



****CONFIDENTIAL COPY****

Business Papers 2021

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 19 MAY 2021

*A prosperous and progressive
community we proudly call home*





PO BOX 156
MUDGEES NSW 2850

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

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

12 May 2021

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
19 MAY 2021
Public Forum at 5.30PM
Council Meeting commencing at conclusion of Public Forum

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

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

In order to comply with Government guidelines on social distancing, up to 25 members of the public will be permitted into the Council Chambers. Due to the cap on attendees, if there are more than 25 people, the last to arrive will not be permitted entry.

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

Yours faithfully

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

BRAD CAM
GENERAL MANAGER

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Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 21 April 2021

Council Decision:

That the Minutes of the Ordinary Meeting held on 21 April 2021 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are separately attached.

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Indoor Pool Feasibility Study	Res. 325/19 Ordinary Meeting 16/10/2019	That Council: 4. request that a further report be brought back to Council with an option to develop an indoor swimming facility at a new location in Mudgee.	To be reported to Council at a future meeting
Banner Poles Gulgong	Res. 308/19 Ordinary Meeting 16/10/2019	That Council modify the banner poles on the outskirts of Gulgong so that the banners are more stable and less likely to tear.	To be reported to Council at a future meeting
Cox Street Rail crossing	Res. 64/20 Ordinary Meeting 18/03/2020	Council investigate the re-opening of the crossing over the rail line on Cox St.	To be reported to Council at a future meeting
Investigation of garbage collection service at Queen's Pinch Waste Transfer Station	Res. 66/20 Ordinary Meeting 18/03/2020	Staff investigate the feasibility of replacing the Waste Transfer Station on Queen's Pinch Rd with a garbage collection service.	To be reported to Council at a future meeting
Purchase of Land Opportunity	Res. 126/21 Ordinary Meeting 21/04/2021	That Council: 1. note that the details around this property purchase are to remain confidential until the purchase is confirmed or until the opportunity passes, after which the details in this report will become available to the public	To be reported to Council at a future meeting
Section of Mebul Road to be Cleaned Up	347/20 Ordinary Meeting 18/11/2020	That a report be brought back to Council on the provision of additional maintenance to the area of road and roadside along the section of Mebul Road along the Cudgegong river at the old crusher site.	To be reported to Council at a future meeting

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Rural Road Inspection for Councillors

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 19 MAY 2021 ORDINARY MEETING
GOV400088,

MOTION

That Council organise a bus trip for Councillors to inspect the condition of rural unsealed roads in our region, in particular, Lower Piambong Road with a view of increasing the rural road maintenance funding in the management plan.

Background

Lower Piambong Road, as well as many other unsealed roads in our region, is currently in an atrocious state. Council needs to make sure there is enough funding allocated in the Management Plan to allow for more maintenance and gravelling of the unsealed roads in the region.

Officer's comments

A report to Council in August 2017 highlighted that funding for gravel grading and resheeting were below desirable levels.

Recently parts of Lower Piambong Road have been graded with the remainder of the road scheduled for completion over the next two weeks. Gravel resheeting of the road is scheduled for next financial year.

A section of 2km between Lesters Lane and Upper Piambong Road is also scheduled for seal extension work next financial year.

The condition of our gravel network has generally improved following several years of drought, however there are isolated roads such as Lower Piambong which are in poor condition.

Item 7: Office of the General Manager

7.1 MRT Quarterly Report: January to March 2021

REPORT BY THE GENERAL MANAGER

TO 19 MAY 2021 ORDINARY MEETING

GOV400088, F0770077

RECOMMENDATION

That Council receive the report by the General Manager on the MRT Quarterly Report January to March 2021.

Executive summary

As per the funding and performance agreement entered into in July 2017 between Mudgee Regional Tourism (MRT) and Council, MRT is required to report quarterly to Council on their performance.

Disclosure of Interest

Nil

Detailed report

The MRT report for the third quarter of the 20/21 financial year has been delivered to Council in accordance with the funding and performance agreement. The report is attached for Council's consideration.

Community Plan implications

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

Council Strategies

A key strategy in the Mid-Western Region Community Plan is to promote the Region as a great place to live, work, invest and visit. This strategy recognises the important role that tourism plays in building a strong local economy.

Council has a contract with MRT for the supply of tourism services within the Mid-Western Local Government Area. The term of this contract is for four years ending on 30 June 2021. Under this contract, MRT must provide quarterly reports to Council.

Council Policies

Not applicable.

Legislation

Not applicable.

Financial implications

This report is for information purposes only, as per Council's contractual arrangement with MRT. There are no additional financial implications.

Associated Risks

This report is for information purposes only, as per Council's contractual arrangement with MRT.

BRAD CAM
GENERAL MANAGER

4 May 2021

Attachments: 1. MRT Quarterly Report Q3 2020-21.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



2020-21 Quarterly Report

Q3: Jan to Mar 2021

prepared for

MID-WESTERN REGIONAL COUNCIL

PURPOSE

Mudgee Region Tourism (MRT) tables this report to the Mid-Western Regional Council (MWRC) as a requirement of the contract between MWRC and MRT 2017-22, an agreement subject to the following key performance indicators and as referenced in Appendix 1 of the Contract.

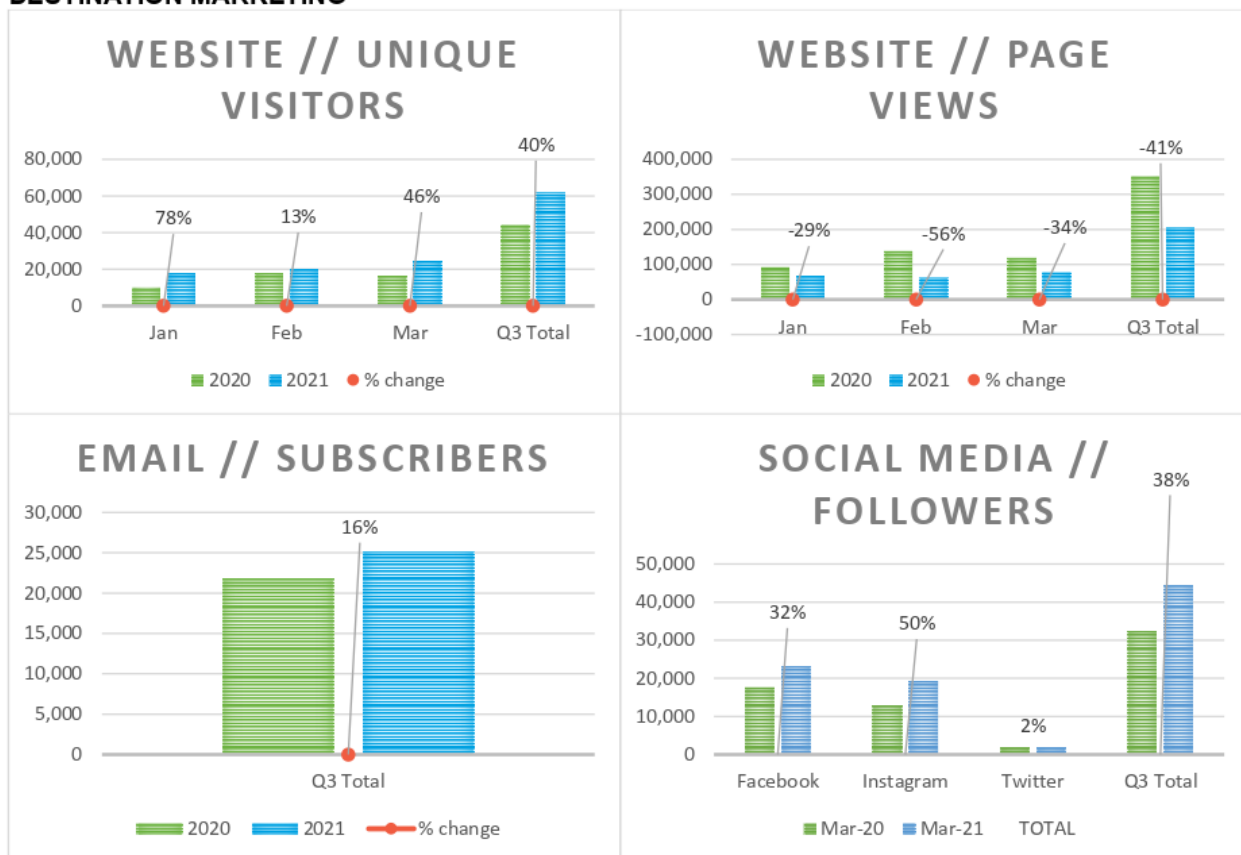
BOARD + EXECUTIVE TEAM

- Engaged VUCA to conduct MRT Governance Audit, Governance Audit recommendations received and Governance Training session for the board conducted
- Continued working with MWRC to refine retail and back office fit-out requirements at new art gallery/tourism hub space
- Probationary Performance Evaluations conducted for new team members
- Met with NRL Manly crew to discuss promotional and partnership opportunities ahead of May game
- Re-shared MRT’s Communications Strategy + Action Plan in light of Sydney COVID19 cluster in January
- Hosted quarterly events meeting with MRT, MWRC, MWA and MFF
- Strategic planning day, updating progress + identifying future actions required to implement DMP Prioritised Action Plan
- Finalised 2021-22 Partnership Prospectus
- Attended MWRC Stakeholder meeting regarding signage across the region
- Attended Destination Australia 2021 Conference virtually
- Nominated Mudgee Region, supported by MWRC, for the Top Tourism Town Awards – submission due 26 April
- Commenced liquor licence process to change MRT’s registered premises to 90 Market Street (when applicable)
- Hosted MRT stall at Fermenta Festival (unfortunately rained out with picnic event ultimately cancelled)

