he will write to the Mudgee Race Club asking that in future they give consideration to traffic control for larger events held at the racecourse such as the Mudgee Cup.

The meeting closed at 10:15am

Next meeting to be advised.

6.2.24 Local Government Elections 2016

REPORT BY THE GOVERNANCE COORDINATOR TO 18 FEBRUARY 2015 COUNCIL MEETING
Local Government Elections 2016
GOV400043, GOV400044

RECOMMENDATION

That:

1. **the report by the Governance Coordinator on the Local Government Elections 2016 be received;**
2. **Council engage the NSW Electoral Commission to coordinate the 2016 Local Government election for Mid-Western Regional Council;**
3. **the General Manager be authorised to execute on behalf of Council, all documentation related to any contract with the NSW Electoral Commission, for management of the conduct of Council's 2016 election.**

Executive summary

This report recommends that the 2016 election be managed by the NSW Electoral Commission (NSWEC) due to the complexity of the election management process and the increased potential for unanticipated expense and consequences under any alternative management arrangement.

Detailed report

The next scheduled Local Government election in NSW will take place in September 2016. Councils electing to have the NSWEC conduct their 2016 local government elections, must resolve to do so by March 10th 2015. Those councils must also enter into a contract for the provision of election management services by June 10th 2015.

The Crown Solicitor's Office has prepared a model resolution and standard contract for these arrangements. The Electoral Commissioner will not alter the provisions of this standard contract, however, the schedules in each standard contract that detail service levels will, of course, require completion by the NSWEC in consultation with each Council. While this contract arrangement would be unacceptable in most other circumstances, the NSWEC is arguably the organisation with the best track record and experience of running elections in NSW and its services come at a premium.

Electoral Commission correspondence notes that the Electoral Commissioner is committed to providing election services efficiently, economically, fairly, impartially and with integrity for all councils and this is currently reflected in the standard contract prepared for all election arrangements, available under section 296 of the Local Government Act.

The estimated cost of the 2016 election is not confirmed, as the Electoral Commission will not do the work to provide price estimates, until it has confirmation of the contract.

Alternatives to the offer of the Commission are fraught with risks of election problems, leading to challenges. The Office of Local Government and the Commission have materials on the conduct of an election, but the software required for the process is more difficult to obtain with adequate

support. In past years, Councils had banks of experienced staff who ran elections and whose experience was regularly reinforced. The mandated handover of the election process to the Commission some years ago, means that experienced personnel in each Council are not available in numbers. The Commission is therefore at an advantage in its service offering.

Financial and Operational Plan implications

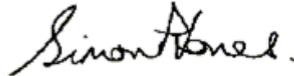
Councils have had varying experiences of election cost fluctuations, due to significant cost increases reported by the Commission, but a reasonable cost estimate is thought to be based on the cost of the previous election, increased by approximately 32%. This is equivalent to increases of 7.25% per year from 2012 to 2016. This rationale produces a contract value estimate, of \$183,000 for the 2016/17 financial year. This estimate may still be conservative.

The next election will be funded in the 2016/17 financial year. The adopted four year budget has a \$160,000 allocation for the 2016 election, funded by a transfer from the Elections Reserve. As a firm contract price is provided by NSW Electoral Commission, a revised budget will be presented to Council.

Community Plan implications

A theme of our Community Plan is the provision of Good Government, through “a strong council that is representative of our community and effective in meeting the needs of the community”. The election process provides the opportunity to realise this theme.

TONY GEARON
GOVERNANCE COORDINATOR


SIMON JONES
DIRECTOR, COMMUNITY

28 January 2015

Attachments: 1. Draft of **Contract For Administration Of All Elections, Council Polls And Constitutional Referenda** Section 296(3) Local Government Act 1993, between any Council and the Electoral Commissioner.

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

**CONTRACT FOR ADMINISTRATION OF ALL ELECTIONS, COUNCIL POLLS AND
CONSTITUTIONAL REFERENDA**

Section 296(3) Local Government Act 1993

between

[insert name of council]

and

the Electoral Commissioner

I V KNIGHT
Crown Solicitor
60-70 Elizabeth Street
SYDNEY NSW 2000
DX 19 SYDNEY
Tel: (02) 9224 5238
Fax: (02) 9224 5244
Ref: 201301535
T08 I V Knight

**CONTRACT FOR ADMINISTRATION OF ALL ELECTIONS, COUNCIL POLLS AND
CONSTITUTIONAL REFERENDA**

This Contract is between the following parties:

Council: [insert name and address of council]
AND
Electoral Commissioner: Mr Colin Barry
NSW Electoral Commission
Level 25, 201 Kent Street, Sydney NSW 2000

1. Background and objectives

1.1. Section 296(2) of the LG Act provides that a council can enter into an election arrangement (including by contract) with the Electoral Commissioner to administer elections of the council as provided by s. 296 of that Act.

1.2. Section 296(3) of the LG Act provides that an election arrangement for the Electoral Commissioner to administer all Elections of a council can be entered into if the council resolves at least 18 months before the next ordinary election of councillors that such arrangement is to be entered into and the arrangement is entered into no later than 15 months before the next ordinary election of councillors.

1.3. Section 18 of the LG Act has the effect that s. 296 applies to a Council Poll and a Constitutional Referendum, with such modifications as may be necessary, in the same way as that

section applies to an election. Section 296(3) of the LG Act, as applied and modified by section 18, provides that a Council Poll and/or Constitutional Referendum arrangement for the Electoral Commissioner to administer all Council Polls and/or Constitutional Referenda of a council can be entered into if the council resolves at least 18 months before the next ordinary election of councillors that such arrangement is to be entered into and the arrangement is entered into no later than 15 months before the next ordinary election of councillors.

1.4. The Council has resolved pursuant to sections 296(2) and (3) of the LG Act (as applied and modified by s. 18 in the case of Council Polls and Constitutional Referenda) to enter into an election arrangement with the Electoral Commissioner for the Electoral Commissioner to administer all Elections, Council Polls and Constitutional Referenda for the Council and to do so by contract.

1.5. The Electoral Commissioner is committed to providing Election, Council Poll and Constitutional Referendum services efficiently, economically, fairly, impartially and with integrity.

1.6. The Council and the Electoral Commissioner agree that each will endeavour to fulfil the objectives, terms and conditions of this Contract in good faith.

2. Definitions

2.1. In this Contract, except where the context otherwise requires:

2016 Ordinary Election means the ordinary election of councillors which is to be held on the second Saturday of September 2016 in accordance with s. 287 of the LG Act, or on such day as ordered by the Minister in accordance with section 288.

Business Day means a day that is not a Saturday, Sunday, public holiday or bank holiday in New South Wales; or not subject to the Christmas shut-down period as determined annually by the New South Wales Department of Premier & Cabinet for public sector agencies.

Commencement Date means the commencement date of this Contract as defined in clause 3.

Confidential Information means:

- a) any information exchanged between the parties before, on or after the date of this Contract regarding the business or other affairs of either party that is not publicly available;
- b) this Contract (subject to clause 12)
- c) any information that is marked confidential by either party; and
- d) any information disclosed to, or accessed by, or acquired by, the parties during the course of this Contract that is by its nature confidential.

Constitutional Referendum means a constitutional referendum as referred to in Chapter 4, Part 3, Division 2 of the LG Act.

Contract means this contract and includes any schedules to this contract, as varied from time to time in accordance with this Contract.

Council means the local government council that is specified as a party to this Contract on page 2.

Council Poll means a council poll as referred to in Chapter 4, Part 3, Division 1 of the LG Act.

Election means an election as defined in the Dictionary of the LG Act but does not include the first election for an area after its constitution (see section 296(7) of the LG Act) or an election of the mayor or deputy mayor by the councillors (see section 296(8)).

Electoral Commissioner means the Electoral Commissioner for New South Wales who is appointed under section 21AA of the Parliamentary Electorates and Elections Act 1912 (NSW).

Force Majeure Event means any event or circumstance beyond a party's control that could not have been reasonably prevented by the party. A Force Majeure Event includes (but is not limited to) acts of God, natural disasters, fire, storm, flood, tempest, acts or threats of war or terrorism and riots.

Intellectual Property Rights means all intellectual and industrial property rights throughout the world, whether created before, on or after the date of execution of this Contract including copyright, trademarks, designs, patents, semiconductor or circuit layout rights, trade, business or company names or other proprietary rights, whether or not registered or registrable and any rights to registration of such rights.

LG Act means the Local Government Act 1993 (NSW).

Services means those services defined in clause 4.

Service Level Agreement means a service level agreement as referred to in clause 4.

Term means the term of this Contract as defined in clause 3.

Termination Date means the termination date of this Contract as defined in clause 3.

2.2. Except where the context otherwise requires:

- (a) the singular includes the plural and vice versa.
- (b) a reference to a party includes its successors and permitted assigns.
- (c) a reference to a document includes all amendments or supplements to that document.
- (d) a reference to a clause, party, schedule or attachment is a reference to a clause, party, schedule or attachment to this Contract.
- (e) a reference to legislation is a reference to that legislation as amended, consolidated, re-enacted or replaced, and includes any subordinate legislation.
- (f) where a word or phrase is defined in this Contract, any other grammatical form of the word or phrase has a corresponding meaning.
- (g) where a party is required to act in good faith in the performance of this Contract, that will be read as a requirement to act:
 - (i) honestly;
 - (ii) reasonably, having regard to the terms of this Contract; and
 - (iii) co-operatively, by doing everything properly and reasonably within the control of that party to perform its or their obligations under this Contract.

3. Term and termination

3.1. The parties acknowledge that, in accordance with s. 296(6) of the LG Act:

- a) this Contract can be terminated by the Council or the Electoral Commissioner at any time after the 2016 Ordinary Election by giving written notice of termination; and
- b) if this Contract is not terminated by either party after the 2016 Ordinary Election, the Contract is automatically terminated 18 months before the ordinary election of councillors that immediately follows the 2016 Ordinary Election.

3.2. The parties agree that for the purposes of providing notice of termination in accordance with s. 296(6) of the LG Act, four weeks written notice of termination will constitute reasonable notice and that the notice will specify the date of termination.

3.3. This Contract commences on the day that it is signed by the parties (the "Commencement Date"). In the event that this Contract is signed by the parties on different dates, this Contract commences on the date that it is signed by the last party.

3.4. This Contract terminates:

- a) on the date of termination specified by a party in a notice issued pursuant to clause 3.2; or
- b) if no such notice is issued, 18 months before the date of the ordinary election of councillors that immediately follows the 2016 Ordinary Election; the "Termination Date".

3.5. The duration of this Contract is from the Commencement Date until the Termination Date (the "Term").

3.6. Clauses in this Contract dealing with Term and termination, Costs and payment of Costs, indemnity, dispute resolution and any other provision which by its nature should survive expiry, survive the expiry of this Contract.

3.7. Upon termination of this Contract, each party must, within 7 days of receiving a request from the other party or as otherwise agreed, return any Confidential Information of the other party and any other material owned by, or licensed to, the other party (including any copies).

4. Services and service levels

Services

4.1. The Electoral Commissioner will provide the services of administering all:

- a) Elections of the Council; and
 - b) Council Polls and Constitutional Referenda of the Council;
- during the Term of this Contract (the "Services").

Service levels for the 2016 Ordinary Election

4.2. The parties agree that the Electoral Commissioner will administer the 2016 Ordinary Election in accordance with the service levels specified in Schedule 1 of this Contract.

4.3. In the event that a Council Poll and/or a Constitutional Referendum is being held at the same time as the 2016 Ordinary Election, the parties agree that the Electoral Commissioner will

administer the 2016 Ordinary Election, together with the Council Poll and/or Constitutional Referendum, in accordance with the services levels specified in Schedule 1 of this Contract.

Service levels for other Elections, Council Polls and/or Constitutional Referenda

4.4. The level of services to be provided by the Electoral Commissioner for each Election (other than the 2016 Ordinary Election), Council Poll and Constitutional Referendum (other than a Council Poll and/or Constitutional Referendum that is held at the same time as the 2016 Ordinary Election) will be as specified in a Service Level Agreement. A Service Level Agreement may specify the service levels for more than one of those events.

4.5. Prior to the administration of an Election (other than the 2016 Ordinary Election), Council Poll or Constitutional Referendum (other than a Council Poll and/or Constitutional Referendum that is held at the same time as the 2016 Ordinary Election), the parties will in good faith negotiate and agree in writing to the terms of a Service Level Agreement.

4.6. The Service Level Agreement forms part of the Contract once agreed to in writing between the Council and the Electoral Commissioner.

4.7. The parties agree to use reasonable endeavours to negotiate and agree to a Service Level Agreement in accordance with any timeframe set or agreed to by the Electoral Commissioner.

5. Costs and payment of Costs

Costs for the 2016 Ordinary Election

5.1. The parties agree that the costs to be charged and invoiced by the Electoral Commissioner for administering the 2016 Ordinary Election (and the basis on which such costs may be varied) are as specified in Schedule 2 of this Contract.

5.2. In the event that a Council Poll and/or a Constitutional Referendum is being held at the same time as the 2016 Ordinary Election, the parties agree that the costs to be charged and invoiced by the Electoral Commissioner for administering the 2016 Ordinary Election, together with the Council Poll and/or Constitutional Referendum, and the basis on which such costs may be varied are as specified in Schedule 2 of this Contract.

Costs for other Elections, Council Polls and/or Constitutional Referenda

5.3. At the same time that a Service Level Agreement is prepared and negotiated in accordance with clause 4.5, the parties must also in good faith negotiate and agree in writing to the costs that will be charged and invoiced by the Electoral Commissioner to administer the relevant Election, Council Poll and/or Constitutional Referendum, ("Costs Agreement"). A Costs Agreement may specify the costs for more than one of those events.

5.4. A Costs Agreement may also make provision for the agreed basis on which those Costs may be varied.

5.5. A Costs Agreement forms part of the Contract once agreed to in writing between the Council and the Electoral Commissioner.

5.6. The parties agree to use reasonable endeavours to negotiate and agree to a Costs Agreement in accordance with any timeframe set or agreed to by the Electoral Commissioner.

Payment of costs

5.7. The Council agrees to pay all costs as invoiced by the Electoral Commissioner provided that such costs are as agreed in a Costs Agreement or as agreed in Schedule 2 of this Contract.

5.8. The Council must make payment via Electronic Funds Transfer (EFT) to NSW Electoral Commission within 30 days of receipt of each invoice.

5.9. The Electoral Commissioner's payment details are as follows:

New South Wales Electoral Commission, ABN 94 828 824 124

Level 25, 201 Kent Street, SYDNEY NSW 2000

Phone (02) 9290 5209 Fax (02) 9290 5991

Account Name: NSW Electoral Commission Operating AC

Account Details: BSB 032-001, Account 204108

6. Notice of casual vacancy or resolution

6.1. The Council agrees to notify the Electoral Commissioner of any event giving rise to a casual vacancy or resolution to conduct a Council Poll or Constitutional Referendum as soon as possible and in any event no later than within 7 days of the event.

Note: clause 285 of the Local Government (General) Regulation 2005 requires the general manager of the Council to give notice of a casual vacancy to the Electoral Commissioner within 7 days.