GRANTS + FUNDING

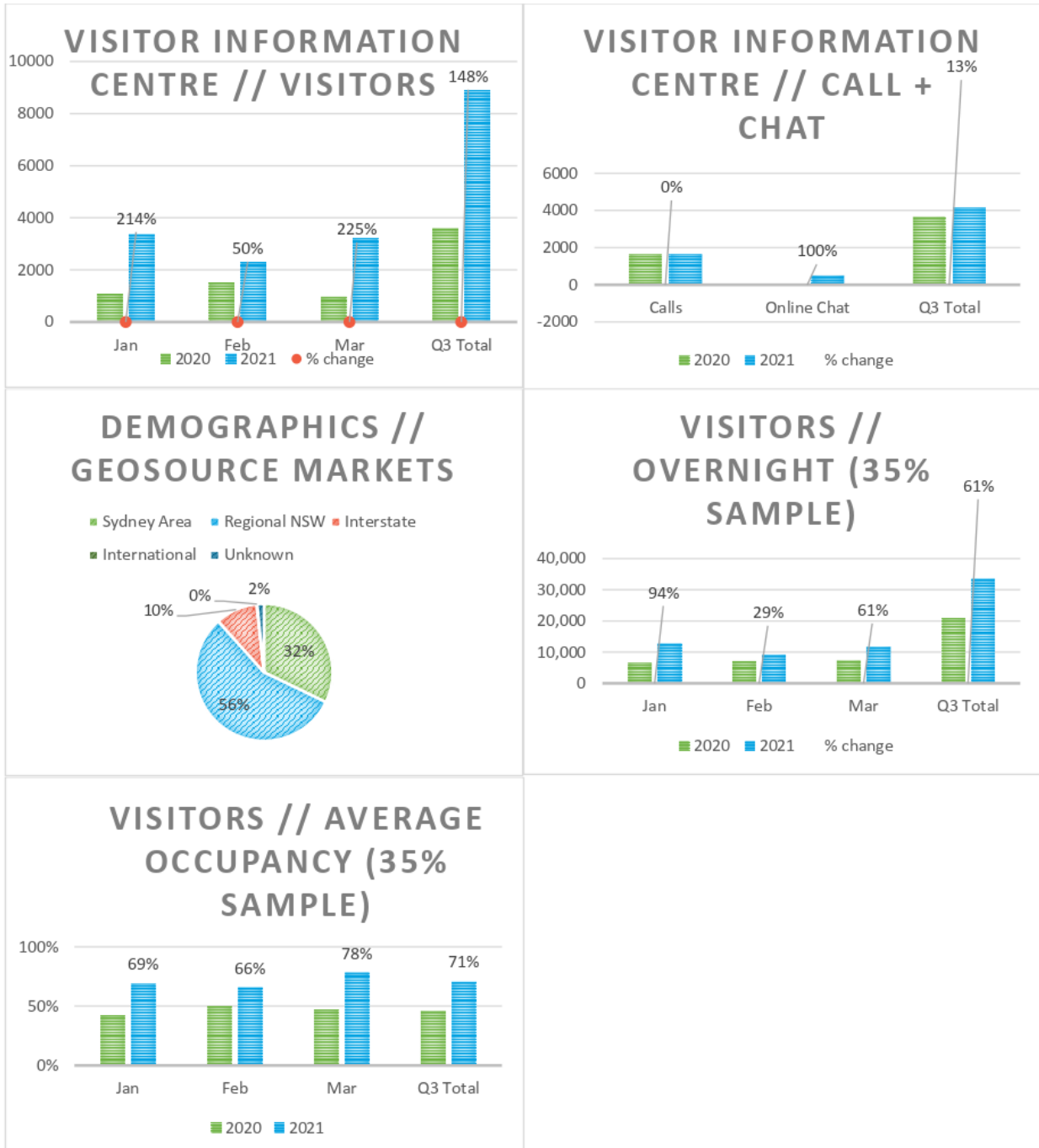
- Destination Network Country + Outback (DNCO) Regional Tourism Bushfire Recovery (RTBR) Grant // completed event video ‘vox pops’ with Brightworks + marketing plan in place to support the promotion of participating events
- Building Better Regions Fund (BBRF) application submitted for the development of three strategic plans (Tourism School of Excellence, Industry Engagement and Wellness Sector). Successful applicants to be announced mid-2021

DESTINATION MARKETING



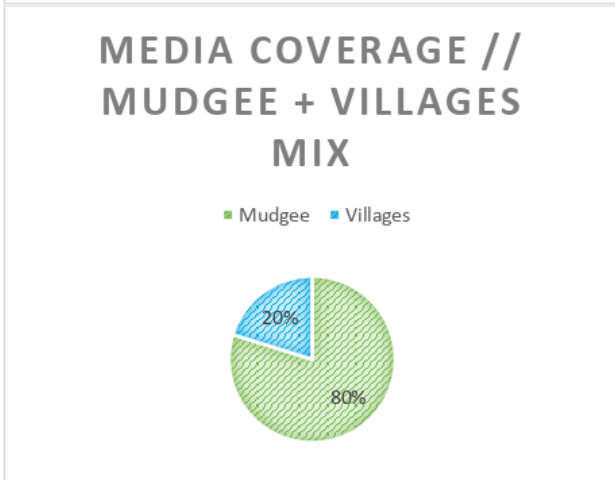
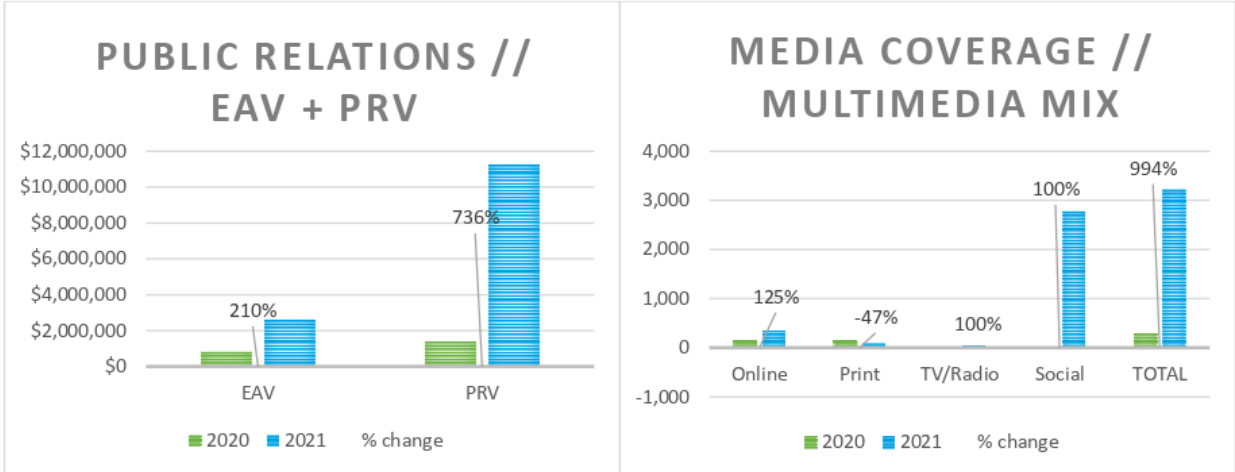
- Unique website visitation up (40%) + page views down (41%) due to an easier navigation platform on the new site (reducing time spent searching for information on multiple pages)
- Email subscribers up (16%), Social Media followers up (38%)
- Promotional activity via communications plan, media outreach + hosting, EDM campaign, social media strategy and print collateral distribution
- Remaining Feel the Love TVC went to air across WIN media network
- Gulgong Gold Cup – reached out to coordinate promotion
- FlyPelican meeting confirmed to establish promotional opportunities to increase leisure market uptake

VISITOR STATISTICS



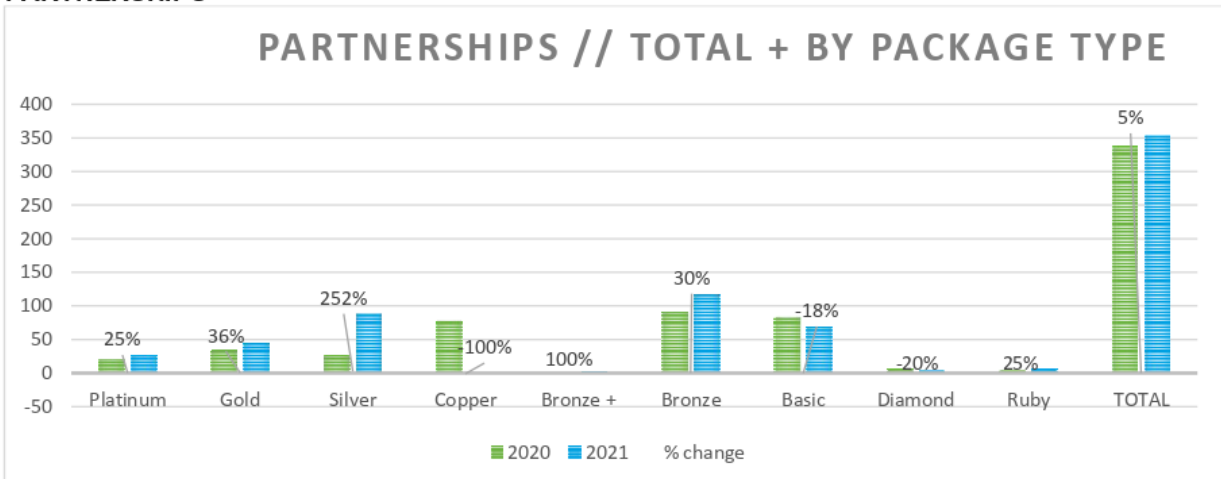
- VIC visitors up (148%), call + online chat (with chat introduced mid-2020) up 13%
- Regional NSW strongest geo-source market (56%) followed by Sydney Region (32%)
- Overnight visitors up (61%)
- Average occupancy up (53%), Q3 average occupancy 71%