7. GST

7.1. For the purposes of this clause, a term or expression that is defined in the A New Tax System (Goods and Services Tax) Act 1999 (Cth) (the "GST Act") has the same meaning as in the GST Act.

7.2. All amounts payable under this Contract are exclusive of GST unless otherwise stated.

7.3. If a party ("Supplier") is or becomes liable to pay GST in connection with any supply made under this Contract and the amount of GST is not included in the amount payable under this Contract:

- a) the Supplier may add to the price of the supply an amount equal to the GST payable on the supply ("GST Amount");
- b) the other party will pay the Supplier the price for the supply in accordance with this Contract plus the GST Amount.

7.4. Any invoice rendered by a party that includes a GST Amount must conform with the requirements for a tax invoice as set out under the GST Act.

8. Failure or voiding of an Election

8.1. The parties acknowledge that s. 318 of the LG Act provides (amongst other things) that if an election for a civic office is not held when it is due, fails or is later declared void, the returning officer is to hold another election as if a casual vacancy had occurred in the civic office.

8.2. In the event that an Election (including the 2016 Ordinary Election) is not held when it is due or fails or is later declared void as described in s. 318 of the LG Act, the Council agrees to pay all costs as invoiced by the Electoral Commissioner in relation to the administering of the Election.

8.3. For the avoidance of doubt, in the event that the 2016 Ordinary Election fails or is later declared void, the parties agree that this Contract can be terminated in accordance with clause 3.

9. Indemnity

Indemnification of the Council

9.1. The Electoral Commissioner will indemnify and keep indemnified the Council against liability or loss that may be suffered or incurred by the Council arising directly as a result of, or in connection with, the provision of the Services to the extent that the same is due to any unlawful, wrongful, wilful or negligent act or omission of the Electoral Commissioner and/or a person who is employed to enable the Electoral Commission to exercise its functions.

9.2. The Electoral Commissioner's liability to indemnify the Council under clause 9.1 will be reduced proportionally to the extent that any unlawful, wrongful, wilful or negligent act or omission of the Council or an officer, employee, agent or contractor of the Council caused or contributed to the liability or loss.

Indemnification of the Electoral Commissioner

9.3. The Council will indemnify and keep indemnified the Electoral Commissioner against:

- (a) any liability or loss that may be suffered or incurred by the Electoral Commissioner arising directly or indirectly as a result of, or in connection with, the Electoral Commissioner providing the Services; and
- (b) any liability for legal costs and disbursements on a solicitor-client basis that are incurred by the Electoral Commissioner in circumstances where the Electoral Commissioner is a party to, is subpoenaed or is otherwise required to participate in any court or tribunal proceedings as a result of, or in connection with, the Electoral Commissioner providing the Services.

9.4. The indemnity in clause 9.3 will not have operation in circumstances where the liability or loss is due to any unlawful, wrongful, wilful or negligent act or omission of the Electoral Commissioner and/or a person who is employed to enable the Electoral Commission to exercise its functions except to the extent that any unlawful, wrongful, wilful or negligent act or omission of the Council or an officer, employee, agent or contractor of the Council caused or contributed to the liability or loss.

10. Insurance

10.1. The Council acknowledges that the Electoral Commissioner is covered by the Treasury Managed Fund ("TMF"), which is a self-insurance scheme in respect of New South Wales

Government departments and agencies. The TMF provides cover worldwide in respect of workers' compensation according to NSW statute and liability including public liability, products liability and professional indemnity.

11. Dispute resolution

11.1. The Council and the Electoral Commissioner will attempt to settle any dispute that may arise out of or in connection with this Contract in accordance with this Dispute Resolution clause before resorting to court proceedings.

11.2. If the Council or the Electoral Commissioner claims that a dispute has arisen, the claimant must give written notice of the dispute to the other party ("Dispute Notice"). The Dispute Notice must adequately identify and give details of the dispute.

11.3. The Council and the Electoral Commissioner agree to continue to perform their obligations under this Contract if there is a dispute between the parties.

11.4. Subject to clause 11.5, in the event that a Dispute Notice is served, the dispute resolution process stated will be followed in the order set out below:

(a) the representative of the Council and the representative of the Electoral Commissioner as specified in clause 15 will try to resolve the dispute in good faith by direct negotiation within 5 Business Days after the Dispute Notice is served or such other period as may be agreed in writing;

(b) if the representatives of the Council and the Electoral Commissioner do not resolve the dispute, the dispute will be referred to the Electoral Commissioner and the General Manager of the Council, or their nominees for that purpose, who will try to resolve the dispute in good faith by direct negotiations within 5 Business Days after it is referred to them or such other period as may be agreed in writing; and

(c) if the Electoral Commissioner and the General Manager of the Council do not resolve the dispute, the parties will negotiate in good faith to determine an appropriate form of alternative dispute resolution to resolve the dispute which may include mediation, arbitration or expert determination.

11.5. In the event that a dispute relates to the calculation or incurring of legal costs and disbursements on a solicitor-client basis that are incurred by the Electoral Commissioner as referred to in clause 9.3(b) (a "Costs Dispute"), the parties agree that instead of negotiating in accordance with cl. 11.4(c), the parties will:

(a) seek the recommendation of the President of the Law Society as to a costs expert who is to make a determination with regard to the Costs Dispute; and

(b) appoint the expert recommended by the President of the Law Society to determine the Costs Dispute.

The parties agree that the determination made by such expert will be final and binding.

11.6. Nothing in this clause 11 prevents the Council or the Electoral Commissioner from seeking urgent interlocutory relief.

12. Confidentiality

12.1. Each party (the "Recipient Party") agrees not to disclose the Confidential Information of the other party (the "Disclosing Party") to any person except:

(a) on a confidential basis to the officers, employees, contractors or agents of the Recipient Party who require the information for the purposes of performing this Contract;

(b) on a confidential basis to the Recipient Party's legal or professional advisers;

(c) with the consent of the Disclosing Party; or

(d) if required to do so by law (including the Government Information (Public Access) Act 2009 (NSW)), government policy or in connection with legal proceedings.

13. Intellectual property

13.1. The Council acknowledges that it holds no Intellectual Property Rights in relation to any documents or other materials provided to the Council by the Electoral Commissioner, staff employed to enable the Electoral Commission to exercise its functions or any contractors or agents of the Electoral Commissioner or Electoral Commission.

14. Notices

14.1. A notice under the Contract must be:

(a) in writing, directed to the representative of the other party as set out in clause 15; and

(b) forwarded to the address, facsimile number or the email address of that representative as set out in clause 15.

14.2. A notice under the Contract will be deemed to be received:

(a) in the case of delivery in person – when delivered to the recipient's address for service and a signature is received as evidence of delivery;

(b) in the case of delivery by post – within 3 Business Days of posting;

(c) in the case of delivery by facsimile on a Business Day – at the time of dispatch if the sender receives a transmission report which confirms that the facsimile was sent in its entirety to the facsimile number of the recipient; or

(d) in the case of delivery by email on a Business Day – on receipt of confirmation by the sender that the recipient has received the email.

15. Party representatives

15.1. The representative on behalf of the Council is:

Name [insert]

Position [insert]

Address [insert]

Direct Dial [insert]

Mobile [insert]

Facsimile [insert]

Email [insert]

15.2. The representative on behalf of the Electoral Commissioner is:

Name Linda Franklin

Position Director Elections

Address LEVEL 25, 201 KENT STREET, SYDNEY NSW 2000

Direct Dial 02 9290 5218

Mobile 0438 620 684

Facsimile 02 9290 5991

Email linda.franklin@elections.nsw.gov.au

15.3. If the representative on behalf of the Council or the Electoral Commissioner varies, this must be communicated in writing to the other party, which may be by email.

16. Force majeure

16.1. Neither party will be liable for any failure to carry out obligations under this Contract if the failure was caused by a Force Majeure Event. If a Force Majeure Event affects a party's performance of this Contract, the party must provide prompt notice of this to the other party and use its best endeavours to overcome the disruption as quickly as possible and resume its obligations under this Contract.

17. Miscellaneous

17.1. The Council or the Electoral Commissioner may alter the Contract only by the written agreement of both the Council and the Electoral Commissioner.

17.2. No failure or delay by the Electoral Commissioner to enforce any part of this Contract will operate as a waiver of the Council's breach. Any waiver by the Electoral Commissioner of a breach of this Contract must be in writing and will not be construed as a waiver of any further breach of the same or any other provision.

17.3. If any provision of this Contract is prohibited, void, voidable, illegal or unenforceable, that part is severed from this Contract and the remainder of the Contract will retain its full force and effect.

17.4. This Contract contains the entire agreement between the parties. Any prior arrangements, agreements, representations or undertakings are superseded.

17.5. This Contract may be executed in counterparts, which will together constitute one agreement.

Execution

Executed as a contract

SIGNED BY [insert name], General Manager of [insert name and ABN of council] in the presence of:

.....
Signature of Witness
Signature of General Manager

.....
Print name of Witness

.....
Date

SIGNED BY Colin Barry, Electoral Commissioner for New South Wales Electoral Commission in the presence of:

.....
Signature of Witness

.....
Print name of Witness

.....
Signature of Electoral Commissioner

.....
Date

SCHEDULE 1 – Description of service levels for 2016 Ordinary Election [and Constitutional Referendum and/or Council Poll - AMEND OR DELETE]

1. The parties agree that the Electoral Commissioner will administer the 2016 Ordinary Election [and Constitutional Referendum and/or Council Poll - AMEND OR DELETE] in accordance with the service levels specified in table B below, and any changes to Schedule 1 may occur if the parties agree in writing that the change(s) should be made.

A. Key Election Information
 Item Description

B. Agreed Services
 Service Agreed Decision

Additional information

SCHEDULE 2 - Costs and any agreed basis for variation of costs for 2016 Ordinary Election [and Constitutional Referendum and/or Council Poll - AMEND OR DELETE]

1. The parties agree that:

- a) the costs to be charged and invoiced by the Electoral Commissioner for administering the 2016 Ordinary Election [and Constitutional Referendum and/or Council Poll - AMEND OR DELETE] are specified in the table below and are based on prices provided by approved suppliers as at the commencement date, and
- b) the costs in the table below have been prepared on the information available at the time and may vary. However, the Electoral Commissioner will only charge council the actual cost of conducting the election, and
- c) the Electoral Commissioner may vary such costs if:
 - i. a variation is in accordance with this Contract, or
 - ii. there is any change to the law that impacts on the administration of the election, or
 - iii. there is any change to the service levels specified in Schedule 1, or
 - iv. there is any change to an approved supplier or price provided by an approved supplier.
- 1)
- 2)
- 3)
- d) the [insert name of council] shall be informed of any material costs variance as soon as practicable.

Estimate of costs		
Projects / Deliverables	Unit Cost	Total

6.2.25 Red Hill Reserve Working Party

REPORT BY THE DIRECTOR, DEVELOPMENT TO 18 FEBRUARY 2015 COUNCIL MEETING
 Red Hill Reserve Working Party Report
 GOV400043, A0100056, P0860011

RECOMMENDATION

That:

1. the report by the Director, Development on the Red Hill Reserve Working Party be received;
2. note the minutes of the Meeting of the Red Hill Reserve Working Party meeting held on 15 December 2014, 22 December 2014, 19 January 2015 and 2 February 2015.

Executive summary

Not applicable.

Detailed report

The purpose of this report is to advise Council of the considerations and recommendations of the Red Hill Reserve Working Party meeting held on 15 December 2014, 22 December 2014, 19 January 2015 and 2 February 2015

There are no matters arising that require consideration by Council at this time, noting that specific requests/recommendations are forwarded to Council under separate cover providing detailed information on requirements. Operational matters raised will be dealt with in due course when staff receives additional information.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Theme	Strategy	Goal
Looking After Our Community	2. Vibrant towns and villages	2.1 Respect and enhance the historic character of our Region and heritage value of our towns



CATHERINE VAN LAEREN
 DIRECTOR, DEVELOPMENT

5 February 2015

- Attachments:*
1. Minutes of the Red Hill Reserve Working Party meeting held on 15 December 2014
 2. Minutes of the Red Hill Reserve Working Party meeting held on 22 December 2014
 3. Minutes of the Red Hill Reserve Working Party meeting held on 19 January 2015
 4. Minutes of the Red Hill Reserve Working Party meeting held on 2 February 2015

APPROVED FOR SUBMISSION:

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

BRAD CAM
GENERAL MANAGER

ATTACHMENT 1



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

Minutes

**MINUTES OF MEETING FOR THE RED HILL WORKING PARTY HELD ON
15 December 2014 COMMENCING AT 3.30pm AND CONCLUDING AT 11.10am**

Present Cr Paul Cavalier, Tim O'Reilly (Council), Gary Bruce (Council), Alan Rickwood, David Warner, Tony Harrison, Michele McFarlane, Maurice Gaudry, Cameron Anderson

In Attendance: Nareeda Endacott (Minute Secretary)

1. APOLOGIES

Chris Pearson, Joy Harrison

2. MINUTES OF PREVIOUS MEETING

*Recommendation: That the minutes of the meeting held on 3 November 2014 be accepted
Moved: David Warner 2nd Maurice Gaudry*

3. MATTERS ARISING FROM MINUTES OF THE MEETING

- Cameron Anderson presented concept plan and drawings to committee
Hard copies of the drawings will be made available for the committee to collect from the Gulgong Office
- Committee members wish to further discuss concept plans and will meet so that they can advise Council in the first week of January
- Council to engage a quantity surveyor
- Council to contact Trade and Investment mines inspector

Meeting Closed 11.10am

ATTACHMENT 2

RED HILL COMMITTEE MEETING – 22ND DECEMBER 2014**MEETING – STAGE 1 DESIGN ELEMENTS**

32 Medley Street GULGONG Commencing at 10.00am and Chaired by Maurice Gaudry. Minutes taken by David Warner.

PRESENT: David Warner, Maurice Gaudry, Chris Pearson, Tony Harrison, Joy Harrison, Alan Rickwood.

APOLOGIES: Cr. Paul Cavalier, Michele Mc Farlane Moved: Alan Rickwood
Seconded: Joy Harrison that apologies be accepted. CARRIED

CORRESPONDENCE: NIL

MINUTES FROM MEETING OF 27 OCTOBER 2014 – Moved: M Gaudry Seconded: A Rickwood that the Minutes as presented be adopted as a true and accurate record of that meeting. CARRIED

GENERAL BUSINESS:**ITEM ONE – STAGE ONE DESIGN ELEMENTS COMMITTEE CONSIDERS NECESSARY TO BE INCORPORATED****Historical Context:**

With the discovery of gold by Tom Saunders on 14 April 1870 at Red Hill, Gulgong came into being. Although the 'rush' lasted for only a few short years the township remained. As a historic precinct it has a rich legacy of Australian vernacular architecture with significant internal and external views and vistas. Various elements such as building groups, streetscapes, spaces around and between buildings, and features such as fencing, hoardings, street furniture, stone gutters, stone pavings, hitching posts and pavement verandahs etc. collectively make up the townscape. While Gulgong may not have grand structures it does however exude a rustic charm with its original miner's cottages, its weatherboard houses, dwellings built from local stone, extensive use of corrugated iron and its original "Holtermann" buildings. Since all are contained within a relatively dense and unified town centre, a strong sense of historical development and urban unity within the streetscape is still maintained. All of which is reminiscent of the town during its "roaring days" of the 1870's when it was "the hub of the world" with calico, timber and bark structures littering the landscape. In the Federal Register of the National Estate, Gulgong is listed as a conservation area being described as a "notable townscape, evolved from important historic and social events of Australia's past".