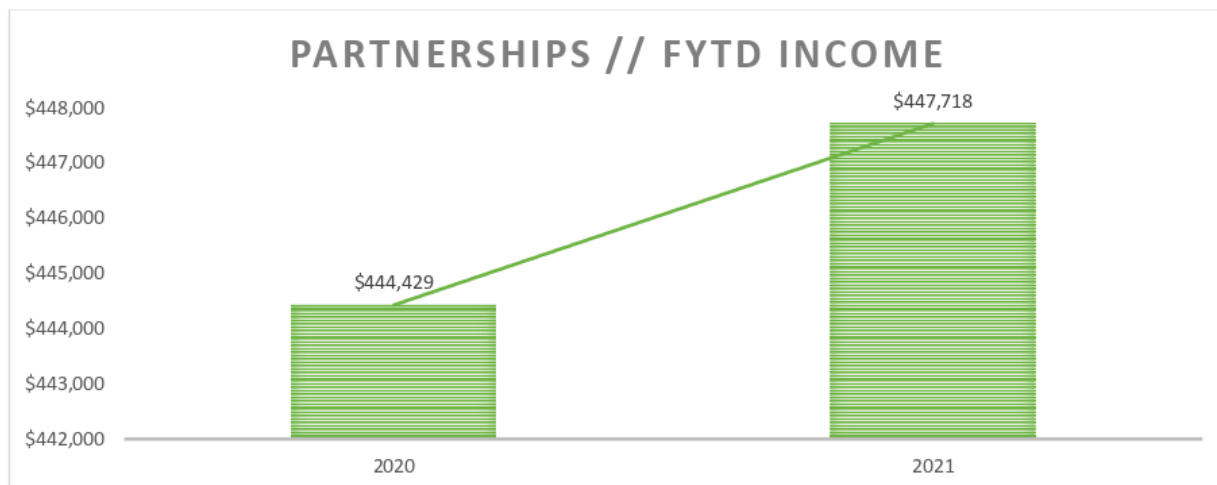
PUBLIC RELATIONS // MEDIA COVERAGE



- For access to media coverage/articles, click [here](#) to access our digital press room
- High value media coverage in Q3 with both Estimated Advertising Value (EAV) and Public Relations Value (PRV) up exponentially (210% and 736% respectively)
- Total articles up (994%); noting articles in 2020 were down significantly due to drought, bushfires and COVID19
- 20% of media coverage included reference to villages outside of Mudgee, exceeding target of 15%

PARTNERSHIPS





- Total partnership packages up (5%)
- Partnership income up (1%) - Note: FY21 reduced partnership package fees to support the local industry during COVID19 crisis
- Note: Copper packages were not offered in FY21 and Bronze Plus packages were introduced

2020-25 DESTINATION MANAGEMENT PLAN GOALS + ACTIVITY

Goal	Measurable Objectives (over the period 2020 to 2025)	Progress or action taken, as at Mar-21
A. Leverage existing visitor markets to encourage increased length of stay and yield	Increase the visitor economy spend by 20% or 200,000 visitor nights	30% increase in overnight visitation FYTD on previous year
B. Encourage greater regional disbursement to share the benefits of tourism across the entire Mudgee Region	Increase in participation in events and tickets sales at museums and attractions by 10% in centres such as Gulgong, Kandos and Rylstone	Due to COVID19 restrictions, event and attraction ticket sales are down FYTD (34%). However, with restrictions easing and consumer confidence returning, ticket sales are on the increase – up 911% in Mar-21 from Feb-21
C. Strengthen the appeal of the region year-round to contribute to the viability of local businesses and to support vibrant communities	Increase in positive sentiment achieved as measured by an analysis of social media and online media sentiment Increase in digital content delivered for multichannel distribution relating to low and shoulder seasons	Due to COVID19, a sentiment report was not completed in 2020. A sentiment report is planned for 2021. MRT are aiming to increase positive sentiment from 2019 baseline NPS (Net Promoter Score) of 50. Note: Mudgee Region's NPS rating in 2019 was already significantly higher than competitors (Orange Region = 40, Margaret River = 38, Hunter Valley = 29, Shoalhaven = 25, Southern Highlands = 23). 8 new event vox pop videos created by MRT, funded by successful grant application (DNCO RTBR) promoting Cementa in Kandos, Southern Cross Kayaking in Rylstone/Ganguddy, Mudgee Farmers Markets in Mudgee, MudgeeQue in Mudgee, Prince of Wales Opera House in Gulgong, Food & Drink Trail in Mudgee, Henry Lawson Festival in Gulgong and Rylstone StreetFeast in Rylstone
D. Focus on higher-yield markets by enriching the experience offer	Increase in the number of higher-yield products, tours and experiences listed on the Australian Tourism Data	MRT launched a new destination website in Oct 2020. The new platform requires Bronze members and above to be listed on ATDW so

	Warehouse (ATDW) and on online booking platforms	content can be managed by the business owner and pulled through automatically to visitmudgeeregion.com.au. This project increased ATDW listings significantly (180% - baseline 80). 224 local businesses are now listed on ATDW. MRT will continue to work with local industry to increase our region's digital presence
E. Enhance collaboration and partnerships to support the visitor economy	Increase partnership engagement and resulting financial contribution to MRT by 10%	5% increase in partnership packages + 5% increase in financial contribution FYTD

FINANCIAL PERFORMANCE

1. Nature of Report

- a. This is the financial report for the third quarter of the MRTI 2020–21 financial year, given to Mid-Western Regional Council (MWRC) under the reporting format as agreed under the contract executed between MWRC and MRTI.
- b. The report demonstrates the preliminary trading result for the financial quarter ended March 31st, 2021.

2. Accounting Conventions

- a. The attached P&L and Balance Sheet have been prepared from the Xero General Ledger with no external intervention other than formatting.
- b. Accrual accounting is used under GAAP.

Overall Result

- a. Operating Profit/Net Income \$308K, \$58K ahead of budget.

3. Trading Income

Retail trading income at end Q3 \$162K, \$16K ahead of budget.

4. Total Income

Overall revenue \$26K ahead of budget.

Gross Profit \$14K ahead of budget.

5. Total Expenses

Total expenses under budget \$44K.

- a. The organisation continues to be under financial control.

6. Cash Funds

At the end of Q3 of the 2020–21 Financial Year, Cash on Hand is the primary current asset \$340K (primarily due to MWRC contract payment upfront to support deferred payment plan option for partners due to COVID-19).

7. Balance Sheet

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

CONSOLIDATED – MARCH YTD VS BUDGET YTD

PROFIT & LOSS	2020/2021 (YTD)	Budget	Budget Variance (\$)	Budget Variance (%)
Revenue				
Retail Sales	\$161,659	\$145,654	\$16,005	10.99%
Ticket and Booking Income	\$3,399	\$1,002	\$2,397	239.26%
Partnership Income	\$447,718	\$440,501	\$7,217	1.64%
Mid Western Regional Council	\$632,763	\$632,763	\$0	0.00%
Grants & Other Income	\$141,500	\$141,500	\$0	0.00%
Total Revenue	\$1,387,039	\$1,361,420	\$25,619	1.88%
Cost of Sales				
COGS Mudgee	\$110,975	\$101,585	\$9,390	9.24%
COGS Partnership	\$7,088	\$4,858	\$2,230	45.90%
COGS Ticketing	\$401	\$300	\$101	33.81%
Total Cost of Sales	\$118,465	\$106,743	\$11,722	10.98%
Gross Profit	\$1,268,574	\$1,254,677	\$13,897	1.11%
Expenses				
Bank and Professional / Consultant Fe...	\$25,128	\$24,584	\$544	2.21%
Computer & IT Expenses	\$11,747	\$16,725	-\$4,978	-29.76%
Depreciation	\$12,100	\$14,535	-\$2,435	-16.75%
Partner Costs	\$20,246	\$19,362	\$884	4.57%
Operating Costs	\$33,582	\$35,370	-\$1,788	-5.06%
Regional Marketing	\$145,720	\$150,696	-\$4,976	-3.30%
Staff & Board Costs (not Salaries & W...	\$22,570	\$24,670	-\$2,100	-8.51%
Staff Wages & Salaries	\$492,520	\$507,496	-\$14,976	-2.95%
Magazine and Map	\$197,713	\$211,339	-\$13,626	-6.45%
Suspense	-\$365	\$0	-\$365	-
Total Expenses	\$960,961	\$1,004,777	-\$43,816	-4.36%
Operating Profit	\$307,614	\$249,900	\$57,714	23.09%
Net Income	\$307,614	\$249,900	\$57,714	23.09%

BALANCE SHEET – MARCH 2021

BALANCE SHEET		Mar 2021
ASSETS		
Cash & Equivalents		
Visa Debit Cards		\$3,296
NAB 14-080-1731		\$335,899
NAB Savings Acc		\$540
Total Cash & Equivalents		\$339,735
Accounts Receivable		
Trade Debtors		\$6,183
Trade Debtors - Sub Account		-\$2,195
Total Accounts Receivable		\$3,988
Inventory		
Stock On Hand Mudgee		\$17,582
Other Current Assets		
ING Management Account		\$7
Float		\$200
Undeposited Funds		-\$2,671
Retail POS System Clearing Account		\$1,862
Membership Fees Clearing Account		\$22,614
Prepayments [13505]		\$14,879
123Tix Ticket Sales		-\$179
Total Other Current Assets		\$36,713
Total Current Assets		\$398,018
Fixed Assets		
Accum Depn M V		-\$23,919
Plant & Equipment		\$45,578
Accum Dep - P&E		-\$16,980
Accum Dep - Intangible Assets		-\$44,952
Total Fixed Assets		-\$40,273
Investments or Other NCAs		
Motor Vehicle		\$53,227
Web update		\$91,836
Total Investments or Other NCAs		\$145,063
Total Non-Current Assets		\$104,790
Total Assets		\$502,808
LIABILITIES		
Accounts Payable		
Trade Creditors		\$3,508
Tax Liability		
PAYG Withholding Tax		\$12,630
Other Current Liabilities		
GST		-\$6,014
Superannuation Payable		\$4,223
Conversion clearing account		\$56
Total Other Current Liabilities		-\$1,726
Total Current Liabilities		\$14,412
Other Non-Current Liabilities		
Accruals		\$46,668
Chattel Mtg Liability(current)		\$21,915
UnExp Int-Chattel Mtg Current		-\$1,173
Rounding Adj Account		\$4
Provision for Holiday Pay [25600]		\$34,462
Provision for LSL [25602]		\$19,613
FBT Instalment acc		-\$1,521
2020/2021 CC Surcharge		\$5
2020/2021 Additional Advertising		\$325
Seat Advisor EFT		-\$240
Countrylink Tickets		-\$205
Total Other Non-Current Liabilities		\$119,854
Total Non-Current Liabilities		\$119,854
Total Liabilities		\$134,266
EQUITY		
Retained Earnings		
Retained Earnings		\$60,928
Current Earnings		
Current Year Earnings		\$307,614
Total Equity		\$368,542
Total Liabilities & Equity		\$502,808