Not only that, few towns in the world - let alone Australia, can boast a documentation of its colourful past that is so accurate, vibrant and comprehensive. Through the writings of Henry Lawson and the remarkable images taken by Beaufoy Merlin and Charles Bayliss in 1872 we have a microscopic window into Gulgong's rich and colourful past. It is therefore the view of this Committee that, like the Pioneers Museum, the Henry Lawson Centre of NSW, the Prince of Wales Opera House and the Gulgong Holtermann Museum, the Red Hill Mining Precinct should reflect and enhance those elements which have given Gulgong its unique historic character for it is this charm that draws visitors to the town.

In view of the above and after careful consideration of the various concept options presented to the committee over a number of years for the development of the Red Hill Mining Precinct, it is this Committee's wish that Council now proceed with Stage One of the project as detailed below. This follows on from the notes already provided to Council following the Red Hill Committee Meeting of 27 October 2014 (copy of the Minutes of this meeting is attached). It is the view of the Committee that these elements will complement existing tourist and educational facilities within the town and make best use of the funds available whilst reinforcing the historical significance of both Red Hill and Gulgong.

STAGE ONE DESIGN ELEMENTS:

1. The Mine Tunnel Made From The Box Culverts

Interior:

- Construct T-Shaped section to end of tunnel (to further detail). This may necessitate removing one or two of the existing box culverts to accommodate this, i.e. if further excavation where box culverts currently end is not feasible or advisable.
- Construct necessary safety egress at end of tunnel (RHS of "T") to come out through replica mine above – see below.
- Construct false wall to accommodate air ducts, electrical and audio services.
- Treatment of interior of tunnel (walls, ceiling and floor) to be done so as to recreate traditional mine entry using a combination of mesh with sprayed concrete, gravel and rocks and/or timber shoring as is appropriate.
- Install necessary unobtrusive lighting.
- Create display of 1870's gold miners working at the end of the tunnel (LHS of "T") with appropriate lighting and sound effects. This light/sound show can be activated as people enter tunnel.
- Entire construction to be covered with earth (or mullock spill from replica mine over – see below) so as to reinstate the natural contours of the hill.

Exterior:

- Recreate typical mine with mullock, timber shoring and calico shelter above "T" section as per Holtermann Photograph No. 1. If long lasting material for calico awning is not available perhaps use old corrugated iron.
- If required ventilation and skylight shafts could unobtrusively be placed in this structure.
- Have an all-weather display board with the Holtermann photograph and relevant information.

2. Middle Circular Section - Entry to the Mine Tunnel

a. Interior (This will be the major display area)

- Remove partially demolished circular wall and ramp.
- Construct all weather reinforced concrete roof over (to further detail). To be earth (or mullock) covered. Cost estimate to be provided before work authorisation given, i.e. in case alternatives need to be considered.
- Repair existing circular walls as required.

- Install necessary lighting and audio/visual services.
- Make good existing floor.

b. Display Elements To Include

- Photographs of Gulgong gold mining activities from the Holtermann Collection (can be done on metal).
- A/V Screen with presentation of Gulgong's gold mining history and virtual tour of existing shaft and drives underneath poppet head.
- Large colour map of the Gulgong gold field (e.g. From Dept. of Mines Mineral Resources No.38) – could be done as an illuminated interactive touch display.
- Information boards.
- Reinstate existing family plaques with provisions for new ones.
- Tipping dray (due to space constraints this may be best located outside – see item 3)

3. External entry to Covered Display Area and Mine Tunnel - Incorporating Existing Mural

- Construct minimalist corrugated iron awning to face of circular wall to provide all-weather viewing of mural and other appropriate exhibition pieces. To further detail.
- Construct an all-weather and vandal proof shelter to house tipping dray similar to shelter above mine shaft in Holtermann photograph No. 2 OR if possible incorporate under awning detailed above. To further detail
- Landscape as appropriate.

4. The Poppet Head (If funds available once Items 1 to 3 have been completed)

- Construct user friendly viewing platform above existing shaft (e.g. as at the Wentworth Mine at Lucknow).
- Install lighting to shaft and drives.
- Install shelter (in-keeping with the structure) under the poppet head for all-weather viewing and to keep water from entering shaft.

Moved: Chris Pearson Seconded By: Tony Harrison that the above Design Elements be adopted and implemented by Council. CARRIED UNANIMOUSLY

ITEM TWO - FUTURE STAGES (As funds become available)

Ultimately the project will incorporate the whole of the Red Hill site so that school children and tourists can have a meaningful experience even if the internal tunnel is closed. Such elements could include:

- Additional relevant static display items e.g. puddling machine.
- Removal of inappropriate static display items, e.g. coal machinery (should be done ASAP).
- Public toilet facilities.
- Walking trail over site with interpretive signage.
- Production of information booklets and a range of teaching/learning materials.
- Landscaping and paths linking various elements (e.g. Tom Saunders memorial, fenced off shaft on western side of site, poppet head, static displays etc.)

- Restoration of old cottage if viable use can be found to service the site, e.g. tea rooms, tourist information etc.
- Fenced off shaft are: weed/grass eradication, viewing platform, information board.

N.B. These items have not been prioritised and would be subject to detailed costings.

Moved: Maurice Gaudry Seconded By: Alan Rickwood that these elements be considered and prioritised once funds become available. CARRIED UNANIMOUSLY

ITEM THREE – BUDGET MATTERS, FUNDS EXPENDITURE AND RECOMMENDATIONS

- Pursue refund on box culverts and bases no longer required for the project.
- Request that costings for all of the various elements listed above, including consultants' fees and any necessary drainage, to be provided to Committee prior to the authorisation of any work.
- All expenditure to be approved by Committee in consultation with Council.
- Request that Council provide a Balance Sheet for each full Committee meeting.
- Recommendation that consideration be given to appointing an experienced local builder (e.g. Phil Fuller or Garry Cross) to oversee works on behalf of the Committee.

Moved: Alan Rickwood Seconded By: Joy Harrison that the ITEM 3 MATTERS detailed above be recommended to Council and adopted. CARRIED UNANIMOUSLY

Meeting closed at: 10.45am

Signed:
Maurice Gaudry (Meeting Chairman)



HOLTERMANN PHOTOGRAPH NO. 1



HOLTERMANN PHOTOGRAPH NO. 2

ATTACHMENT 3



PO BOX 156
MUDGEE NSW 2850
86 Market Street MUDGEE
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

Minutes

**MINUTES OF MEETING FOR THE RED HILL WORKING PARTY HELD ON
19 January 2015 COMMENCING AT 10.15am AND CONCLUDING AT 11.10am**

Present Cr Paul Cavalier, Catherine Van Laeren (Council), Tim O'Reilly (Council), Alan Rickwood, David Warner, Maurice Gaudry, Chris Pearson, Cameron Anderson, Nareeda Endacott (Minute Secretary)

1. APOLOGIES

Tony and Joy Harrison

2. MINUTES OF PREVIOUS MEETING

*Recommendation: That the minutes of the meeting held on 15 December 2014 be accepted
Moved: Maurice Gaudry 2nd David Warner*

*Recommendation: That the minutes of the meeting held on 22 December 2014 be accepted
Moved: Maurice Gaudry 2nd Alan Rickwood*

3. MATTERS ARISING FROM MINUTES OF THE MEETING

Cameron Anderson presented concept plan and drawings to committee, hard copies of the drawings were also distributed to committee members.

Catherine Van Laeren addressed committee advising the Statement of Environmental Effects is to be prepared and the Development Application will then be lodged and go to February Council meeting. Council will be contacting the funding body once a Development Application has been submitted to submit a revised timetable.

A scope is required to be written for the Tender. The scope for this project will require a lot of detail to minimise variations.

MOTION – Plans presented by Cameron Anderson for design of the Red Hill Project be accepted by Red Hill Reserve Working Party Committee and recommend Development Application be processed.

Moved: Alan Rickwood 2nd Chris Pearson

Committee was advised that the tanking of the tunnels may not be completed during construction and requires further investigation.

Committee would like the cost involved with tanking of the tunnels be covered by Council, Catherine Van Laeren to discuss this with the General Manager.

The budget was presented to the committee and it was explained to the committee the need to engage a Quantity Surveyor to ensure the design is achievable within budget prior to a tender being called for the project

MOTION – Budget noted and further investigation to be undertaken by Council in relation to the concrete culverts

Moved: Chris Pearson 2nd David Warner

Committee would like to enlarge the t-section at the end of the tunnel to provide a larger display area to both the left and right sides without impeding the emergency exit. The current culverts used are 1.2 metres wide and the committee would like it to be 2.4 metres each side which may give scope to utilising the remaining culverts.

- Timeline to be prepared for funding body
- Development Application to be lodged by Friday
- Next meeting to be held in 2 weeks to write scope of works. Committee asked to bring as much detail as possible for all features, types of timber, colours etc.

Meeting Closed 11.10am

Next Meeting to be held Monday 2nd February 2015 – 10am

ATTACHMENT 4



PO BOX 156
MUDGEE NSW 2850

86 Market Street MUDGEE
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

Minutes

**MINUTES OF MEETING FOR THE RED HILL WORKING PARTY HELD ON
2 February 2015 COMMENCING AT 10.05am AND CONCLUDING AT 11.35am**

Present: Catherine Van Laeren (Council), Tim O'Reilly (Council), Alan Rickwood, David Warner, Maurice Gaudry, Chris Pearson.

In Attendance: Nareeda Endacott (Minute Secretary)
Cameron Anderson – Architect

1. APOLOGIES

Tony and Joy Harrison, Cr Paul Cavalier, Michele McFarlane

2. MINUTES OF PREVIOUS MEETING

*Recommendation: That the minutes of the meeting held on 19 January 2015 be accepted
Moved: David Warner 2nd Chris Pearson*

3. MATTERS ARISING FROM MINUTES OF THE MEETING

- Catherine Van Laeren addressed committee that a Development Application will no longer be required. A REF has been prepared and will be approved this week.

4. GENERAL BUSINESS

- A new set of plans prepared by Cameron Anderson, with changes arising from the last committee meeting was distributed.
- A discussion was held with Mid-Western Regional Council regarding the completion of the tunnel works. Due to the timetable it was decided to put all the remaining works out to tender.
- Available tender options were a) design and construct or,
b) construct only

Motion: that tenders be called for design and construct

Moved: Maurice Gaudry 2nd Alan Rickwood

- An explanation of tender panels was provided by Catherine Van Laeren, with the suggestion that a committee member be present on the tender panel

Motion: nominate David Warner to be a member of the tender panel, alternate Chris Pearson

Moved: Alan Rickwood 2nd Maurice Gaudry

- Refer to Project as Red Hill Mining Precinct rather than Museum
- Committee worked through Specs – attached
- David Warner requested that the timber wall be tapered to the ground contours, similar to Parliament House, to soften the current design.
- Tim O'Reilly advised that the tender will take approximately two weeks to prepare
- Councillors to be briefed on Wednesday – the minutes will go up to Council

Meeting closed at 11.35am

Attachment 1. Specifications

AREA	ELEMENT	FINISHES/COMMENTS
<ul style="list-style-type: none"> Termite treatment required behind all new walls 		
Front Courtyard		
	Wall	Masonry walls with timber cladding to match existing tunnel. Relocation of family plaques
	Floor	Compacted road base to match existing
Display – Tipping Dray		
	Walls	Painted/rendered block work Colour 'buff'
	Security Screen –Access	Natural finish RHS Removable panel Check dimensions
	Floor	Compact road base
	Lighting	No
Roof area over Mural		
		Steel great Strong enough to support weight of foot traffic
Tunnel between Front Courtyard and underground exhibition		
	Walls	Repair and replace Class 1 durability timber – Ironbark
	Floor	As exists
	New Door	Vandal proof, secure Open from inside Double door – steel with ironbark cladding Digital locking device
	Lighting	Overhead lighting
Underground Exhibition		
	Walls	Painted smooth finish walls Colour 'buff'
	Floors	Concrete Integrated finish
	Ceiling	Suspended plasterboard Painted white
	Electrical Requirements	6 x Double Power points 1 x ceiling mounted power point for projector Over head lighting Surface conduit
	Displays	Outside this Tender
	Ventilation	N/A
Interpretive “Shaft”		
Sealed from display room	Walls	Old corrugated Iron for 3m then walls to be painted black
	Door	Internal Door to be lined with corrugated iron
	Floor	Concrete to match
	Ceiling/cover	Waterproof and transparent
	Electrical/Lighting	n/a
Tunnel		
	Floor	
	Walls	Option1 – Imitation rock

	Ceiling	walls (fibreglass) Option2 – Timber lined with corrugated iron every 3 metres
	Electrical	Lighting to be electrical imitation 'Kerosene Lamps' x 4 - Conduit - Weather proof
	Ventilation	N/A
	Display	N/A
Display at end of tunnel		
	Floor	Same as above
	Walls	
	Ceiling	
	Electrical	Audio cable from exhibition to display
	Display	2 x double power points at each end
Exit		
	Ramp	Timber lined with gravel base
	Doors	D-Handle Steel door painted black Theatre type
	Electrical	
External Landscape		
	Mullock Heap Materials Grade	Skin of 0.5 metre

6.2.26 Home and Community Care – Quarterly Report

REPORT BY THE ACTING MANAGER – COMMUNITY SERVICES TO 18 FEBRUARY 2015 COUNCIL MEETING

Home and Community Care Report

GOV400043, COS300013, COS300026, COS300023, COS300025

RECOMMENDATION

That:

1. **the report by the Acting Manager – Community Services on the Home and Community Care – Quarterly Report be received;**
2. **Council note the activity reports from the Home and Community Care funded services.**

Executive summary

This report seeks to inform Council of the activities undertaken by the Home and Community Care funded services that are auspiced by Council. These services are Host Family Respite Care, Home Modification and Maintenance, Meals on Wheels and Community Transport. The report covers the period October to December 2014.

Detailed report

Mid-Western Regional Council auspices four services that are known as Home and Community Care (HACC) Services. These services are jointly funded under the HACC program by the State Government (Ageing, Disability and Home Care) and the Federal Government (Department of Social Services).

Community Transport is the exception to this as it is administered by Transport for NSW and while the majority of funding comes through the HACC Program, there is also additional funding provided by the Department of Veterans Affairs, NSW Health and through Transport for NSW, directly.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Not applicable.

FIONA TURNER
ACTING MANAGER – COMMUNITY
SERVICES

SIMON JONES
DIRECTOR - COMMUNITY

16 January 2015

Attachments: 1. HACC Quarterly Report to Council Oct-Dec 2014.