Item 8: Development

8.1 DA0204/2021 - Function Centre, Amenities Building and Change of Use to Bed and Breakfast Accommodation - 345 Spring Flat Road, Spring Flat

REPORT BY THE PLANNING COORDINATOR

TO 19 MAY 2021 ORDINARY MEETING
 GOV400088, DA0204/2021

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator on DA0204/2021 - Function Centre, Amenities Building and Change of Use to Bed and Breakfast Accommodation at 345 Spring Flat Road, Spring Flat;**
- B. approve DA0204/2021 - Function Centre, Amenities Building and Change of Use to Bed and Breakfast Accommodation at 345 Spring Flat Road, Spring Flat, subject to the following conditions and Statement of Reasons:**

CONDITIONS

Approved plans

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

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Sheet No:	Date [dd.mm.yyyy]:	Prepared by:
Overall Site Plan	35146-A01	B	Sheet 2 of 5	14.12.2020	Barnson
Part Site Plan	35146-A02	B	Sheet 3 of 5	14.12.2020	Barnson
Tent Floor Plan & Elevation	35146-A03	B	Sheet 4 of 4	14.12.2020	Barnson
Amenities Floor Plan & Elevations	35146-A04	B	Sheet 5 of 5	14.12.2020	Barnson
Proposed Floor Layout	1132-A1	A		19/03/2021	On Point Building Design

Plan of Management	-	-	-	-	AGSR Escapes T/A Yurali House Mudgee
Traffic Impact Assessment Report	35146-TIA01_0	-	-	15.03.2021	Barnson
Visual Impact Assessment	35145-VIA01_A	-	-	6/03/2021	Barnson
Noise Impact Assessment	MAC211298-01RP1D1	-	-	March 2021	Muller Acoustic Consulting

2. This development consent does not include approval for any signage for the approved development. A separate Development Consent or Complying Development Certificate may be required for signage, if the signage is not exempt development.
3. This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifier.
4. For clarity, this development consent provides approval for a function centre, amenities building and change of use to Bed and Breakfast Accommodation which is limited to three (3) bedrooms of the dwelling only.
5. This development consent limits the function centre operations to the following:
 - A maximum of 60 functions per year.
 - A maximum of 120 guests at any one function.
 - All amplified music is to cease at 11.00pm for an event held on Friday or Saturday.
 - All amplified music is to cease at 10.00pm for each event held Monday to Thursday, and also Sunday.
 - All event guests are required to vacate the premises at 12midnight.
 - All music and speaker systems are restricted to operate within the marquees only.
 - The marquees are to be enclosed during the evening and night periods (6pm to 12midnight) on the north-eastern and western facing facades during each event.
 - No outdoor events or activities are permitted to occur on the site in conjunction with any function held within the marquees.
 - Where there is no event scheduled to occur within 28 days of the previous event, the marquees are to be disassembled.
 - During each event, an event manager is required to be onsite at all times and shall be responsible for event coordination, security, emergencies and to ensure compliance with the operational conditions of consent at all times.

GENERAL

6. In recognition that an unreliable reticulated water supply exists, a 20,000 litre dedicated water supply tank (non-flammable) shall be provided on the site. An RFS standard 65mm metal Storz outlet with a ball valve shall be provided.

7. Under Section 138 of the *Roads Act 1993*, should any work on the verge, footpath, public road reserve, or public reserve (open space) be required, an approval in accordance with Section 138 of the *Roads Act 1993* will need to be obtained from Council. In this regard, the applicant is to make a formal application to Council for the installation of warning signage within the road reserve. The Section 138 application is to be submitted to, and approved by Council, prior to works commencing within the road reserve.

NOTE: The existing crossover does not comply with sight distance requirements 100km/hr design speed. Therefore, to improve the sight distance requirement, the applicant must install "Slow Down Driveway Ahead" (W2-207 Guide Signage for Eastbound Vehicles) Signage.

8. No native vegetation clearing is authorised by this development consent.
9. The development is to be managed in accordance with the mitigation methods contained within the Visual Impact Assessment dated 6/03/2021 and the following requirements:
- Building materials are to be selected to reduce colour contrast and blend new and existing structures into the surrounding landscape; and
 - The existing vegetation established on the site are to be retained and supplementary planting incorporated with use of endemic flora species which integrate with the existing landscape character.
10. The development must be managed in accordance with the recommendations of the Noise Impact Assessment dated March 2021 at all times which is to include:
- Appropriately managing noisy patrons during functions at the project site;
 - All amplified music would be situated within the pavilions/marquees;
 - The marquees should be fitted with removable panels made from weatherproof fabric and loaded vinyl (2mm Sonicclear curtain or equivalent). These panels should be utilised during the evening and night periods (6pm to 12am) on the north-eastern and western facing facades to minimise noise transmission to sensitive receivers during noise enhancing conditions; and
 - Amplified music will only consist of DJ, trio/duet or medium level amplified music (i.e. ipod music and speakers). Larger band (i.e. rock bands) are not recommended for the project.

PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

11. Prior to the issue of a Construction Certificate, the developer shall pay a long service levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$25,000 or more.

Note - The amount payable is currently based on 0.35% of the cost of work. This is a State Government Levy and is subject to change.

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

12. Prior to release of the Construction Certificate, approval pursuant to Section 68 of the *Local Government Act 1993* for the installation of an On Site Sewer Management System is to be obtained from Council.
13. Details of compliance with the National Construction Code (Building Code of Australia) shall be provided to the Certifying Authority prior to the issue of a Construction Certificate.
14. The function centre and demountable toilet as well as the accessible paths of travel to those amenities from the carpark shall comply with Part D3 of the BCA and Australian Standard *AS1428.1-2009 Design for Access and Mobility Part 1: General Requirement for access – New building work*. In this regard, details of compliance shall be provided to the Certifying Authority prior to the issue of a Construction Certificate.
15. Prior to issue of the Construction Certificate, details of the marquees provided with removable panels made from weatherproof fabric and loaded vinyl (2mm Sonicclear curtain or equivalent) as recommended by the Noise Impact Assessment dated March 2021 is to be provided to the Certifying Authority.
16. Prior to issue of the Construction Certificate, details of the marquees demonstrating compliance with the Visual Impact Assessment dated 6/03/2021 and containing only colours to blend the structures into the rural landscape is to be provided to the Certifying Authority.
17. In accordance with the provisions of Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *Mid-Western Regional Contributions Plan 2019*, a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of local infrastructure, prior to issue of a Construction Certificate.

The value of works is to be calculated in accordance with Section 2.9.3 and the procedure outlined in Section 4.3 of the Contributions Plan. A report regarding value of works and any necessary certification is to be submitted to Council. Council will calculate and advise of the levy amount following submission of the documents.

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

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

PRIOR TO COMMENCEMENT OF WORKS – BUILDING

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

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

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

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

20. A sign must be erected in a prominent position on any work site on which 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.
21. If the work involved in the erection/demolition of the building;
- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b) building involves the enclosure of a public place
- A hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
22. The development site is to be managed for the entirety of work in the following manner:
1. Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 2. Appropriate dust control measures;
 3. Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 4. Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

BUILDING CONSTRUCTION

23. 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.
24. In the event of any Aboriginal archaeological material being discovered during construction works, all work in that area shall cease immediately and Heritage NSW notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the Heritage NSW.

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

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

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

26. 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.
27. Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
28. Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.
29. A total of 42 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 and must be sealed and signed and line marked;
 - Line marking, wheel stop and signage has to be installed as per the relevant Australian Standard;
 - Car parking spaces are to be provided with a hard standing all weather compacted gravel surface and must be maintained in a satisfactory condition at all times.
30. 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.
31. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.
32. 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

33. **No construction work noise is permitted on Sundays or Public Holidays.**
34. **All mandatory inspections required by the *Environmental Planning & Assessment Act 1979* and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.**
35. **All stormwater is to discharge a minimum 3m from the building and disposed of in such a way as to not adversely affect the adjoining properties.**
36. **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.**
37. **All building work is to comply with the requirements of the Access to Premises Standard.**
38. **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 ISSUE OF THE OCCUPATION CERTIFICATE

39. **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.**
40. **Prior to occupation or the issue of the Occupation Certificate, the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate (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.**
41. **Prior to the issue of an Occupation Certificate, pursuant to Clause 93 of the *Environmental Planning and Assessment Regulations 2000*, the Bed and Breakfast Accommodation is to be brought into conformity with the Category 1 fire safety provisions as are applicable to the buildings use. In this regard, the building shall comply with;**
 - a) **Performance Requirement P2.3.2 'Fire Detection and early warning' of BCA, Volume 2.**
 - b) **Performance requirement EP2.2 of BCA Volume 1.**
42. **Prior to issue of an Occupation Certificate, an Operational Management Plan for the development is to be prepared and submitted to Council for approval. The Plan shall also include Bushfire and Emergency Management details, ensuring that no events are held during high and catastrophic bushfire danger periods.**
43. **All car parking and associated driveway works are to be completed prior to occupation of the development.**

44. Prior to the issue of an Occupation Certificate, an Approval to Operate the On-Site Sewage Management System granted under Section 68 of the *Local Government Act 1993* is to be obtained.
45. Prior to issue of an Occupation Certificate, the installation of roadside warning signage is required to be completed in accordance with the Section 138 approval of Council.
46. Prior to issue of an Occupation Certificate, the developer is required to prepare a Bushfire and Emergency Management Plan and this plan must ensure that no events are held during high and catastrophic bushfire danger periods.
47. Prior to issue of an Occupation Certificate, the 20,000 litre dedicated water supply tank (non-flammable) with an RFS standard 65mm metal Storz outlet and ball valve shall be provided on the site.