APPROVED FOR SUBMISSION:

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

BRAD CAM
GENERAL MANAGER



HACC QUARTERLY REPORT COMMUNITY TRANSPORT

Transport figures Q4/2014

81 trips classed as Health Related Transport trips.
1630 trips classed as Home and Community Care trips.
702 trips classed as Community Transport Program trips.
40 trips classed as Department of Veterans Affairs trips.
Total: **2453 trips** (74 more trips than the previous quarter)

There have been 77 unmet requests for transport, of which 30 were for health-related transport. The reason for this is usually vehicle or driver unavailability but other reasons include unreasonable appointment times (9.00am in Sydney, for example).

Vehicles

All six vehicles have been on the road for the majority of this quarter with no major incidents to report. We have also had access to one further HACC-funded vehicle when another vehicle has been required.

We replaced one Camry during this period.

Volunteers

We currently have 24 volunteers on our books. One volunteer has had his office orientation but, due to family circumstances, is yet to commence actual driving for us. Only one other driver did not drive for us during this quarter. At the very end of the period, we were forced to suspend a driver from volunteering due to medical advice.



HACC QUARTERLY REPORT HOME MODIFICATION & MAINTENANCE

For this quarter we attended to \$820.00 worth of modifications for 2 clients amounting to 5 hours. The work was carried out in Mudgee.

During this quarter we also submitted two Level 3 Application to our regional meeting, both were approved, and are being done by Carewest at Orange. Currently we have 14 Level 2/3 applications in progress, and 22 Level 1 jobs to be completed.

Modifications & Maintenance

This quarter saw the completion of works for the following:

Mudgee

Modifications – Supplied and installed 5 handrails and a glass shelf. #1039



HACC QUARTERLY REPORT HOST FAMILY RESPITE

Respite Care Provided

A total of:

1528 hours of respite were provided during the quarter made up of

- 1297 hours of care given to children and adults with a disability plus
- 231 hours given to siblings through the Sibling Support Program.

The above care was provided to:

- 16 clients by
- 13 volunteer respite families.

This was a most pleasing result for the quarter. One client from Kandos was able to access a short TAFE course in Mudgee because the Service provided some overnight respite and another client's carers (who are his grandparents) were able to go away for a much needed holiday because the Service gave some extra respite care.

Feedback from client families on the care given has been excellent. Volunteers also gave very positive reports about the respite provided - reflecting the satisfaction they get from seeing the person they care for enjoy the activities offered, gain new skills and/or increased independence. The close relationship and bond of friendship that develops between "host families/volunteers" and clients were reflected in the special efforts made by volunteers to give clients a Christmas treat – outings and gift. They are a very committed and skilled team that I am proud to work with.

Judy Blackman
Coordinator 5.1.15



HACC QUARTERLY REPORT MEALS ON WHEELS

HOT MEALS

October	416 hot meals
November	313 hot meals
December	291 hot meals

FROZEN MEALS

October	162 frozen meals
November	121 frozen meals
December	71 frozen meals

October: Reasonably quiet month with clients and volunteers. Two new clients referred by Carewest as part of their Compact, both clients will receive meals for 6 weeks.

We had a small get-together with Rylstone and Gulgong MOW services and agreed that we would form a "cluster group" where we will meet before the ¼ forums and do one written report from our services to the forum. This will save a lot of time at meetings where each service has always submitted an individual report.

Update of volunteer Police records is ongoing.

November: Susan from the MOW Assn. visited, she has made a suggestion that we try again to introduce other food services to the clients e.g. breakfast packs.

Dubbo recently sent out samples of new products that they are considering offering to the MOW services. The feedback from clients has been positive. Two of the items that they may offer are suitable for a breakfast meal – Baked Fetta / Spinach Pie: Baked Bacon / Cheese Pie.

December: Very busy month leading up to Christmas. Surveys were sent out to all clients for their delivery over the holiday period, however, I still had to phone most of them to find-out when they needed meals!

There were 4 clients at home for Christmas and required a delivery. They were treated to a lovely Christmas lunch with all the trimmings prepared by Pioneer House.

Volunteers are reasonably scarce at this time of the year, many are in recess and the Schools and some Churches are unable to deliver during the holiday period. I did rely on regular volunteers to deliver more than normal over this time.

Lion's Club distributed hampers to all clients just before Christmas. This is the 3rd year that they have given hampers. This year they excelled themselves with the hampers, all of which were practical items for the clients.

Margaret O'Keefe
Meals on Wheels

15.01.2015

6.2.27 Gulgong Memorial Hall Committee

REPORT BY THE MANAGER, HEALTH AND BUILDING TO 18 FEBRUARY 2015 COUNCIL MEETING
 Gulgong Memorial Hall Committee Report
 GOV400043, A0100024

RECOMMENDATION

That:

1. **the report by the Manager, Health and Building on the Gulgong Memorial Hall Committee be received;**
2. **Council note the minutes from the Gulgong Memorial Hall Committee meeting held on 2nd February 2015.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee meeting held on 2nd February 2015.

Detailed report

The Gulgong Memorial Hall Committee met on the 2nd February 2015 as part of their ongoing monthly meetings.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Theme	Strategy	Goal
Looking After Our Community	4. Meet the diverse needs of our community and create a sense of belonging	4.3 Provide equitable access to a range of places and spaces for all in the community

TIM O'REILLY
MANAGER, HEALTH & BUILDING



CATHERINE VAN LAEREN
DIRECTOR, DEVELOPMENT

4 February 2015

Attachments: 1. Minutes of ordinary meeting 2nd February 2015

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

Gulgong Memorial Hall Committee Meeting 2/2/2015**Opened:** 1611**Present:** Charles Vassel, Pauline Hannaford, , Maureen Trgo, Percy Thompson, Bill Clifford, Chris Hannaford, Cheryl Vassel**Guest:** Ray Thackeray**Apologies:** Tim O'Reilly, Vaughan Smith**Minutes of last meeting:** approved Charlie, 2nd Pauline**Christmas Celebration:****General business:**

Please pass on our thanks via Council to Julian Geddes for the way he worked with the Memorial Hall Committee.

Percy – Check whether Vaughan has been approved as member of the Committee.

Men's Shed is not responsible for the people who use the park, however the Park is part of the Memorial Hall – which group is getting the funds from the Markets held at the Park, there is no clear understanding as to who the money is to go to. Electricity from M.H. used, so therefore money should be reimbursed.

There is a break in the power supply between the M.H. and the Rotunda, a works request has been submitted. Need to run a cable up higher above the BBQ so an extension cord can be run from there, and a light is needed over the BBQ.

Thank you everyone for the effort that was put into the Christmas Celebration, issues that arose were overcome and all went well.

Cheryl - Send a letter to Vaughan thanking all the people for their help.

Give a serve to the Chamber for their lack of interest and assistance, after stating that they would help.

Commend Maureen for the way she set up the financials. Print out presented to meeting.

Need to address start of event, as soon as the raffles were finished people left to go the Carols in Mudgee. Need to keep the starting time the same, as too early is too hot and no-one turns up for the first hour.

\$3366 required to run the event, most is paid up front out of Men's Shed funds, then get reimbursed later.

All tickets were sold, but took some effort to get them, maybe need to get them sooner. Agree to go to half hams, no matter what the cost.

Des Kelly good value as MC, ask for next year as well.

Leo with rides, with same fee; Crystal painting lady both locked in for next year.

Jelly bath not very good, very little use as it was more like coloured water, so not to be done again.

Chris - Missing IGA vouchers found, to go to Men's Shed as Men's Shed paid for the replacements.

COMMUNITY CHRISTMAS PARTY 2014

Expenses

Vouchers IGA	500.00
Tickets Printstorm	136.50

COMMUNITY CHRISTMAS PARTY 2014

Leo Nitto Rides	1,250.00
Mandy Godwin Face Painting	560.00
Hams	300.00
Booths Confectionery Lollies	119.68
MC Des Kelly	400.00
Horse Hire	100.00
Total	3,366.18

Memorial Hall

Letter received from Nicole Purcell – dance teacher – stating that there was a rumour that Hall was not tidied up after their dance concert. Hall was swept, scrubbed and mopped, including the chair room, so does not know where this came from.

Pauline and Chris were called in after the dance concert, before the Catholic School concert. Chris noticed that the floor had not been swept under the chairs. Melinda Martin from Council stated that she was putting in a complaint about the state of the hall, before the MWRS council party.

The Cleaners still not doing their job, they are supposed to be cleaning between people using the Hall.

Men's Shed could not take the cleaning contract due to the current guidelines it is a difficult job to do. Spider webs should be taken down, behind stage swept, Men's toilets are filthy. Cheapest cleaners employed – not doing the job.

Kitchen needs to be cleaned each year before the Eisteddfod.

Council needs to be made aware that the cleaners are still not doing their job.

Need paper trail. Chris and Pauline have noted the state of cleaning, Cathy Gaudry has also noted this, need to send letter to Brad Cam about this. Who is responsible for checking that the Hall is cleaned properly? This requires urgent attention by Council staff. Toilets in Park well cleaned, are they the same cleaners?

Meeting closed: 1700

Next meeting: 2/3/2015, 4pm Men's Shed – need to look at the following month as the first Monday is Easter Monday.

Action Plan

Person Responsible	Action	Result
Percy	Has Vaughan been confirmed as member of the Committee?	
Cheryl	Letter to Vaughan	
Cheryl	Letter to Brad Cam re state of cleaning	

6.2.28 Cultural Development Committee

REPORT BY THE DIRECTOR, COMMUNITY TO 18 FEBRUARY 2015 COUNCIL MEETING
Cultural Development Committee
GOV400043, A0420172

RECOMMENDATION

That:

1. **the report by the Director, Community on the Cultural Development Committee be received;**
2. **Council note the minutes of the Cultural Development Committee meeting held on 10 December 2014.**
3. **Council support the proposal for the Mid-Western Art Prize to be delivered as a Wood Sculpture Symposium as recommended by the Cultural Development Committee and the Public Art Advisory Panel.**

Executive summary

The Cultural Development Committee meets to highlight and promote cultural issues in the region. The next meeting is due to be held on Wednesday 11th February 2015 at 5pm.

Detailed report

The Cultural Development Committee will continue an ongoing dialogue with Orana Arts on how the Mid-Western Region can contribute and be involved in the 2016 Regional Arts Conference (*Artlands*) to be held in Dubbo 27 – 30 October 2016.

The Committee, as well as the Public Art Advisory Panel, have developed a program for the Wood Sculpture Symposium to be held on Rylstone later in 2015. The Panel and Committee have endorsed the symposium approach as a way of delivering the Mid-Western Art Prize.

The Wood Sculpture Symposium will be a competitive process whereby the concepts of ten artists are awarded a prize of \$1,000 to proceed to develop a work as part of the Symposium. The Public Art Advisory Panel will work with Rylstone Sculpture Inc. on the delivery of this exciting creative event.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Not applicable.



SIMON JONES
DIRECTOR, COMMUNITY

5 February 2015

Attachments: 1. CDC Minutes 10122014

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

**MINUTES OF MEETING OF THE
MID-WESTERN REGIONAL COUNCIL CULTURAL DEVELOPMENT COMMITTEE
HELD ON WEDNESDAY 10th DECEMBER 2014
MEETING AT THE COUNCIL COMMITTEE ROOM, MUDGEES AT 5.00pm.**

PRESENT: Scott Etherington (Chair), Cr Lucy White, Gai Rayner, Judith James, Helen Harwood, Simon Jones, Kate Power

1. **WELCOME:** – Scott opened the meeting

2. **APOLOGIES:** Virginia Handmer, Margot Palk

Moved – L White Seconded – J James Carried

3. **PREVIOUS MINUTES:** 11th November 2014

Moved – J James Seconded – G Rayner Carried

4. **BUSINESS ARISING**

Included in General Business items.

5. **GENERAL BUSINESS**

5.1 Cultural Asset Register

Scott continues to work on this.

Action – Judith, Scott and Helen to communicate and progress the register project

5.2 Orana Arts relationship

Lucy will develop further the draft of the letter to Elizabeth Rogers (Regional Arts NSW).

The theme for the 2016 Regional Arts Conference to be held in Dubbo 27-30 October) is **Artlands**. There will be ongoing dialogue with Orana Arts on how the Mid-Western region can contribute and be involved in the conference and how this can also be used as a platform for the cultural promotion of our region.

Action – Lucy to draft letter to Elizabeth Rogers

5.3 Public Art Advisory Panel

The resignation of the Chair of the PAAP (Chester Nealie) was noted. Chester will continue to be involved but a new Chair needs to be determined.

In terms of the Public Art Plan it was noted that the section dealing with the purpose of the Plan needs some work.

There was some discussion regarding future placement of public art pieces as this is a section covered in the Plan.

Action – Judith to put together some words around the themes of community engagement, branding and public art.

Action – Simon to arrange for a letter of thanks to be sent to Chester for his work as Chair of PAAP.

Action – Scott to approach Gulgong Chamber of Commerce to determine if they have any suggestions for public art locations.

There was discussion around the idea of sourcing someone with significant artistic experience to focus on the overall strategy for public art.

Motion: That an experienced curator in the field of public art be approached to provide some advice and options for the future of public art in the region.

Moved – J James Seconded – H Harwood Carried

5.4 Mid-Western Art Prize

Motion: That the Cultural Development Committee support the Mid-Western Region Art Prize proceeding as the Wood Sculpture Symposium as outlined by the Public Art Advisory Panel.

Moved – H Harwood Seconded – L White Carried

The concept of a travelling exhibition derived from this Symposium was also discussed.

5.5 Cultural Development Officer

The restructure of Council departments has opened up the possibility for some re-allocation of tasks within the Community Services team. Simon will discuss further with Virginia Handmer and other staff with a view to providing some additional cultural development support for the Committee and the community.

5.6 Waste to Art

Sam Paine and Gai Rayner are working on this. Sam is developing some associated workshops.

5.7 Cultural Development Committee – member involvement

There was some discussion regarding the need to try and encourage attendance at meetings and also to report back on the various events that Committee members have been involved in or attended.

There being no further business the meeting closed at 6.10pm.

Next proposed meeting date: Wednesday 11th February, 2015 @ 5.00pm, Council Committee Room

6.2.29 Gulgong Sports Council

REPORT BY THE DIRECTOR, COMMUNITY TO 18 FEBRUARY COUNCIL MEETING

Gulgong Sports Council
GOV400043, A0360003

RECOMMENDATION

That:

1. **the report by the Director, Community on the Gulgong Sports Council be received;**
2. **that the minutes for the Gulgong Sports Council ordinary monthly meeting held on 12 November 2014 be noted.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Sports Council Meetings held on 12 November 2014. The Sports Council receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meeting.

There are no further matters arising that require consideration by Council at this time, noting that specific requests/recommendations are forwarded to Council under separate cover providing detailed information on requirements. Operational matters raised will be dealt with in due course when staff receives additional information.

Detailed report

Not applicable.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Not applicable.



SIMON JONES
DIRECTOR, COMMUNITY

10 December 2014

Attachments: 1. Minutes of Gulgong Sports Council Ordinary Meeting 12 November 2014

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

**Gulgong Sports Council
Monthly Meeting
Monday 12th November, 2014**

Meeting Opened: 7pm

Apologies: P.Thompson – MWRC, M. Gaudry – Tennis Club

Present: C. Holden - President, B. Gudgeon - Senior Cricket, B. Rae - Dog Obedience, C. Rae - Volunteer, N. Barnes - Miniature Horses, J Mobbs – Gulgong Bowling Club, M Willis – Gulgong Bowling Club, P Johnson – Gulgong Golf Club, C Ryan-Womens Bowling Club

President read previous minutes.