ONGOING USE

48. 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.
49. 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.
50. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.
51. All loading and unloading in connection with the premises shall be carried out wholly within the site.
52. 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".
53. 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.
54. The developer must provide for independent noise monitoring to be undertaken during each function held on the site. In the event of a complaint being received, the noise monitoring data shall be provided to Council and Muller Acoustic Consulting (or another preferred acoustic consultant at no cost to Council) to verify that there has been no breach of noise control requirements imposed by this consent and the recommendations of the Noise Impact Assessment dated March 2021.
55. The Bed and Breakfast Accommodation approved under this consent is limited to the use of three (3) bedrooms of the dwelling-house only. The additional bedroom / media room / study is to be utilised by the permanent resident of the dwelling only.

56. **The Bed and Breakfast Accommodation is to be used for temporary or short-term accommodation only in association with the use of the dwelling by the permanent residents.**
57. **The developer is required to maintain a guest register for the Bed and Breakfast Accommodation. The register must record all stays including guest numbers, contact information and the duration of each stay for the life of the development. The register must be made available to Council at any time on request.**
58. **All waste generated by the development is to be disposed of to an appropriately licenced waste facility. Local Transfer Stations are not to be utilised for waste disposal by this development at any time. All fees and charges for disposal are to be borne by the developer.**
59. **The development is to be maintained in a clean and tidy manner, at all times.**
60. **Event or function centre guests are not to trespass on to adjoining private property.**
61. **No fireworks are authorised to occur in conjunction with any event held on the site.**
62. **The development must operate in accordance with the approved Operational Management Plan at all times.**
63. **In the event of any complaints being lodged relating to the site or its operations, a complaints register must be kept by the developer clearly recording all relevant information and reasons for the complaint. The log book must be made available to Council at any time on request.**

The complaints log book is to record the following information:

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

ADVISORY NOTES

1. **The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".**
2. **The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.**
3. **Division 8.2 of the *Environmental Planning and Assessment Act* (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 12 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Development Department for more information or advice.**
4. **If you are dissatisfied with this decision section 8.7 of the EP&A Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice, pursuant to section 8.10(1)(b).**

5. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.
6. The development is to operate so as to not emit offensive noise, as defined in the Protection of the *Environment Operations Act 1997*.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning & Assessment Act 1979.
3. The proposed development satisfactorily addresses the issues raised in objections received in response to public notification of the development, as follows:
 - (a) The traffic and parking impacts of the development are acceptable.
 - (b) Vehicle access into and out of the site is acceptable.
 - (c) Sufficient detail has been provided to enable an assessment of the application.
 - (d) The proposed development will not have an adverse impact on the visual amenity of the area, subject to conditions.
 - (e) The proposed development will not have an adverse noise impact, subject to conditions.
 - (f) The proposed development is suitable for the site.
 - (g) The proposed development will not have an adverse economic impact.

Executive summary

OWNER/S	Mr Samuel J Reece & Ms Amy L Goble
APPLICANT	Mr Sam Reece C/- Barnson Pty Ltd
PROPERTY DESCRIPTION	345 Spring Flat Road, Spring Flat Lot 6 DP 756894
PROPOSED DEVELOPMENT	Function Centre, Amenities Building and Change of Use to Bed and Breakfast Accommodation
ESTIMATED COST OF DEVELOPMENT	\$50,000
REASON FOR REPORTING TO COUNCIL	Seven (7) submissions were received during the public notification period
PUBLIC SUBMISSIONS	Seven (7)

Council is in receipt of Development Application DA0204/2021 that seeks approval for a Function Centre with Amenities Building and Change of Use to Bed and Breakfast Accommodation, to be located at 345 Spring Flat Road SPRING FLAT NSW 2850, Lot 6 DP 756894, received by Council on 6 January 2021.

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 3 February 2021. During the notification period, 7 submissions were received. A further information request was subsequently issued and this resulted in the applicant modifying the development to include a change of use to the existing dwelling to also include bed and breakfast accommodation. The application was renotified accordingly with no additional submissions received.

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

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

The application is recommended for Approval.

Disclosure of Interest

Nil.

Detailed report

SUBJECT SITE

The subject site (Lot 6) is located on the northern side of Spring Flat Road and has an area of 12.95 hectares.

The site contains an existing dwelling and associated outbuildings, two dams and scattered vegetation throughout. 345 Spring Flat Road, encompasses two (2) lots being Lot 5 and Lot 6 DP 756894, however all works relating to this application are proposed within a cleared area of land within Lot 6 only. Refer to Figure 1 below.



Figure 1: Site Plan

PROPOSED DEVELOPMENT

The proposal will consist of the erection of two semi-permanent marquee structures (74m² and 194m²) to be used as a 'function centre' for weddings and events, and proposed to be limited to

150 seats. In addition, an amenities block (supported by a new onsite system of sewerage management) shall be provided to support the function centre along with establishment of a car parking area with 42 available spaces, 1 being a disabled space in accordance with AS1428. The carpark is proposed to be gravel with the exception of the disabled parking space. No signage is proposed as part of this application.

To complement the function centre land use, the proposal was amended during the assessment process to include the change of use of the existing dwelling located on the site to be used as bed and breakfast accommodation. The change of use will consist of 3 guest rooms associated with the bed and breakfast in accordance with the Mid-Western Regional Local Environmental Plan 2012 requirements. Plans of the development are provided within Attachment 1.

Operational elements proposed include:

- All events are proposed to finish at 11:30pm with music no later than 11:00pm and all patrons to be off the property by 12:00am.
- No food preparation carried out on the site. All events shall be fully catered by businesses with the food being made off-site.
- Temporary staff shall be employed for each event, consisting of wait and bar staff, as required by each event and the catering company.
- Temporary lights for each event, which is usually driven by the person booking the event (i.e. flood lights, lanterns, festoon lighting etc.).
- Use of the existing dwelling located on the site as bed and breakfast accommodation, consisting of three guest rooms and one main bedroom for the permanent residents.
- The owners shall reside in the dwelling within the main bedroom. The other three bedrooms shall be provided to guests, with a maximum occupancy of 6 at any one time.

Following the public exhibition period (and prior to submission of the further information request for a Traffic Assessment, Visual Impact Assessment and Noise Impact Assessment made by Council), the applicant made the following operational suggestions for the function centre to alleviate concerns raised by the submissions (refer to copy provided within Attachment 7):

- Venue owners propose that any amplified sound e.g. microphones/ speakers be restricted to inside the function centre only after 9pm and are not used elsewhere on the property.
- Venue owners propose that the function centre is enclosed (e.g. all sides/ doors closed) from 9pm to significantly restrict noise travel.
- Venue owners will recommend to all event hosts that local transport is provided for event guest's e.g. local mini bus/coach to transport guests to and from the venue. This will reduce noise impact & mitigate traffic concerns detailed below.
- Venue owners propose reducing the number of events per year from 100 to 60 to help mitigate the noise concern.
- Venue owners propose reducing the number of guests attending each event from 150 to 120 to help mitigate the noise concern.
- All music is to finish by 11pm.
- Venue owners are based permanently in Mudgee and will reside at the property. Venue owners and will be available and contactable at all times during an event.
- Venue owners or a dedicated events manager (to be hired by venue owners if required) will be in attendance and managing all events.

Conditions have been imposed accordingly.

LEGISLATIVE REQUIREMENTS

Environmental Planning and Assessment Act 1979

Designated Development

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

Integrated Development

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

SECTION 4.15(1) – MATTERS FOR CONSIDERATION – GENERAL

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

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

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

State Environmental Planning Policy No 55 – Remediation of Land

A site inspection and a search of Council's records did not reveal any potentially contaminating activities upon the site. Accordingly, no further consideration is necessary.

State Environmental Planning Policy (Koala Habitat Protection) 2020

SEPP (Koala Habitat Protection) applies to the proposal as Mid-Western Regional Council is listed within Schedule 1 of the SEPP and the area of land associated with the proposal is greater than 1 hectare in size including adjoining land within the same ownership.

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

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

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

Clause 1.2 Aims of Plan

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

Clause 1.4 Definitions

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

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

And

Bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where—

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

Note— See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Clause 2.2 Zoning of Land to Which Plan Applies

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

Clause 2.3 Zone objectives and Land Use table

The land is zoned RU4 Primary Production Small Lots pursuant to MWRLEP 2012. The proposal, being a function centre and bed and breakfast accommodation is permissible with consent in the zone and complies with the relevant objectives.

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

RU4 Primary Production Small Lots

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

Comment The proposal does not significantly impact upon the ability of the land to be used for the purposes of primary production or other compatible land uses.

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

Comment The proposal will provide diversification on the subject site whilst continuing to enable the land to be used for primary industry enterprises.

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

Comment The proposal will not result in any significant conflict with adjoining land uses subject to compliance with the recommended conditions. The applicant has demonstrated that appropriate controls can be implemented on the subject site to mitigate impacts of the development including limiting the number of attendees, and it is also proposed to mitigate noise impacts by ensuring the recommendations of the Acoustic assessment are included as part of the development.

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

Comment The proposal will not hinder the use of the site for the purposes of intensive plant agriculture.

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

Comment The proposal will not result in any significant impact upon the immediate visual amenity or environmental/cultural heritage values of the site, subject to compliance with the conditions of consent.

Clause 5.4 Controls relating to miscellaneous permissible uses

The proposal involves a change of use to the existing dwelling house to include a bed and breakfast. Clause 5.4(1) requires the following:

(1) ***Bed and breakfast accommodation*** *If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.*

Note: *Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.*

The current dwelling contains a total of 4 bedrooms with a 'media and study' also shown on the submitted floor plan. As a result, it is considered that a condition of consent will be required to be imposed to ensure that only 3 bedrooms are utilised as part of the bed and breakfast accommodation at any one time and the 4th bedroom, media and study are to only be utilised by the permanent residents. A guest register is also to be maintained to ensure compliance with the conditions of consent.