Motion 1 – “That the minutes be accepted as read”

Moved: C. Holden

Seconded: B. Rae

All in favour – motion moved and carried.

Council Business:

1. The Gulgong Sports Council would like to Thank Mid-Western regional Council and associated departments for the painting of the Victoria Pk Grandstand and the new post also the new bins at Billy Dunn Oval, please pass on our gratitude to those who were engaged in these projects.
2. The Committee of the Gulgong Sports council would like to pass on a very Merry Christmas and a Happy New Year to all at Mid-Western Regional Council.

Finance Report:

Accounts that need to be paid are:-
Gulgong Timber & Hardware – \$100.00 for Shelving
R&J Andrews - \$187.00 Removal of gold Posts
D'Fortune Kitchen \$420.00 Christmas Party.

Income;

L.A.Hawkins \$55.00 Affiliation Fees

Motion 2 – “That accounts be paid and income be Banked”

Moved: B. Gudgeon

Seconded: N. Barnes

All in favour – motion moved and carried.

Correspondence: Nil

General Business:

1. Fence to be painted at Billy Dunn Oval, when volunteer labor is available for this job.
2. Fence to be fixed at car park behind swimming pool. (working bee)
3. Seats at Vitoria Park to be Painted.

Meeting closed: 8.30

Craig Holden – President



Next meeting – 10th December – 7pm – Gulgong Bowling Club.

6.2.30 Kandos Centenary Working Party

REPORT BY THE DIRECTOR, COMMUNITY TO 18 FEBRUARY 2015 COUNCIL MEETING

Kandos Centenary Working Party

GOV400043, P1553611, A0310010

RECOMMENDATION

That:

1. **the report by the Director, Community on the Kandos Centenary Working Party be received;**
2. **Council formally recognise the work of the Kandos Centenary Working Party;**
3. **Council accept the \$32,736 of funds from Kandos Centenary Working Party and amend the 2014/15 Operational Plan to recognise the revenue;**
4. **Council allocate \$13,000 to complete the Kandos Centenary pavers project and the Kandos Centenary sculpture project and amend the 2014/15 Operational Plan to recognise the expenditure; and**
4. **Council proceed to formally dissolve the Kandos Centenary Working Party as a Section 355 Committee of Council.**

Executive summary

The Kandos Centenary was held in 2014. As part of the preparations for the Centenary, a Working Party was established as a Section 355 Committee of Council. Now that the celebrations have concluded, the Working Party can be formally dissolved.

Detailed report

Attached to this report are the minutes from the final meeting of the Kandos Centenary Working Party held on February 2nd, 2015. At this meeting, the Working Party formally proposed that the Section 355 Committee be dissolved.

It is recognised that the Working Party put a great deal of effort and enthusiasm into the Kandos Centenary Celebrations. The success of the Centenary is also highlighted by the funds that are available that should now be returned to Council.

Council will recall that the proposal for Council to underwrite the printing of a book on Kandos (*Rocky Mountain Spirit* by local author Kay Andos) was accepted and that \$19,736 was provided. Book sales have been successful and this amount can now be returned to Council.

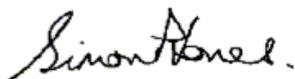
Other amounts related to book sales, paver sales and general sales have amounted to approximately \$13,000. This amount is also being returned to Council and will be used to pay for the ordering and installation of the pavers as well as the commissioning and installation of a sculpture celebrating the Kandos Centenary. These projects will now be completed by Council. In the case of the sculpture, this will be in conjunction with the Public Art Advisory Panel as well as Rylstone Sculptures Inc.

Financial and Operational Plan implications

In closing the accounts of the Kandos Centenary Working Part, a total of \$32,736 is to be returned to Council with approximately \$13,000 of these funds would be expended by Council to complete the pavers and sculpture projects.

Community Plan implications

Not applicable.



SIMON JONES
DIRECTOR, COMMUNITY

3 February 2015

- Attachments:*
1. Minutes Kandos Centenary Committee Meeting 2nd February 2015
 2. Kandos Centenary Group Accounts 010215
 3. Kandos Centenary Secretary's report 2nd Feb 2015
 4. 140113 Letter final meeting of the Kandos Centenary Working party

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

MID-WESTERN REGIONAL COUNCIL

MEETING OF THE KANDOS CENTENARY WORKING PARTY

Monday 2nd February 2015 Commencing at 4.30pm
Venue: Kandos High School Library

Minutes

1. **PRESENT:** Cr. Esme Martens, Naida Wills, Lesley Pennell, Keith Smith, Bradley Stockwell, Helen Fuller, Pam O'Connor, Rose Evans, Colleen O'Sullivan, Jim Mackin, Lynette Edwards, Lyn Syme, Bruce Fleming

Staff S Jones

2. **WELCOME:** Cr. Martens opened the meeting at 4.32pm and welcomed everyone.

3. **APOLOGIES**

Apologies were recorded for John Fitzgerald, Sue Honeysett and David Honeysett.

Moved: L Syme Seconded: J Mackin **Carried**

4. **MOTION OF ADOPTION OF PREVIOUS MINUTES 24 NOVEMBER 2014**

Minutes were discussed with the amendments that L Syme was an apology for the meeting and that the motion from the Treasurer's Report included reference to the costs for the Governor and party at the Gala Ball.

Moved: N Wills Seconded: P O'Connor **Carried**

5. **SECRETARY'S REPORT**

As per written report attached

Motion: That the Secretary's Report be received.

Moved: P O'Connor Seconded: L Pennell **Carried**

Cr. Martens presented and read a letter from the General Manager Brad Cam that she had received informing us that it would be appropriate for the Working Party to be dissolved at this meeting.

6. TREASURERS REPORT

Per written report attached.

There was some discussion regarding funds still to come into the KCWP accounts as payment for the pavers. These amounted to approximately \$1140.

It was determined that in taking over the pavers project, Council would liaise with H Fuller on the ordering, design and placement of the pavers.

It was also determined that finalisation of the accounts in relation to the pavers would involve some additional liaison between H Fuller and N Wills.

Motion: That a Kandos Centenary 2014 double paver be installed with reference to the pavers being a Kandos Centenary project.

Moved: P O'Connor Seconded: R Evans **Carried**

Motion: That the Kandos Centenary Working Party make a donation of \$1,000 to the Kandos High School as appreciation for the use of facilities in the planning and coordination of the Centenary.

Moved: Cr E Martens Seconded: N Wills **Carried**

It was noted at the meeting that the original proposal to make a donation to the High School had been made by Rose Evans.

There was some discussion on the funds still available to Kandos Centenary Working Party that would now be returned to Council. After consideration of the donation to the High School and one cheque that had not been presented, there would be \$11,384. Approximately \$4,710 of this would be spent on the pavers, leaving an additional \$6,674 in the working account that would go towards the Kandos Sculpture project.

The Kandos History book account has \$21,339, with \$19,736 needing to be returned to Council reserves. These were the funds used to underwrite the cost of printing the book. This leaves \$1,603 that can be added to the Kandos Sculpture funds, totalling an amount of \$8,277 for this (as well as any additional paver installation costs).

Motion: That the Treasurer's Report be received.

Moved: N Wills Seconded: L Syme **Carried**

It was requested that a copy of the financial report be emailed out to the Working Party members.

7. GENERAL BUSINESS

Motion: That excess stock of wristbands be donated to Kandos High School and Kandos Public School

Moved: P O'Connor Seconded: L Syme **Carried**

There was some discussion regarding the Kandos Sculpture. C O'Sullivan informed the meeting that the initial estimate of costs of \$5,900 may need to be revised. It was noted that the accounts were indicating that an amount of \$7,000 should be available for the sculpture.

It was noted that the Sculpture project would now be handed over to Council, the Public Art Advisory Panel and Rylstone Sculptures Inc. for completion.

Motion: That a plaque be included with the sculpture that acknowledges the Kandos Centenary and the Working Party.

Moved: C O'Sullivan Seconded: L Syme **Carried**

It was suggested that any remaining funds after the completion of the pavers project and the sculpture project could be provided to the Rylstone Wood Symposium.

There was some discussion regarding the location of the sculpture.

Motion: That the members of the Working Party be informed when the pavers project and the sculpture project are completed.

Moved: C O'Sullivan Seconded: R Evans **Carried**

K Smith provided some photographs to H Fuller and there was some general discussion regarding the photographic record of the Centenary celebrations.

It was determined that H Fuller would continue with the project to compile a photographic record of the Centenary.

It was noted that the Wollemi Award to the Kandos Centenary was now in place at the Kandos Library.

The Chair extended her appreciation to the Working Party Executive, all members of the Working Party and sub-committees as well as Council staff, with particularly reference to Virginia Handmer and Kate Power.

Motion: That the Kandos Centenary Working Party recommend that Council proceed with the dissolution of the Working Party, finalise the Working Party accounts and proceed with all other items as provided in the letter from the General Manager.

Moved: L Syme Seconded: P O'Connor **Carried**

The meeting was closed at 5.50pm.

A	B	C	D	E	F	G	H	I	J	K
1	KANDOS COMMUNITY GROUP FOR CENENARY ACCOUNTS			29/01/2015						
2	ACCOUNT 55203			BALL						
3	DETAILS	INCOME	GALA BALL	IN/OUT	CASH	PAYMENT	RECEIPTS	CHQ	BALANCE	P. 1
4	31/10/2013 RELIANCE C.U.					-\$10.00	SHARES			
5	31/10/2013 E.MARTINS RELIANCE MEMBERSHIP FOR GROUP	\$10.00					CASH			
6	31/10/2013 RELIANCE C.U. FOR CHQ. BOOK					-\$3.00		BANK	\$997.00	
7	15/11/2013 KANDOS RETURNED SOLDIERS COMMUNITY CLUB	\$1,000.00					1088519			
8	20/11/2013 MID-WESTERN REGIONAL COUNCIL GRANT	\$8,000.00					171464		\$8,997.00	
9	20/11/2013 MID-WESTERN REGIONAL COUNCIL ART RAFFLE	\$1,736.00					171464		\$10,733.00	
10	21/11/2013 P.O'CONNOR GROUP STAMP & WINE RAFFLE COSTS					-\$76.90		CHQ894872	\$10,656.10	
11	30/11/2013 INTEREST DEBIT RELIANCE CU					-\$0.02	INT		\$10,656.08	
12	3/12/2013 CAKE RAFFLE	\$278.00					1096730		\$10,934.08	
13	3/12/2013 RMS BOOK RAFFLE	\$142.00					1096730		\$11,076.08	
14	3/12/2013 DONATIONS COLLECT RE CAKE RAFFLE	\$20.75					1096730		\$11,096.83	
15	6/12/2013 RMS BOOK RAFFLE	\$70.00					1096729		\$11,166.83	
16	30/12/2013 ALAN HOGAN SOLICITORS RYLSTONE DONATION	\$50.00					1095519		\$11,216.83	
17	31/01/1900 INTEREST CREDIT RELIANCE CU	\$0.64					INT		\$11,217.47	
18	12/01/1900 P.O'CONNOR GROUP POSTAGE COSTS					-\$15.00		CHQ894873	\$11,202.47	
19	02/01/2014 P.O'CONNOR FOR RMS BOOK RAFFLE					-\$70.00		CHQ894874	\$11,132.47	
20	2/01/2014 FINAL FOR CAKE RAFFLE	\$22.00					1084256		\$11,154.47	
21	22/01/2014 KANDOS STREET MACHINE INC	\$100.00					1072369		\$11,254.47	
22	31/01/2014 AUSTRALIA DAY RAFFLE	\$200.00			\$40.00		1084252		\$11,454.47	
23	5/02/2014 POST CARD SALES - DOWN THE TRACK	\$32.00					1084253		\$11,486.47	
24	12/02/2014 KANDOS COMMUNITY SHOP	\$1,000.00					1072360		\$12,486.47	
25	21/02/2014 REIMBURSE ROSE EVANS COST AUST.DAY RAFFLE					-\$53.36		CHQ894875	\$12,433.11	
26	24/05/2014 RMS BOOK RAFFLE \$204 SALES KEYRINGS/CARDS	\$252.00					1084254		\$12,685.11	
27	28/02/2014 CHARBON COAL LTD	\$1,000.00					UJV		\$13,685.11	
28	3/03/2014 MID WESTERN REGIONAL COUNCIL HALL HIRE + DEP							CHQ894876	\$12,828.11	
29	7/03/2014 RELIANCE CREDIT UNION	\$1,000.00					1084616		\$13,828.11	
30	17/03/2014 POC STAMPS \$12 + Wine \$20 + Env \$4							CHQ894877	\$13,792.11	
31	31/03/2014 PROCEEDS TRIVIA NIGHT LESS CASH PAID AT EVENT	\$1,530.10				-\$36.00	1087808		\$15,322.21	
32	31/03/2014 RELIANCE CU INTEREST	\$1.56					INT		\$15,323.77	
33	3/04/2014 KANDOS STREET MACHINE INC	\$100.00					1084612		\$15,423.77	
34	16/04/2014 RYLSTONE KANDOS BUSINESS & TOURISM ASSOC	\$500.00					1082005		\$15,923.77	
35	17/04/2014 TAKINGS EASTER RAFFLE LESS \$450 PAID BANNERS	\$492.50				-\$450.00	1084513		\$15,966.27	
36	22/04/2014 TAKINGS EASTER RAFFLE LESS \$50 BANNERS+ \$14POST H	\$241.90				-\$64.00	1082019		\$16,144.17	
37	2/05/2014 REIMBURSE LYNETTE EDWARDS COST TRIVIA NIGHT					-\$63.55		CHQ894878	\$16,080.62	
38	5/05/2014 BALL TICKET SALES Lynette Edwards		\$3,240.00				1082020		\$19,320.62	

A	B	C	D	E	F	G	H	I	J	K
	KANDOS COMMUNITY GROUP FOR CENENARY ACCOUNTS									
1				29/01/2015						
2	ACCOUNT 55203			BALL						
3	DETAILS	INCOME	GALA BALL	IN/OUT	CASH	PAYMENT	RECEIPTS	CHQ	BALANCE	
39	5/05/2014		\$720.00				forsberg		\$20,040.62	P2
40	6/05/2014		\$360.00				Shumack		\$20,400.62	
41	7/05/2014		\$540.00				Barlow/Abdulla		\$20,940.62	
42	8/05/2014		\$720.00				O'Sullivan		\$21,660.62	
43	9/05/2014		\$270.00				Handmer		\$21,930.62	
44	9/05/2014		\$360.00				Vanuvo p/I		\$22,290.62	
45	9/05/2014		\$360.00				W Sullivan		\$22,650.62	
46	12/05/2014		\$450.00				PARKER SUSAN		\$23,100.62	
47	13/05/2014		\$1,440.00				1082022		\$24,540.62	
48	13/05/2014		\$1,260.00				1088191		\$25,800.62	
49	13/05/2014		\$90.00				MICKEL		\$25,890.62	
50	13/05/2014		\$360.00				1081744		\$26,250.62	
51	14/05/2014		\$180.00				V HANDMER		\$26,430.62	
52	15/05/2014		\$90.00				108174		\$26,520.62	
53	20/05/2014					-\$84.95		CHQ894879	\$26,435.67	
54	22/05/2014		\$720.00				S CHADWICK		\$27,155.67	
55	26/05/2014		\$180.00				Wilhemina Ruttle		\$27,335.67	
56	26/05/2014		\$180.00				1081698		\$27,515.67	
57	28/05/2014					-\$1,969.00		CHQ894880	\$25,546.67	
58	29/05/2014		\$180.00				1079584		\$25,726.67	
59	10/06/2014		\$180.00				barlow		\$25,906.67	
60	12/06/2014						1082023		\$25,962.67	
61	16/06/2014	\$56.00					1082024		\$26,184.67	
62	19/06/2014	\$222.00					1082021		\$26,364.67	
63	19/06/2014		\$180.00				1085590		\$26,544.67	
64	24/06/2014		\$180.00				1079585		\$26,724.67	
65	23/06/2014					-\$54.54		CHQ894881	\$26,670.13	
66	23/06/2014		\$180.00			-\$120.00		CHQ894882	\$26,550.13	
67	30/06/2014						G. ODG		\$26,730.13	
68	30/06/2014	\$2.78					INT		\$26,732.91	
69	2/07/2014		\$180.00				1099099		\$26,912.91	
70	2/07/2014		\$360.00				1099100		\$27,272.91	
71	3/07/2014		\$270.00				1081697		\$27,542.91	
72	3/07/2014		\$180.00				WR&MA C		\$27,722.91	
73	8/07/2014		\$90.00				J FIELD		\$27,812.91	
74	7/07/2014					-\$404.80		CHQ894883	\$27,408.11	
75	11/07/2014		\$180.00				S.Chdawk		\$27,588.11	
76	12/07/2014		\$360.00				J Tind		\$27,948.11	

A	B	C	D	E	F	G	H	I	J	K
1	KANDOS COMMUNITY GROUP FOR CENENARY ACCOUNTS			29/01/2015						
2	ACCOUNT 55203			BALL						
3	DETAILS	INCOME	GALA BALL	IN/OUT	CASH	PAYMENT	RECEIPTS	CHQ	BALANCE	
77	14/07/2014 CENTENARY BAGS IGA	\$180.00					1082027		\$28,128.11	P.3
78	14/07/2014 BALL TICKETS		\$90.00				H Smith		\$28,218.11	
79	31/07/2014 CENTENARY BAGS \$192-00						1082026KCS		\$28,218.11	
80	KEY RINGS \$30						1082026kcs		\$28,218.11	
81	CARDS \$ 4-00	\$226.00					1082026KCS		\$28,444.11	
82	6/08/2014 P, O'CONNOR BULK POSTAGE				-\$35.40			CASH	\$28,444.11	
83	6/08/2014 BALL TICKETS		\$90.00				Cassie Suli		\$28,534.11	
84	6/08/2014 BALL TICKETS		\$720.00				N WILLS		\$29,254.11	
85	7/08/2014 BALL TICKETS		\$90.00				1099002		\$29,344.11	
86	7/08/2014 IGA SONYA CENTENARY BAGS	\$102.00					1082030		\$29,446.11	
87	9/08/2014 BALL TICKETS		\$180.00				G Plate		\$29,626.11	
88	CANCELLED CHQ.(BLUE MTS CITY COUNCIL) \$330-00					\$0.00		CHQ894884	\$29,626.11	
89	CASH H-FULLER W/BANDS				-\$4.60			CASH	\$29,626.11	
90	CENTENARY BAGS	\$150.00					LYN TRANS		\$29,776.11	
91	18/08/2014 BALL TICKETS?		\$180.00				1099001		\$29,956.11	
92	18/08/2014 TERRY O'SULLIVAN LIQUOR LICENCE BALL				-\$88.85			CHQ894885	\$29,867.26	
93	19/08/2014 BALL TICKETS		\$180.00				B.Stodkw		\$30,047.26	
94	26/08/2014 BALL TICKETS		\$180.00				1095808		\$30,227.26	
95	25/08/2014 ROSE EVANS PRINTS FOR PHOTOS					-\$250.51		CHQ894887	\$29,976.75	
96	27/08/2014 BALL TICKETS S MARTIN		\$90.00				1082028		\$30,066.75	
97	27/08/2014 MWRC 17 RMS BOOKS LATER TRANS TO RMS ACC					\$1,190.00	TRANS		\$31,256.75	
98	24/08/2014 ALEX WISSER PHOT PRINTS (ROSE EVANS)					-\$84.00		CHQ894886	\$31,172.75	
99	28/08/2014 RELIANCE C.U. FOR CHQ. BOOK					-\$3.00	chqbk		\$31,169.75	
100	5/09/2014 BALL TICKETS		\$360.00				1089764		\$31,529.75	
101	5/09/2014 BALL TICKETS		\$360.00				M.SHUMACK		\$31,889.75	
102	8/09/2014 BALL TICKETS		\$180.00				R.WALSH		\$32,069.75	
103	9/09/2014 BALL TICKETS		\$180.00				JANE/D		\$32,249.75	
104	9/09/2014 BALL TICKETS		\$180.00				F.WHITE		\$32,429.75	
105	1/09/2014 VISTA PRINT (H. FULLER)					-\$84.94		CHQ894888	\$32,344.81	
106	8/09/2014 BLUE MTS CITY COUNCIL PRINTING BROCHURES					-\$330.00		CHQ894889	\$32,014.81	
107	10/09/2014 CENTENARY BAGS plus \$2 donation B.MrcQ	\$74.00					1095729		\$32,088.81	
108	11/09/2014 BALL TICKETS		\$180.00				SWENTER		\$32,268.81	
109	8/09/2014 K.S. FOR REJECT SHOP WINE FLUTES				-\$132.00			CHQ894891	\$32,136.81	
110	8/09/2014 R. EVANS FOR PHOTO DISPLAY					-\$63.23		CHQ894890	\$32,073.58	
111	13/09/2014 BALL TICKETS		\$180.00				JDSCHULTZ		\$32,253.58	
112	12/09/2014 CENTENARY BAGS	\$36.00					1095732		\$32,289.58	
113	15/09/2014 TRANSFER TO 5520356 RMS					-\$1,190.00	TRANS		\$31,099.58	
114	16/09/2014 BALL TICKETS		\$180.00				TFR MARTIN		\$31,279.58	

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1	KANDOS COMMUNITY GROUP FOR CENENARY ACCOUNTS			29/01/2015						
2	ACCOUNT 55203			BALL						
3	DETAILS	INCOME	GALA BALL	IN/OUT	CASH	PAYMENT	RECEIPTS	CHQ	BALANCE	
115	17/09/2014 BALL TICKETS		\$90.00				1098611		\$31,369.58	P.4
116	19/09/2014 BALL TICKETS		\$180.00				AL SCOTT		\$31,549.58	
117	19/09/2014 BALL TICKETS		\$270.00				1089783		\$31,819.58	
118	23/09/2014 R EVANS PHOTO DISPLAY					-\$43.90		CHQ894892	\$31,775.68	
119	23/09/2014 CLAIRE HAMILTON RETURN		-\$90.00					CHQ894893	\$31,685.68	
120	22/09/2014 NADIA BARLOW RETURN		-\$180.00					CHQ894894	\$31,505.68	
121	22-Sep CLAUDE BINGHAM RETURN		-\$180.00					CHQ894895	\$31,325.68	
122	22/09/2014 P O'CONNOR INCIDENTALS FOR GROUP;					-\$86.30		CHQ894896	\$31,239.38	
123	23/09/2014 BALL TICKETS		\$180.00				S.CASTLE		\$31,419.38	
124	23/09/2014 BALL TICKETS		\$180.00				H.WALSH		\$31,599.38	
125	24/09/2014 BALL TICKETS		\$180.00				D ROBBINS		\$31,779.38	
126	24/09/2014 BALL TICKETS		\$90.00				F SWIENTEK		\$31,869.38	
127	24/09/2014 RMS SALES LATER TRANSFERRED TO RMS ACC					\$500.00	7068056		\$32,369.38	
128	25/09/2014 BALL TICKETS		\$180.00				G BEST		\$32,549.38	
129	25/09/2014 H. FULLER FLAGS					-\$500.00		CHQ182176	\$32,049.38	
130	25/09/2014 BALL TICKETS		\$90.00				1089782		\$32,139.38	
131	26/09/2014 KC BAGS 48 \$288 LESS \$6 TO L.PENNEL	\$288.00					1089870		\$32,427.38	
132	26/09/2014 LESLIE PENNEL PHOTO COPIES FROM 288					-\$6.00		CASH	\$32,421.38	
133	26/09/2014 C.R.HOSE P/L 216 GLASSES/BALL+GLASSES & PLATES					-\$3,130.10		IBANK	\$28,016.88	
134	26/09/2014 BOOTHS CONFECTIONARY KIDDIES BBQ					-\$179.52		IBANK	\$27,837.36	
135	29/09/2014 MOUNTAIN VIEW BAKERY FOR KIDS DISCO					-\$130.00		CHQ182177	\$27,707.36	
136	29/09/2014 ROSE EVANS PRINTS FOR PHOTOS					-\$92.80		CHQ182178	\$27,614.56	
137	29/09/2014 PAM OCONNOR INCIDENTALS FOR CAKE CUTTING					-\$12.49		CHQ182179	\$27,602.07	
138	29/09/2014 RYLSTONE HARDWARE EXT.LEAD					-\$39.40		CHQ182180	\$27,562.67	
139	29/09/2014 JOHN FITZGERALD WASTE BAGS BIG W RED BUS					-\$30.00		CHQ182181	\$27,532.67	
140	29/09/2014 BUNNAMAGOO WINES							CHQ182182	\$25,302.53	
141	29/09/2014 E.MARTENS CHAIRPERSON & COUNCILLOR		-\$90.00					CHQ182183	\$25,212.53	
142	30/09/2014 BALL TICKETS		\$180.00				SPEDALIERE		\$25,392.53	
143	30/09/2014 KANDOS COMMUNITY SHOP PLATES SALE	\$690.00					1068569		\$26,082.53	
144	30/09/2014 RELIANCE CU INTEREST	\$3.75					INT		\$26,086.28	
145	1/10/2014 PRINT STORM! BALL TICKETS					-\$261.50		IBANK	\$25,824.78	
146	1/01/1900 TRANSFER TO 5520356					-\$500.00		trans	\$25,324.78	
147	1/10/2014 CASH FLOAT FOR MEET & GREET	-\$200.00						CHQ182184	\$25,124.78	
148	3/10/2014 CENTRAL NSW DISCOVER MAG ADVERT.					-\$660.00		IBANK	\$24,464.78	
149	4/10/2014 OLIVE.A.TWIST REBECCA SUTTON catering		-\$9,014.62					CHQ182185	\$15,450.16	
150	4/10/2014 RACHAEL HANNON BAND ENTERTAINMENT		-\$1,800.00					CHQ182186	\$13,650.16	
151	4/10/2014 BEAR SECURITY PTY LTD		-\$422.80					CHQ182187	\$13,227.36	
152	4/10/2014 LISA CERNICCHI RELAPSE BAND					-\$1,000.00		CHQ182189	\$12,227.36	

	A	B	C	D	E	F	G	H	I	J	K
1		KANDOS COMMUNITY GROUP FOR CENENARY ACCOUNTS			29/01/2015						
2		ACCOUNT 55203			BALL						
3	DATE	DETAILS	INCOME	GALA BALL	IN/OUT	CASH	PAYMENT	RECEIPTS	CHQ	BALANCE	
153	4/10/2014	B & D UPTON (LANSALLOS B&B)ACCOMMODATION			-\$448.00				CHQ182190	\$11,779.36	P.5
154	5/10/2014	MELISSA'S COTTON CANDY & CASTLES					-\$1,200.00		CHQ182191	\$10,579.36	
155	5/10/2014	KRSCC FOR KIDS DISCO					-\$100.00		CHQ182192	\$10,479.36	
156	5/10/2014	DES KELLY ENTERTAINMENT SUNDAY					-\$200.00		CHQ182193	\$10,279.36	
157	6/10/2014	KATHLEEN SUTTON CLEANING SERVICES					-\$100.00		CHQ182194	\$10,179.36	
158	6/10/2014	BROOKE CORNWELL ENTERTAINMENT SUNDAY					-\$200.00		CHQ182195	\$9,979.36	
159	6/10/2014	BIKES & BUDS KANDOS WREATH FOR LAYING					-\$70.00		CHQ182196	\$9,909.36	
160	7/10/2014	KANDOS TRADERS IGA KANDOS DRINKS FOR BALL			-\$696.20				CHQ182197	\$9,213.16	
161	7/10/2014	SOPHIE WERNER BELLY DANCERS			-\$270.00				IBANK	\$8,943.16	
162	7/10/2014	C & J ROWETH ENTERTAINMENT			-\$600.00				IBANK	\$8,343.16	
163	7/10/2014	GREET & MEET STALL TAKING + CASH FLOAT RETURN	\$1,538.00					1089872		\$9,881.16	
164	7/10/2014	KANDOS COMMUNITY SHOP SALES	\$1,994.00					1068498		\$11,875.16	
165	9/10/2014	CAUCHI'S 10KC BAGS + KCSHOP 4 PLATES NW 3BAGS	\$196.00					1068470		\$12,071.16	
166	9/10/2014	BIKE & BUDS BAGS &WB +DTT 2 S PAVERS	\$132.00				-\$3.00	1068469		\$12,203.16	
167	9/10/2014	CHQ BOOK FEE							CHQBK	\$12,200.16	
168	13/10/2014	BAR PROCEEDS BALL ALL DRINKS			\$1,815.50			1089780		\$14,015.66	
169	13/10/2014	BALL TICKET SALES		\$270.00				1089779		\$14,285.66	
170	13/10/2014	REIMBURSE VIA BRAD STOCKWELL GIFTWRAP/HW			-\$39.90		-\$15.75	1068467	CHQ182199	\$14,230.01	
171	14/10/2014	11BAGS1SETGLASSES4PLATES1AWB1PAVER	\$264.00						CHQ182200	\$14,494.01	
172	14/10/2014	H FULLER M.G.ADD PLUS PHOTO DISPLAY ETC					-\$378.92		IBANK	\$13,915.09	
173	15/10/2014	MIRIAM WILLIAMSON ARTS MANAGEMENT					-\$200.00		IBANK	\$12,925.09	
174	15/10/2014	MUDGE LEE HIRE					-\$990.00		IBANK	\$10,824.09	
175	15/10/2014	AUSSIE COUNTRY CATERING			-\$2,101.00			1093150		\$10,874.09	
176	15/10/2014	DONATION KEN EDWARDS	\$50.00						IBANK	\$11,508.08	
177	16/10/2014	PASPALLEY PEARLING BUNNAMAGOO WINES RET			\$633.99				IBANK	\$10,908.08	
178	17/10/2014	LARA HOOPER CAKES FOR BALL			-\$600.00				IBANK	\$10,798.08	
179	15/10/2014	GREG & SILVIA RAY for Glass Neg Scans					-\$110.00		IBANK	\$10,618.08	
180	17/10/2014	BALL TICKETS Emma Ashford		-\$180.00				1096596		\$10,684.08	
181	20/10/2014	IGA SONYA CENTENARY BAGS	\$66.00							\$11,284.08	
182	20/10/2014	GIFT RECEIVED FROM JEANETTE McHUGH \$550	\$152.00		\$448.00				CASH	\$11,234.08	
183	20/10/2014	PAYMENT TO BUCAN FROM ABOVE GIFT VIA COS			-\$50.00				CHQ191251	\$10,154.08	
184	21/10/2014	KANDOS HIGH FOR CANOPE			-\$1,080.00				CHQ191252	\$9,974.08	
185	21/10/2014	REIMBURSE BALL TICKETS G ODGERS		-\$180.00					CHQ191253	\$9,894.08	
186	21/10/2014	ROTARY CLUB OF RYLSTONE-KANDOS INC					-\$80.00		CHQ191254	\$9,814.08	
187	21/10/2014	DECORATIONS FOR HALL TO LEANNE NEILSON			-\$393.26				CHQ191255	\$9,500.82	
188	21/10/2014	LEANNE NEILSON HIRE SEAT COVERS FROM DI KERNEY			-\$300.00			1047486		\$9,344.82	
189	22/10/2014	ALAN JACKSON BAGS	\$144.00							\$9,500.82	
190	22/10/2014	LM&TD KERNAGHAN PAVER	\$30.00					IBANK		\$9,374.82	