Clause 5.10 Heritage Conservation

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

Clause 6.1 Salinity

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

Clause 6.2 Flood planning

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

Clause 6.3 Earthworks

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

Clause 6.4 Groundwater vulnerability

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

Clause 6.5 Terrestrial biodiversity

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

Clause 6.8 Airspace operations – Mudgee Airport

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

Clause 6.9 Essential Services

All essential services that are relevant to the proposal are available or will be available as a result of the proposed development.

Clause 6.10 Visually sensitive land near Mudgee

The land is located within the visually sensitive land map area. Clause 6.10 of the LEP requires consideration towards the following:

6.10 Visually sensitive land near Mudgee

- (1) The objective of this clause is to protect the visually and environmentally significant land on the urban fringe of the town of Mudgee.*

- (2) *This clause applies to land shown as “Visually Sensitive Land” on the Visually Sensitive Land Map.*
- (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) *will complement the visual setting forming the backdrop to Mudgee, and*
 - (b) *will be designed, set back and sited to respond sympathetically to the landform of the site on which the development is proposed to be carried out and will minimise visual intrusion.*

The proposed development involves the erection of two (2) semi-permanent ‘marquees’ which will have a total maximum height of 6.7m from natural ground level, and placed on a timber deck flooring system. The marquees are proposed to occupy 74m² and 194m² of the land and are to be used as a ‘function centre’ for weddings and events, proposed to be limited to 150 seats.

In addition, an amenities block (supported by a new onsite system of sewerage management) shall be provided to support the function centre, with establishment of a car parking area with 42 available spaces. The carpark shall be unformed gravel with the exception of the disabled space which will be concrete. No signage is proposed as part of this application.

As the proposal is located in an area mapped as ‘visually sensitive land’, the applicant was requested to provide a Visual Impact Assessment which was submitted on the 15 March 2021.

The assessment included a viewpoints analysis of ten areas surrounding the subject site accessible from public roads. The assessment demonstrated that:

The existing character of the area is dominated by rural land uses, with scattered residential dwellings. The locality is generally flat throughout, and there are vegetated areas established along road reserves, within properties and along identified watercourses. Further, the development is fairly isolated, with large distances to nearby receptors or visually available areas. Given the established vegetation and large setback distances, and recommendations provided in this report, it is likely that there will be little to no impact upon the existing landscape character of the area if the development were to proceed.

There would be distant views from the Castlereagh Highway, given that the land in between is predominately vacant and used for rural/agricultural grazing purposes. However, the distance from the subject site to the Highway is approximately 1.5km, which to the naked eye is a considerable distance that is unlikely to trigger any significant visual intrusion. Therefore, the setbacks to the highway and nearby receptors in which the proposed development enjoys, would not be contributing any new or contrasting elements to the character of the locality.

Night lighting is likely to be required for the operation of the proposed development. It is likely that this will appear in keeping with existing lighting from vehicular traffic, farming and residential land uses.

The proposal is likely to be viewed as a continuation of the existing residential dwelling locality on the site. Therefore, as the chosen area on the site is already disturbed, it is our determination that the visual impacts from public domain areas are acceptable.

Mitigation methods included the following;

- *The built form of the proposed buildings are of similar scale to surrounding residential and agricultural land uses;*

- *It is recommended that building materials be selected to reduce colour contrast and blend new and existing structures, as far as possible, into the surrounding landscape;*
- *The existing vegetation established on the site and in the locality are recommended to be retained and supplementary planting incorporated where possible (in accordance with the screen planting principles below);*
- *Retention of trees surrounding the site to assist in fragmenting views of the proposed development.*

Screening principals included:

- *Foreground visual planting may be undertaken in areas surrounding the proposed development site;*
- *The use of endemic flora species which integrate with the existing landscape character whilst providing habitat for fauna is recommended;*
- *Planting should aim to fragment views instead of blocking completely.*

On this basis, the assessment concludes:

The objective of this Visual Impact Assessment is not to determine whether the proposal is visible or not, but rather to determine how the proposal will impact on existing visual amenity, landscape character and scenic quality. If there is potential for negative impacts, it must be investigated and determined how this impact can be mitigated to the extent that the impact is reduced to an acceptable level.

The existing landscape character is a mix of rural farming, residential development and some scattered wineries. Predominately, however, the locality consist of vacant lands. The scale and built form of the proposal is small compared to other developments in the area supporting those land uses.

The proposal is well sited in an area that already creates visual screening/buffering. The proposal is not immediately visible from nearby residential receptors and given the separation distances, would not be distinguished separately to existing developments on the site.

The recommended mitigation measures have been suggested to reduce visual impact further so the proposed development could be undertaken whilst maintaining the character of the locality, and have a negligible visual impact on the surrounding visual landscape.

In assessing the Visual Impact of a development within the visually sensitive land mapped area, the consent authority must consider clause 6.10(3) which states:

- (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) *will complement the visual setting forming the backdrop to Mudgee, and*
 - (b) *will be designed, set back and sited to respond sympathetically to the landform of the site on which the development is proposed to be carried out and will minimise visual intrusion.*

It is considered that the proposed development will incorporate appropriate mitigation measures that will provide for a complementary development for the locality and is to be located within an area containing mature vegetation and new landscaping. The development is deemed to be

adequately setback from all boundaries and the road network and exceeds all minimum requirements under the DCP for front and side setbacks. As the current plans submitted demonstrate that the proposed marquees will be white, it is proposed that this will be conditioned in accordance with the Visual Impact Assessment and be required to incorporate '*building materials be selected to reduce colour contrast and blend and new and existing structures, as far as possible, into the surrounding landscape*'. In this regard, it is considered that imposing a restriction of greys, browns or greens to blend into the rural landscape is considered appropriate.

To further reduce any potential impacts from surrounding lands when the function centre is not in use, it is proposed to impose a condition that requires the marquees to be disassembled where there is no event scheduled to occur within 28 days of the prior event.

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

(ii) Draft environmental planning instruments (EPI)

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

(iii) Any development control plans

Mid-Western Regional DCP 2013

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

Part 4.4 Signs

Not applicable. The application does not propose to have any signage installed as part of the application.

Part 4.7 Tree Preservation Order

No trees to be removed.

Part 5.1 Car Parking

The DCP requires parking to support the development as follows:

Land Use	Proposed	Required	Complies with DCP
Function Centre	42 spaces including 1 disabled space.	This is covered by 'Other uses' under the DCP and a Traffic Impact Assessment has been provided utilising the 'Places of Public Worship, Entertainment Facilities and Community Facilities' parking rates 1 space per 4 seats or 1 space per 10m ² of GFA. This is deemed satisfactory on the basis that this will require a maximum of 37.5 spaces.	Yes
Bed and breakfast	Utilising existing dwelling parking and proposed overflow parking of the function centre.	1 space per unit (total of 3 spaces required)	Yes

Part 5.2 Flooding

Not applicable.

Part 5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

Part 5.4 Environmental Controls

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

Part 6.4 Tourist and Visitor Accommodation

The proposal for the change of use to a bed and breakfast satisfies the tourist accommodation provisions of the DCP 2013 in that the property will retain a residential component. All services are available to the site.

A condition of consent has been included ensuring the bed and breakfast is limited to 3 bedrooms of the existing dwelling at any one time.

Section 7.11 Contributions

Mid-Western Regional Contributions Plan 2019

Pursuant to Council's Contributions Plan 2019, the development is proposing a commercial development with the value of works stated to total \$50,000. To verify this amount, a cost estimate report is to be submitted to Council. A condition has been imposed accordingly, prior to issue of a Construction Certificate.

Section 64 - Water/Sewer Developer Services Charges

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

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

No Planning Agreements are applicable.

Regulations – 4.15(1)(a)(iv)

Environmental Planning and Assessment Regulation 2000

Clause 93 – Fire safety and other considerations

93(2) and (3) requires Council to consider fire safety measures and structural capacity when assessing a development application for change of use where no alterations or extensions to the building are proposed.

The proposal is seeking a change of use with no alterations or extensions to the building. Accordingly, Council's Health & Building Surveyor has provided the following comments:

Clause 93 of the EP&A Regulation applicable requiring the consent authority required to take into consideration whether the fire protection and structural capacity of the building will be appropriate to the buildings proposed use. Under Clause 93(3) of the EP&A Regs 2000 the building is to be brought into conformity with respect to Category 1 fire safety provisions. In this regard the building will need to comply with Performance Requirement P2.3.2 'Fire Detection

and early warning' of BCA, Volume 2 and Performance requirement EP2.2 of BCA Volume 1. Condition to be included.

EP&A Reg's requires an OC to be issued for a change of use therefore a condition is recommended to be included to satisfy this requirement. OC to be issued on submission of the Final Fire Safety Certificate.

A Fire Safety Schedule shall be issued concurrently with the development consent should it be approved – please refer to additional attachment.

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

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

(a) Context and Setting

The proposal is considered appropriate with regards to the surrounding context and setting, subject to compliance with the conditions recommended to mitigate the impacts of a large structure on the landscape and in accordance with the Visual Impact Assessment recommendations.

(b) Access, Transport and Traffic

The implications of additional traffic, suitable access and parking have been considered in the context of the submitted Traffic Impact Assessment for the development. The assessment reviews the current traffic volumes for Spring Flat Road which has been calculated at an average of 360 vehicles per day and 34 vehicles per hour.

The assessment provides a proposed traffic generation for the function centre of 38 vehicles movements during the peak hour of arrival and departures. Deliveries will also occur on the day of the function and will occur before and after each event on the site therefore will not contribute to the peak traffic movements for the function centre use.

The access to site has been assessed in accordance with Austroads Guidelines for the 100km speed limit environment which has determined that the eastern sight distance complies, with over 250m available, however the western sight distance does not comply with only 170m available due to a sharp bend in the road network. Council's Development Engineer has advised that warning signage should be installed within the road reserve to reduce potential traffic impacts.

Despite the above recommendations, the traffic impact assessment provided with the application concluded the following:

- *The proposed parking provisions are compliant with the requirements prescribed by Mid-Western Regional Council's Development Control Plan.*
- *Spring Flat Road is currently operating at an acceptable level of service and will continue to do so once the development is operational.*
- *The estimated existing traffic volumes and projected future volumes on the driveway and Spring Flat Road warrant BAL and BAR turn treatments in accordance with Austroads Guide to Road Design Part 4 (2017).*
- *The existing driveway condition satisfies the requirements for the BAL and BAR turn treatments.*
- *The existing driveway provides sufficient sight distances to both directions in accordance with Austroads Guide to Road Design Part 4a (2017).*
- *It has been concluded that the development is unlikely to have any significant impacts on the traffic operations of the existing local road network.*

Conditions have been imposed accordingly to address the above matters as recommended by Council's Development Engineer.

(c) Public Domain

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

(d) Utilities

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

(e) Heritage

Not applicable.

(f) Other Land Resources

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

(g) Water

No significant impact expected.

(h) Soils

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

(i) Air and Microclimate

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

(j) flora and fauna

No vegetation is proposed to be removed as a result of the development.

(k) Waste

Specific waste control measures will be required for the proposal. This will require the applicant to enter into a private arrangement with a contractor to collect and dispose of wastes on the site and have this disposed to a licenced waste facility.

(l) Energy

Not applicable.

(m) Noise and Vibration

Muller Acoustic Consulting Pty Ltd (MAC) has completed a Noise Impact Assessment (NIA) for the proposed Function Centre.

The assessment quantified noise levels from live music, patrons and vehicles, including catering vehicles, to receivers within the surrounding noise catchment.

Figure 2 below provides the locations of residents within the assessed catchment which are located approximately 550m (R2 west) to 1.3km (R5 east):



Figure 2: Noise Impact Assessment Location of Receivers

The conclusions of the assessment found that noise levels comply with relevant Noise Policy for Industry (NPI), Maximum Noise Level Assessment and Independent Liquor and Gaming Authority (ILGA) criteria with the implementation of the following recommendations:

- *Appropriately managing noisy patrons during functions at the project site;*
- *Ceasing music at 11.30pm at the conclusion of functions;*
- *All amplified music would be situated within the pavilions/marquees;*
- *The marquees should be fitted with removable panels made from weatherproof fabric and loaded vinyl (2mm Sonicclear curtain or equivalent). These panels should be utilised during the evening and night periods (6pm to 12am) on the north-eastern and western facing facades to minimise noise transmission to sensitive receivers during noise enhancing conditions; and*
- *Amplified music will only consist of DJ, trio/duet or medium level amplified music (i.e. ipod music and speakers). Larger band (i.e. rock bands) are not recommended for the project.*

Based on the Noise Impact Assessment results, there are no noise related issues which would prevent Council approving the project once the noise control recommendations provided in this assessment have been implemented. Additionally, the results of the assessment show compliance with the relevant EPA criteria. Although there is potential for noise levels above the ILGA criteria at receiver R1 and R5 in the 63Hz frequency band, the received noise level is below the threshold of hearing and is anticipated to be inaudible.

Conditions are imposed in regards to operational elements to mitigate noise impacts in addition to the need to provide acoustic monitoring during each event held on the subject site. Further, ensuring that all events, are held within the marquees and not outdoors has been conditioned accordingly.

(n) Natural Hazards

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

(o) Technological Hazards

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

(p) Safety, Security and Crime Prevention

Increased passive surveillance as a result of the proposed development.

(q) Social Impact in the Locality

It is considered that there are generally positive impacts generated by the proposal, subject to compliance with the recommended conditions of consent. The proposal will enable a boutique small scale events location that will be managed by the landowners and is a permitted land use in the RU4 zone.

(r) Economic Impact in the Locality

Generally positive impacts are expected including the provision of additional employment and service opportunities for local suppliers associated with each event, along with additional expenditure from event guests in the local region.

(s) Site Design and Internal Design

Adequate as discussed throughout this report.

(t) Construction

To comply with the BCA where relevant.

(u) Cumulative Impacts

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

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

(a) Does the proposal fit in the locality?

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

(b) Are the Site Attributes conducive to Development?

Yes. The site is not subjected to any natural hazards, and the project will not impact any critical habitat, threatened species, populations, ecological communities or endangered habitats on the site.

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

(A) Public Submissions

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 3 February 2021. During the notification period, seven (7) submissions were received.

A further information request was subsequently issued and this resulted in the applicant modifying the development to include a change of use to the existing dwelling to also include bed and

breakfast accommodation. The application was subsequently renotified for a period of 14 days. No further submissions were received during this period.

A summary of the submissions is provided below and the Applicant also provided a formal response to the concerns raised.

Matter of concern	Comment
<p>Noise:</p> <ul style="list-style-type: none"> - Material of the buildings not likely to contain any loud music / speakers. Sound proofing of the buildings should be required. - Finishing time of events should be 10pm, not midnight. - A noise assessment is required. - No speakers or sound systems permitted out on grass areas. 	<p>The applicant, upon a further information request made by Council, submitted an acoustic assessment prepared by MAC Consulting Engineers. Independent noise monitoring and modelling was undertaken by the consultant and assessment undertaken in accordance with AS1055:2018, "Acoustics – description and measurement of environmental noise".</p> <p>The conclusions of the assessment found that noise levels will comply with relevant Noise Policy for Industry requirements, with the implementation of the following recommendations:</p> <ul style="list-style-type: none"> • <i>Appropriately managing noisy patrons during functions at the project site;</i> • <i>Ceasing music at 11.30pm at the conclusion of functions;</i> • <i>All amplified music would be situated within the pavilions/marquees;</i> • <i>The marquees should be fitted with removable panels made from weatherproof fabric and loaded vinyl (2mm Sonicclear curtain or equivalent). These panels should be utilised during the evening and night periods (6pm to 12am) on the north-eastern and western facing facades to minimise noise transmission to sensitive receivers during noise enhancing conditions; and</i> • <i>Amplified music will only consist of DJ, trio/duet or medium level amplified music (i.e. ipod music and speakers). Larger band (i.e. rock bands) are not recommended for the project.</i> <p>Based on the Noise Impact Assessment results, MAC consulting concluded that there are no noise related issues which would prevent Council approving the project once the noise control recommendations provided in this assessment have been implemented.</p> <p>A condition will be imposed to ensure the above matters are implemented accordingly prior to operations.</p>

	<p>The applicant also provided a response to the submissions that have raised noise as a concern resulting from the development. It was suggested that noise monitoring equipment will be used for each event to ensure compliance is maintained and recorded. A condition is to be further imposed in this regard and all records kept shall be maintained and provided to Council upon request.</p>
<p><u>Operations:</u></p> <ul style="list-style-type: none"> - Time of the events should be limited to Friday and Saturday only. - Limited to 20 events per year. - Neighbour impact from each event managing the catering and alcohol management rather than the owners being present and onsite at each event. - Owners not living on the property and should be made to prove they do. - Drink driving on back roads to avoid police. 	<p>The applicant proposes that the events be reduced from 100 per year to 60. The applicant proposes to also reduce the number of guests from 150 to 120, per event.</p> <p>The applicant suggests that local transport (mini bus or coach) be utilised for transport to the event to reduce impacts on the road network and for the safety of guests.</p> <p>The applicant provides written confirmation that the venue owners are based permanently in Mudgee and will be available, and contactable during an event. Further, an events manager will be in attendance to manage all events.</p> <p>All alcohol management will be required to comply with Responsible Service of Alcohol and NSW Liquor Licencing requirements.</p> <p>All illegal activities such as drink driving will be subject to Police enforcement but will be required to be managed by the RSA requirements on the subject site.</p>
<p><u>Waste Management:</u></p> <ul style="list-style-type: none"> - No waste to be disposed of at the Queens Pinch Transfer Station. 	<p>A condition will be imposed to ensure that a waste contractor is engaged to manage the wastes associated with the development for each and every event held onsite.</p>
<p><u>Traffic</u></p> <ul style="list-style-type: none"> - Spring Flat Road and Wallinga Lane should be upgraded/sealed to reduce deterioration to the gravel road, prevent dust and noise. - Blind corners on Spring Flat Road, not safe and accidents increased due to visitors with no knowledge of the road conditions. - High number of near misses already on this road. - Increase in the maintenance of road will be required. - Road is currently only graded at once every two years under Council's Asset Management Plan. - The road is already at its maximum capacity. - Traffic assessment is required. 	<p>The applicant, upon a further information request made by Council, submitted a Traffic Impact Assessment for the proposed development.</p> <p>The traffic impact assessment provided concluded the following:</p> <ul style="list-style-type: none"> • <i>The proposed parking provisions are compliant with the requirements prescribed by Mid-Western Regional Council's Development Control Plan.</i> • <i>Spring Flat Road is currently operating at an acceptable level of service and will continue to do so once the development is operational.</i>

	<ul style="list-style-type: none"> • <i>The estimated existing traffic volumes and projected future volumes on the driveway and Spring Flat Road warrant BAL and BAR turn treatments in accordance with Austroads Guide to Road Design Part 4 (2017).</i> • <i>The existing driveway condition satisfies the requirements for the BAL and BAR turn treatments.</i> • <i>The existing driveway provides sufficient sight distances to both directions in accordance with Austroads Guide to Road Design Part 4a (2017).</i> • <i>It has been concluded that the development is unlikely to have any significant impacts on the traffic operations of the existing local road network.</i> <p>The application was also reviewed by Council’s Development Engineering Officers and the assessment concluded that the proposal is considered acceptable subject to conditions of consent, including for the provision of a new advanced ‘driveway ahead’ warning sign being installed for eastbound vehicles within Spring Flat Road.</p>
<p><u>Land use:</u> - Not in keeping / not compatible with the RU4 Zoning.</p>	<p>The proposal is permitted in the RU4 zone with consent of Council. The development proposes to occupy a small portion of the site which therefore enables the remainder of the 27.32hectares to continue to be used for agricultural purposes.</p>
<p>Fire risks increased.</p>	<p>The subject site is not mapped as bushfire prone land. The surrounding land of the site is however identified to contain grassland which will require maintenance as an Asset Protection Zones and to ensure that there is no risk of a grass fire spreading from the subject site. A condition will be imposed to ensure that a Bushfire and Emergency Management Plan is prepared and that no events are held during high bushfire danger periods. A static water supply (minimum of 20,000L) is also to be available for firefighting purposes and will be conditioned accordingly.</p>
<p>Detrimental effect on value and lifestyle.</p>	<p>The proposal is not considered to have any significantly adverse impact on land values or lifestyle of properties in the locality, subject to conditions of consent being imposed.</p> <p>The structures are semi-permanent and can be removed where no events are to be held for an extended period of time.</p>

	<p>The proposal is deemed to adequately achieve noise and traffic criteria for this form of development, subject to conditions of consent being imposed and compliance being achieved. It is however also considered appropriate that a complaints register and management plan be prepared and managed by the landowners which should also include a direct contact phone number and email within the plan to ensure that all issues that arise during any event held is appropriately recorded and available where issues arise and Council must investigate.</p>
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(b) Submissions from Public Authorities

No submissions were sought or received from public authorities.