A	B	C	D	E	F	G	H	I	J	K
1	KANDOS COMMUNITY GROUP FOR CENENARY ACCOUNTS			29/01/2015						
2	ACCOUNT 55203			BALL						
3	DETAILS	INCOME	GALA BALL	IN/OUT	CASH	PAYMENT	RECEIPTS	CHQ	BALANCE	
191	22/10/2014 KC BAGS (DIT) + BOXED CENTENARY 5XGLASSES KCS	\$256.00					232 1096589		\$9,630.82	P.6
192	22/10/2014 Less Return for over payment of Bags A.Jackson	-\$24.00							\$9,606.82	
193	29/10/2014 KANDOS PHARMACY WRISTBANDS	\$20.00					1096466		\$9,626.82	
194	29/10/2014 MWRC PAY FOR GOVERNOR'S TABLE			\$150.00			177890		\$9,776.82	
195	30/10/2014 MWRC RETURN DEPOSIT ON HALL			\$550.00			1096460		\$10,326.82	
196	31/10/2014 KANDOS COMMUNITY SHOP PLATES SALE	\$120.00					1096443		\$10,446.82	
197	4/11/2014 POC SALES OF 9 BAGS	\$54.00					1096421		\$10,500.82	
198	12/11/2014 PAVER SALE FRAPPELL	\$30.00					1092980		\$10,530.82	
199	12/11/2014 PAVER SALE STOUT RSL SUB CLUB	\$30.00					1096461		\$10,560.82	
200	13/11/2014 PAVER SALE ODGERS, VIDLER	\$60.00					1092967		\$10,620.82	
201	17/11/2013 COMMUNITY SHOP PAVER SALE PEG B & BAGS	\$66.00					1092928		\$10,686.82	
202	18/11/2013 L.SYMES BAGS	\$78.00					IBANK		\$10,764.82	
203	18/11/2014 L.SYMES WRISTBANDS	\$22.00					IBANK		\$10,786.82	
204	19/11/2014 PAVER ROBBINS	\$60.00					1090400		\$10,846.82	
205	19/11/2014 BLUE MTS CITY COUNCIL PRINTING BROCHURES					-\$330.00		CHQ191256	\$10,516.82	
206	20/11/2014 KANDOS RETURNED SOLDIERS COMMUNITY CLUB					-\$25.00		CHQ191257	\$10,491.82	
207	21/11/2014 PAVER KRSCCLUB	\$30.00					1096464		\$10,521.82	
208	24/11/2014 COLLEEN O'SULLIVAN GIFTS & ADVERT BALL STAFF	\$150.00					1092966		\$10,302.82	
209	24/11/2014 PAVERS BEVITT BAXTER, TAYLOR	\$120.00					1090311		\$10,422.82	
210	26/11/2014 PAVERS ROACH BABBAGE MURRAY	\$60.00					1096465		\$10,482.82	
211	27/11/2014 PAVERS MARTENS SLAWRENCE ANGL CHURCH								\$10,482.82	
212	28/11/2014 PAVERS SULLIVAN TOMLINSON WALSH TEAGUE								\$10,482.82	
213	" MILLS, P BUTTLER EORDOGH MUNN/ROBINSON	\$390.00					1090299		\$10,872.82	
214	3/12/2014 KC SHOP PAVERS, 3 PLATES 2 BOXES GLASSES	\$310.00					1090247		\$11,182.82	
215	4/12/2014 KHS 4 BAGS VIA H FULLER	\$24.00					CTHRUBANK		\$11,206.82	
216	10/12/2014 ABDULLAH FORD PAVERS + COS	\$210.00					1090250		\$11,416.82	
217	12/12/2014 H FULLER FOR WEBBLY WEBSITE RENEW					-\$49.95		CHQ191259	\$11,366.87	
218	15/12/2014 PAVERS McDONALD OLDGERS/MCD	\$90.00					1093485		\$11,456.87	
219	17/12/2014 DISH CHQ 15/12/14 RE PAVERS COS	-\$120.00					BANK		\$11,336.87	
220	17/12/2014 REV LEIGH GARDNER FOR CHURCH SERVICE DONAT					-\$200.00		CHQ191260	\$11,136.87	
221	17/12/2014 REV. GRAEME GARDNER DONATION "					-\$200.00		CHQ191261	\$10,936.87	
222	23/12/2014 PAVER CO SULLIVAN	\$120.00					1094900		\$11,056.87	
223	30/12/2014 PAVERS, WARIDURI, B.GEORGE, McDONALD, MILLS	\$330.00					1090248		\$11,386.87	
224	30/12/2014 PAVERS HINDMARSH	\$60.00					1094882		\$11,446.87	
225	31/12/2014 RCU INT	\$1.67					BSNK		\$11,448.54	
226	2/01/2014 PAVER, WILLS WILLIAMS	\$30.00					CASHTRB		\$11,478.54	
227	7/01/2015 PAVERS- WINDLE, STOKES SPEEDIERE	\$300.00					1094800		\$11,778.54	
228	14/01/2015 PAVERS LOLA YATES	\$60.00					1077779		\$11,838.54	
229	19/01/2015 PAVERS CULLEN HAWKIN	\$90.00					1077689		\$11,928.54	
230	21/01/2015 PAVERS TURNER COSTELLO CARBERRY	\$150.00					1077668		\$12,078.54	
231	28/01/2015 PAVER M. KAROTAM	\$30.00					1094745		\$12,108.54	
232	28/01/2015 PAVER LLOYD'S RILEY EDWARDS TURNER EVANS HINES	\$360.00					1094741		\$12,468.54	
233	28/01/2015 PLUS BAGS WB'S	\$56.00					1094741		\$12,524.54	
234	28/01/2015 PAVER CHARITY SHOP	\$60.00					IBANK TRANS		\$12,584.54	
235	2/02/2015 PAVER B McQUIGGIN	\$60.00					IBANK TRANS		\$12,644.54	
236	2/02/2015 PAVERS REF TO PAVERS LIST REF BANK DEP.	\$570.00					1096146		\$13,214.54	
237	2/02/2015 KANDOS HIGH SCHOOL MEETING PLACE					-\$1,000.00		CHQ 191262	\$12,214.54	
238	3/02/2015 PAVERS REF TO PAVERS LIST REF BANK DEP.	\$570.00					1096129		\$12,784.54	

	A	B	C	D	E	F	G	H	I	J	K
1		KANDOS COMMUNITY GROUP FOR CENENARY ACCOUNTS			29/01/2015						
2		ACCOUNT 55203			BALL						
3	DATE	DETAILS	INCOME	GALA BALL	IN/OUT	CASH	PAYMENT	RECEIPTS	CHO	BALANCE	
239	4/02/2015	PAVER SALE IGA KANDIS	\$400.00							\$13,184.54	
240										\$13,184.54	
241										\$13,184.54	
242		TOTAL TO DATE	\$29,459.65	\$18,810.00	-\$19,431.18	\$0.00	-\$15,653.93	\$13,184.54			
243		total paying guests		209							

ATTACHMENT 3

SECRETARY'S REPORT 2ND February 2015

Pamela O'Connor

Correspondence out:

- Letters of thanks with donations to Rev. Leigh Gardner and Rev. Greame Gardner of \$200.
- Letter sent to Colleen from Government House re the Governor's warm welcome to Kandos.
- Letter from Maritime Mining Power Credit Union (Reliance) informing us that there was no charge to our account for handling of a dishonoured cheque, dated 10th October 2014 of \$120 for pavers. This letter included the cheque informing us that In January, a new cheque was presented, covering the said pavers.
- I deposited \$60 into our account for Hindmarsh family pavers. Receipt No 1094882 on 30/12/14.
- I deposited \$30 into our account for Karotam family pavers. Receipt No 1094745 on 28/1/2014.

Correspondence in:

- *Letter from Sister Monica Sparks re thanks for lovely weekend.*
- *Three Emails received enquiring about Rocky Mountain Spirit book. No more sales to date.*
- *Email from Kate Power re finishing up before our last meeting.*
- *Income and Expenses sheet from Naida dated 13/10/14*
- *Email from Margot Palk thanking us for Julie Tierney's painting of the Kandos cement works.*
- *Email from Kate Power re: taking up statue accreditation with Art Committee.*

ATTACHMENT 4



(SJ: COR400076, A0310010)

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

14 January 2014

Cr E Martens
Chair, Kandos Centenary Working Party
"Morven Park"
6216 Castlereagh Highway
RUNNING STREAM NSW 2850

Dear Esme,

FINAL MEETING OF THE KANDOS CENTENARY WORKING PARTY

I am writing with reference to the Kandos Centenary Working Party and the process for its dissolution following the highly successful celebrations that were held in October.

The intention is that a report will be provided to Council in February recommending that the Kandos Centenary Working Party be dissolved.

I understand that the final meeting of the Committee is due to be held on Monday February 3rd, 2015. At this meeting it is important that there is a finalisation of the financial position of the Committee.

As such, I would like to recommend the following:

- Funds received by the Kandos Centenary Working Party from Council to underwrite the printing of the Kandos History book, Rocky Mountain Spirit, be returned to Council. This amounted to \$19,736.
- Any additional funds from book sales currently held by the Working Party. It is believed that this amounts to \$1,581.22
- Any remaining funds in the Working Party accounts be returned to Council to cover the cost of the laying of pavers and for the purchase of a sculpture. It is believed this will be in the vicinity of \$10,000.
- Council will therefore take on responsibility for the paver project and the sculpture project and will aim to complete these before the end of June 2015.
- Any bank accounts in the name of the Working Party should be closed and any correspondence or records relating to these and any other matters related to the Working Party should be returned to Council.

MID-WESTERN REGIONAL COUNCIL

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From this point, any other costs or income relating to the book should become the responsibility of the author.

Any other matters relating to the pavers, sculpture purchase or the Centenary should be referred to Council.

At the final meeting on 3rd February, it would be appropriate procedurally for there to be a formal motion to dissolve the Working Party.

On behalf of Council, I would like to thank the Committee for their passion and dedication in organising the Centenary celebrations.

Yours faithfully



BRAD CAM
GENERAL MANAGER

6.2.31 Mudgee Showground Management Committee

REPORT BY THE DIRECTOR, OPERATIONS TO 18 FEBRUARY 2015 COUNCIL MEETING
Report to Council - Mudgee Showgrounds - Minutes October 2014
GOV400038, F0650007

RECOMMENDATION

That the report by the Director, Operations on the Mudgee Showground Management Committee be received;

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Showground Management Committee ordinary bi-monthly meeting held on 7 October 2014. The Showground Management Committee receives an updated Works Request and Matters in Progress report together with updated financial details bi-monthly. A copy of the Matters in Progress are attached for Council information.

Detailed Report

Not applicable.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Not applicable.



DARYL COLWELL
DIRECTOR, OPERATIONS

10 December 2014

Attachments: 1. Minutes of the Mudgee Showground Management Committee Meeting
7 October 2014.

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

MUDGEES SHOWGROUND MANAGEMENT COMMITTEE MEETING — 7 OCTOBER 2014

Meeting Opened: 6.00 pm

Present: Cr John Webb, Daryl Colwell, Bill Robinson and Rick Field

Apologies: Dean Rheinberger and Russell Holden

Moved: Bill Robinson; Seconded: Daryl Colwell that their apologies be accepted.

Observer: Lesley Burgess (minute secretary)

Absent: Malcolm Swords and Georgie Caspar

Minutes of Augusts' Meeting – Accepted

Moved: Bill Robinson
2nd Daryl Colwell

Motion Carried

Cr John Webb welcomed Rick Field to the meeting. Rick is the new delegate for the Mid-Western Working Horse Association

Matters in Progress

- As per attached list.
- A quote of \$4,062.00 for fencing has been received from Graham Price Fencing. This amount has been approved for this year's budget and the fence will be erected to ensure safety of campers from the horses.
- A quote of \$60,000.00 has been received for a shade sail for the day yards. The showground's cannot justify this expense.

Correspondence

- Cr Webb went through the correspondence.

Financial Report

- Daryl Colwell reviewed the finance report. It was noted that an amount of \$15,000.00 has been misallocated to September's Contractors budget and will be rectified. The September deficit should be \$4,811.70 and \$22,294.68 year to date. The budgeted amount for the first year quarter is \$19,500.00 with an actual of \$22,294.68. We therefore need to be careful with our spending.

General Business

- A Riding for Disabled (RDA) delegate was discussed and it was agreed that a RDA representative is welcome to attend the meeting as an observer or guest to address any concerns that they may have. A letter to be sent to the RDA advising them of this decision. This will also eliminate the need to change our Business Plan.
- Signs to be erected at the showground stating that Council strongly recommends that horses be vaccinated. Daryl to look into the wording and to ascertain whether this sign will require a disclaimer.
- After reading through Council's "Smoke Free Outdoor Areas Policy" a motion was moved and no smoking signs will be placed at the entrances to the showground. These signs will be placed on the fence so that they are still visible when the gates are open.

Moved: Daryl Colwell
2nd Bill Robinson

Motion Carried

Meeting closed at: 6:50 pm

Next meeting to be held 9 December 2014

MATTERS IN PROGRESS

#	SUBJECT	MEETING DATE	ACTION	WHOM	PROGRESS
1.	A fence to be erected to enclose the camping area, mainly for safety reasons.	3/9/13		Andrew Drummond	Needs further discussion and consideration 5/11/13 Brad Cam to do costing. 8/4/14 Approved in next year's budget 7/10/2014 Quote received from Graham Price Fencing for \$4,062.00 fence to be erected
2.	The Pony Club is erecting an enclosure for garbage bins	3/9/13	Once erected, Ken to be given a key to lock the bins away	Pony Club	5/11/13 Enclosure still in progress
3.	Tap to be installed at the sheep pavilion for cleaning purposes	3/6/14		Daryl Colwell	Works Request BL0393/2014 7/10/2014 - Daryl to do costing.
4.	Strangles virus - More info needed: <ul style="list-style-type: none"> • quarantine period • cost of the vaccination. 	3/6/14		Daryl Colwell	Sign to be erected at the showground advising Council recommends that horses be vaccinated. 07/10/2014 - Daryl to look into the wording for the sign (disclaimer)
5.	Parking area behind Pony Club to be laid with roadbase	3/6/14		Daryl Colwell	Part of Saleyards Lane is to be closed; the bitumen currently on this road will need to be removed together with any roadbase. Daryl to investigate whether the roadbase from Saleyards Lane can be reused and utilised at the Showground.
6.	Advertising to be placed in caravan and camping magazines to promote our cheaper camping fees to the public.	5/8/14		Andrew Drummond	The fees for camping are still high 7/10/2014 - Daryl Colwell would like the camping fees reviewed again.
7.	The drainage at the sheep pavilion needs addressing as it is full of dirt and weeds. Lesley to do a works request.	5/8/2014		Andrew Drummond	BL0065/2015 created
8.	No smoking signs to be placed at the entrances to the showground	7/10/2014		Lesley Burgess	Signs have been ordered

6.2.32 Mudgee Sports Council

REPORT BY THE DIRECTOR, COMMUNITY TO 18 FEBRUARY COUNCIL MEETING

Mudgee Sports Council
GOV400043, A0100013

RECOMMENDATION

That:

1. **the report by the Director, Community on the Mudgee Sports Council be received;**
2. **That the minutes for the Mudgee Sports Council ordinary monthly meeting held on 23 November 2014 be noted.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Mudgee Sports Council Meetings held on 23 November 2014. The Sports Council receives an updated Works Request and Matters in Progress report together with updated financial details each month prior to their meeting.

There are no further matters arising that require consideration by Council at this time, noting that specific requests/recommendations are forwarded to Council under separate cover providing detailed information on requirements. Operational matters raised will be dealt with in due course when staff receives additional information.

Detailed report

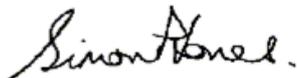
Not applicable.

Financial and Operational Plan implications

Not applicable.

Community Plan implications

Not applicable.



SIMON JONES
DIRECTOR, COMMUNITY

10 December 2014

Attachments: 1. Minutes of Mudgee Sports Council Ordinary Meeting 23 November 2014

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

**MUDGEES SPORTS COUNCIL MONTHLY MEETING
GLEN WILLOW NETBALL MEETING ROOM
23-11-2014 - 18:05**

Present: P.Mitchell, G. Robinson, K. Lang, M. O'Keefe, Craig Kurtz, R. Golden, G. Parker, Simon Jones(MWRC Staff Rep), M. Collins, Cr. John Weatherley (MWRC), D. Snyder.

Apologies: J. Johnson, G. Bartrim, A. Whale.

Moved M. Collins seconded C.Kurtz that apologies be accepted. **Carried.**

Minutes:

Previous minutes read as true and correct as amended after consultation with Brad Cam Re his report- R. Golden & M. OKeefe.

Business arising from previous minutes:

Nil.

Treasurer's Report:

- Sports Council funds as of 30/09/2014: \$6290.00
- \$4050 payments for Athlete financial assistance.
- **Moved** G. Robinson and seconded G. Parker that report as per MWRC Accounts Dept. be adopted. **Carried.**

Correspondence:

In: Various requests from schools for use of grounds during school hours.

New Work Requests:

- Fire Extinguisher at Victoria Park still empty.
- Fittings and connections on BBQ at Glen Willow to be checked.
- Check for sufficient water supply on amenities at Racecourse (Gabba) cricket grounds.
- Sprinkler holes on fields 5&6 at Glen Willow. After discussions with Brad (4/12/14) this is an ongoing problem due to ground movement and will continue to be a problem and will be attended to as required and requested.
- Sprinkler holes at West End. Inspection by Secretary (4/12/14) found no major problems (hope I didn't miss anything). However some sprinkler heads (noticed two) well below grass level, but as grass is thick no apparent problem when putting foot over sprinkler to test likely ankle injury. If Softball disagrees please let me know.

General Business:

- Contact Junior league re lines at Cahill Park.
- Handover of Glen Willow from Julian completed on 24th September.
- Any lighting options at Glen Willow will be tabled at Sports Council meeting
- January will be when the master plan at Glen Willow is enacted.
- Victoria Park Cycle track to be re-surfaced.
- New lights at Victoria Park now being costed. Additional funds to be sourced.
- AFL applied to use Jubilee in Jan-Feb. Approved unless ground work by Council is underway.
- Query about accessing to Glen Willow toilets by cricket teams.
- BBB should open doors. Cricket to check who has keys, perhaps need to order another from Council.
- Rugby Club notified Sports Council (3/12/14) of U-15 & U-17 trials at Jubilee on Saturday 1st February. Booked.
- AFL Black Swans notified Sports Council of booking for Jubilee Saturday 21st February. Booked.
- Apparently Jubilee out of action all of March & first week of April. **Simon could you confirm this please.**

Meeting closed 18.40

Next meeting Monday 2nd February 2015 6pm at Netball Clubhouse

6.2.33 Monthly statement of investments and bank balances as at 31 December 2014

REPORT BY THE MANAGER FINANCE TO 18 FEBRUARY 2015 COUNCIL MEETING

Investments and Bank balances.docx

GOV400038, FIN300053

RECOMMENDATION

That:

1. **the report by the Manager Finance on the Monthly statement of investments and bank balances as at 31 December 2014 be received;**
2. **the certification of the Responsible Accounting Officer be noted.**

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.

Detailed report

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

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

This report has been made up to the last day of the month preceding this meeting.

Financial and Operational Plan implications

Council requested a list of restricted cash balances (internally restricted and externally restricted) to clarify what makes up Council's cash at bank. This has been provided as attachment 3. It should be noted that there are timing issues which occur when money is received (income) as budgeted in the Operational Plan and when expenditure occurs, throughout the year. These timing issues can cause fluctuations in the cash balance. The budgeted unrestricted cash balance is not the difference between cash at bank and estimated restricted cash, because of these timing differences. For a full breakdown of unrestricted cash, restricted cash and fund balances Council should refer to the most recent Quarterly Budget Review.

Community Plan implications

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



LEONIE JOHNSON
MANAGER FINANCE

CLARE PHELAN
DIRECTOR, CORPORATE

23 January 2015

- Attachments:*
1. Monthly statement of bank balances and investments
 2. Schedule of MWRC investment policy requirements
 3. Restricted cash summary
 4. Monthly investment portfolio activity

APPROVED FOR SUBMISSION:



BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

For the month ended: 31-Dec-14

Bank Accounts	Opening Balance	Receipts	Payments	Closing Balance
National Australia Bank	\$ 777,512	\$ 8,137,454	\$ 7,088,849	\$ 1,826,116

The bank balance has been reconciled to the General Ledger as at 31/12/2014

Investments	Type	Amount \$'000	Yield %	Maturity Date	Term	Rating	Govt Rating
National Australia Bank	At Call	760	2.80%	N/A	At Call	A-1+	1
National Australia Bank	Term Deposit	1,000	3.55%	1/04/2015	182	A-1+	2
National Australia Bank	Term Deposit	1,000	3.58%	15/04/2015	175	A-1+	2
National Australia Bank	Term Deposit	1,500	3.52%	22/04/2015	140	A-1+	2
National Australia Bank	Term Deposit	1,000	3.55%	17/06/2015	189	A-1+	2
National Australia Bank	Term Deposit	1,000	3.65%	4/02/2015	189	A-1+	2
National Australia Bank	Term Deposit	2,000	3.65%	11/03/2015	189	A-1+	2
St George Bank	Term Deposit	1,250	3.70%	28/01/2015	189	A-1+	1
St George Bank	Term Deposit	500	3.50%	6/05/2015	182	A-1+	2
St George Bank	Term Deposit	1,700	3.70%	21/01/2015	189	A-1+	2
St George Bank	Term Deposit	1,500	3.65%	11/02/2015	189	A-1+	2
St George Bank	Term Deposit	1,000	3.55%	10/06/2015	189	A-1+	2
St George Bank	Term Deposit	1,500	3.50%	18/03/2015	173	A-1+	2
St George Bank	Term Deposit	1,400	3.58%	29/04/2015	181	A-1+	2
Commonwealth Bank	Term Deposit	1,400	3.50%	7/01/2015	189	A-1+	1
Bankwest	Term Deposit	2,000	3.45%	6/05/2015	180	A-1+	1
Bankwest	Term Deposit	2,000	3.45%	13/05/2015	182	A-1+	2
Bankwest	Term Deposit	2,000	3.45%	20/05/2015	182	A-1+	2
ANZ	Term Deposit	1,000	3.56%	3/06/2015	189	A-1	1
ANZ	Term Deposit	1,300	3.56%	3/06/2015	189	A-1	2
ANZ	Term Deposit	1,700	3.53%	14/01/2015	196	A-1	2
ANZ	Term Deposit	1,000	3.59%	8/04/2015	182	A-1	2
ANZ	Term Deposit	1,000	3.68%	4/03/2015	189	A-1	2
AMP	Term Deposit	1,500	3.50%	18/02/2015	195	A-1	1
AMP	Term Deposit	1,500	3.50%	25/02/2015	202	A-1	2
ING Australia Bank	Term Deposit	1,000	3.52%	24/06/2015	189	A-2	1
ING Australia Bank	Term Deposit	1,000	3.54%	25/02/2015	189	A-2	2
Bank of Queensland	Term Deposit	2,000	3.55%	27/05/2015	189	A-2	1
Bank of Queensland	Term Deposit	1,500	3.60%	10/06/2015	189	A-2	2
Peoples Choice C/Union	Term Deposit	1,100	3.50%	25/03/2015	175	A-2	1
Members Equity Bank	Term Deposit	1,000	3.48%	22/04/2015	175	A-2	1
Total Investments		41,110					

Financial Claims Scheme

- 1 Guaranteed to \$250,000
- 2 Not Covered

ATTACHMENT 2

MWRC Policy Requirements:

Investments by Institution	Long/Short Term Ratings	Amount \$'000	% of Portfolio	
			Actual	Policy Limit
National Australia Bank	AA/A-1+	\$ 8,260	20%	25%
Bankwest	AA/A-1+	\$ 6,000	15%	25%
St George Bank	AA/A-1+	\$ 8,850	22%	25%
Commonwealth Bank	AA/A-1+	\$ 1,400	3%	25%
ANZ	AA/A-1	\$ 6,000	15%	25%
AMP	A+/A-1	\$ 3,000	7%	15%
ING Australia Bank	A-/A-2	\$ 2,000	5%	10%
Bank of Queensland	A-/A-2	\$ 3,500	9%	10%
Members Equity Bank	BBB+/A-2	\$ 1,000	2%	10%
Peoples Choice C/Union	BBB+/A-2	\$ 1,100	3%	10%
		<u>\$ 41,110</u>	<u>100%</u>	

Investments by Rating	Rating*	Amount \$'000	% of Portfolio	
			Actual	Limit
Direct Securities	AA/A-1+	\$ 24,510	60%	100%
	AA/A-1	\$ 6,000	15%	100%
	A/A-1	\$ 3,000	7%	60%
	BBB/A-2	\$ 7,600	18%	20%
	BBB-/A-3	\$ -	0%	20%
	Unrated	\$ -	0%	20%
Managed Funds	AAA		0%	
	AA		0%	
	A		0%	
	BBB		0%	
	Unrated		0%	
		<u>\$ 41,110</u>	<u>100%</u>	

*Investments lower than AA/A-1 are restricted to licenced banks, credit unions and building societies

Term to Maturity	Amount	Actual	% of Portfolio		
			Minimum	Maximum	
Less than 1 year	\$ 41,110	100%	30%	100%	
Between 1 and 3 years	\$ -	0%	0%	70%	
Between 3 and 5 years	\$ -	0%	0%	50%	
More than 5 years	\$ -	0%	0%	25%	
	<u>\$ 41,110</u>	<u>100%</u>			

ATTACHMENT 3

Restricted Cash Summary (as at 30 September 2014*)	As at 31 Dec 2014* \$ '000	Est. at 30 June 2015 \$'000
Internal Reserves		
Employee Leave Entitlements	2258	2,295
Emergency	200	200
Land Development	544	361
Airport Development	(235)	(235)
Elections	165	195
Plant Replacement	38	765
Asset Replacement	927	1,108
Capital Program	573	410
Livestock Exchange	52	32
State Roads Warranty	395	200
Rylstone Community Services	6	6
Community Plan	313	33
Future Fund	100	200
Airline Support	-	-
External Reserves		
Waste Fund	2626	2,809
Sewer Fund	3288	2,314
Water Fund	1968	997
Community Services	77	77
Community Tenancy Scheme	64	64
Family Day Care	90	118
Bequest – Simpkins Park	96	96
Bequest – Kandos Museum	32	32
Community Transport Vehicle Replacement	79	79
Ulan Road Strategy	-	-
Total Reserves	13,656	12,156
Section 94		
Traffic Management	1194	1,214
Open Space	1457	1,569
Community Facilities	473	520
Administration	252	132
Civic Improvements	(5)	(5)
Car Parking	235	241
S94A Levies	376	391
Drainage	15	(240)
Section 64		
S64 Water	4087	703
S64 Sewer	1820	1,749
VPA	896	2,190
Total Developer Contributions	10,800	8,464
Other Restrictions		
Unspent Loans	-	-
Unspent Grants	755	317
Trust Deposits	867	867
Water Fund	3604	2,648
Sewer Fund	2740	1,921
Waste Management	5170	1,360
Total Other Restrictions	13,136	7,113
Total Restricted Cash	37,592	27,733

* As reported in the December QBR

ATTACHMENT 4

Monthly Investment Portfolio Activity:

The below table shows monthly investment activity within the portfolio including investments that have matured and have been redeemed or re-invested, and new investments placed.

Bank Accounts	Opening Balance \$'000	Redeemed Balance \$'000	Re-invested Balance \$'000	Change in interest rate	Change in Term (days)	New Term Rate
National Australia Bank	\$ 1,380	\$ 620	\$ 760	0.00%	At Call	2.80%
National Australia Bank	\$ 1,500	\$ -	\$ 1,500	-0.03%	49	3.52%
St George Bank	\$ 1,000	\$ -	\$ 1,000	-0.08%	14	3.55%
Bank of Queensland	\$ -	\$ -	\$ 1,500	New Deposit		3.60%
National Australia Bank	\$ 1,500	\$ 500	\$ 1,000	-0.10%	21	3.55%
Bankwest	\$ 1,000	\$ 1,000	\$ -	Redeemed		
ING Australia Bank	\$ 1,000	\$ -	\$ 1,000	-0.13%	7	3.52%
	\$ 7,380		\$ 6,760			
Net Portfolio Movement		-620 Reduction				

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 7: Urgent Business Without Notice