The Public Interest – 4.15(1)(e)

(a) Federal, State and Local Government interests and Community interests

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

CONSULTATIONS

(a) Health and Building

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

(b) Technical Services

Council's Development Engineer has not raised any concerns with the proposal subject to conditions including an advance warning sign for the driveway location for eastbound vehicles along Spring Flat Road.

(c) Heritage Advisor

No consultation necessary.

(D) Access committee

Council's Access Committee has not raised any concerns with the proposal subject to provision of the following:

1. *The Applicant should ensure there is adequate accommodations in place to ensure people in wheelchairs or vision impaired people can alight the timber floor deck without it being a difficult obstacle/trip hazard;*
2. *The accessible bathroom may require a ramp from the pathway to the verandah of the building;*
3. *The accessible bathroom should comply with current disability standards.*

Community Plan implications

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

natural heritage

Strategic implications

Council Strategies and Policies

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

Legislation

Environmental Planning & Assessment Act 1979
Environmental Planning & Assessment Regulation 2000
Mid-Western Regional Local Environmental Plan 2012

Financial implications

Nil. No developer contributions are required to be paid as the proposal does not trigger the contribution requirements under the Mid-Western Regional Contributions Plan 2019.

Associated Risks

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

KAYLA ROBSON
PLANNING COORDINATOR

LINDSAY DUNSTAN
MANAGER, PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

4 May 2021

Attachments:

1. Development Plans. (separately attached)
2. Management Plan. (separately attached)
3. Traffic Impact Assessment. (separately attached)
4. Visual Impact Assessment. (separately attached)
5. Noise Impact Assessment. (separately attached)
6. Submissions. (separately attached)
7. Applicant Submission Response. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.2 Planning Proposal Lot 39 DP 756870, 686 Queens Pinch Road, Mullamuddy

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, LAN900123

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the Planning Proposal Lot 39 DP 756870, 686 Queens Pinch Road, Mullamuddy; and**
2. **not support the Planning Proposal for a dwelling entitlement as Council has a sufficient supply of land currently zoned and further land identified in the short and medium opportunity areas.**

Executive summary

Council has received a Planning Proposal to provide the lot with a dwelling entitlement.

The subject site, Lot 39 DP756870 located at 686 Queens Pinch Road, Mullamuddy measures 16.19 hectares and is currently zoned RU1 Primary Production. The lot does not currently have a dwelling entitlement.

The Planning Proposal provided as Attachment 1 has been prepared generally in accordance with the structure outlined in the NSW Department of Planning Industry and Environment (DPIE) Guide to Preparing Planning Proposals. The report outlines the context, intended outcomes, explanation of provisions, and a justification for the dwelling entitlement.

The Planning Proposal has been considered in accordance with Council's Comprehensive Land Use Strategy (CLUS). The CLUS details Principles to assist in identifying development opportunities; proximity to town is one. Opportunities within the 5km offset of Mudgee are still available, this site is located within the 10km offset. In addition the CLUS identifies short, medium and long term rural lifestyle opportunities, the subject site is located within a long term opportunity, and a land supply is still available in the short and medium term opportunities.

Approving a dwelling entitlement on this site will create a potential precedent for approving dwelling entitlement across all short, medium and long term opportunity areas. This approach would result in a proliferation of unplanned dwellings. If these areas are strategically released it would be more likely the built outcome would be orderly, subject of considered subdivision achieving a greater lot yield and result in a better utilisation and connection to Council's road infrastructure.

The Planning Proposal is inconsistent with the Principles and the short and medium term opportunities have not yet been exhausted, accordingly, the Planning Proposal is not recommended to proceed.

Disclosure of Interest

Nil.

Detailed report

Planning Proposals

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

The Gateway Process

DPIE is responsible for assessing Planning Proposals through the Gateway Process. Details of the Gateway Process are outlined in DPIE's A Guide to Preparing Local Environmental Plans.

Gateway Timeline

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

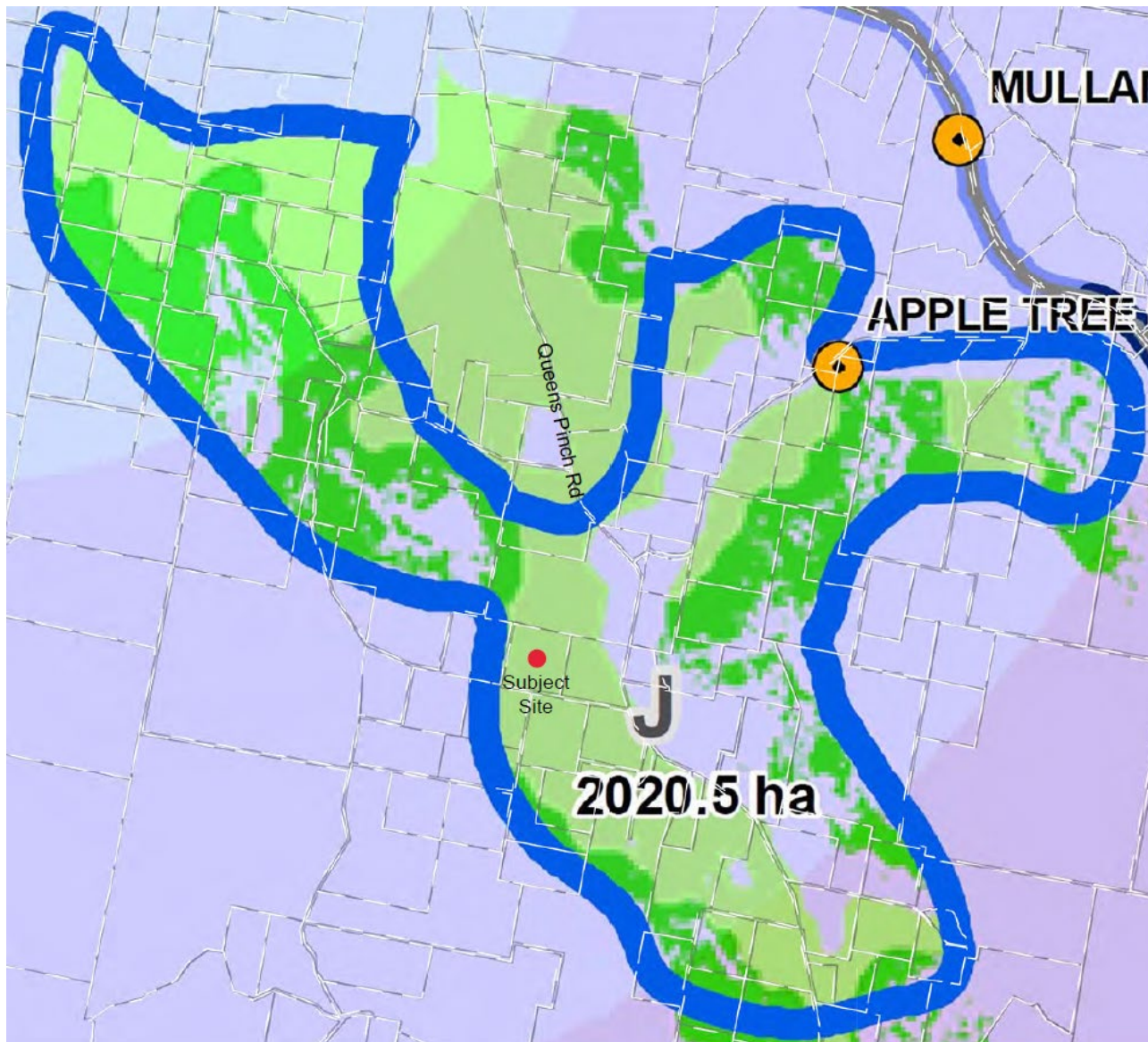
Stage	Completed	Comment
Preparation of a Planning Proposal		
Planning Proposal lodged with Council	✓	February 2021.
Staff Undertake Initial Assessment	✓	February – April 2021.
Council Decision to Support Proposal	✓	The Planning Proposal is being reported to 19 May 2021 meeting.
Issue of Gateway Determination		
Council Requests Gateway Determination		
DP&E Issues Gateway Determination		
Gateway Conditions Satisfied		
Consultation		
Consultation with Relevant Agencies		
Public Exhibition		
Post-Exhibition Report to Council		
Finalisation of the Planning Proposal		
Council Exercises Delegation to Prepare LEP		
Draft LEP by Parliamentary Council		
Opinion Issued and LEP Made		

PROPOSED

The subject site is located to the south east of Mudgee and has frontage to an unmaintained Council road, which extends and connects to Queens Pinch Road. The site measures 16.19 hectares and is currently zoned RU1 Primary Production. The lot does not currently have a dwelling entitlement. The Planning Proposal is seeking a dwelling entitlement. The current minimum lot size is 100 hectares, the site is well below the minimum for the erection of a dwelling.

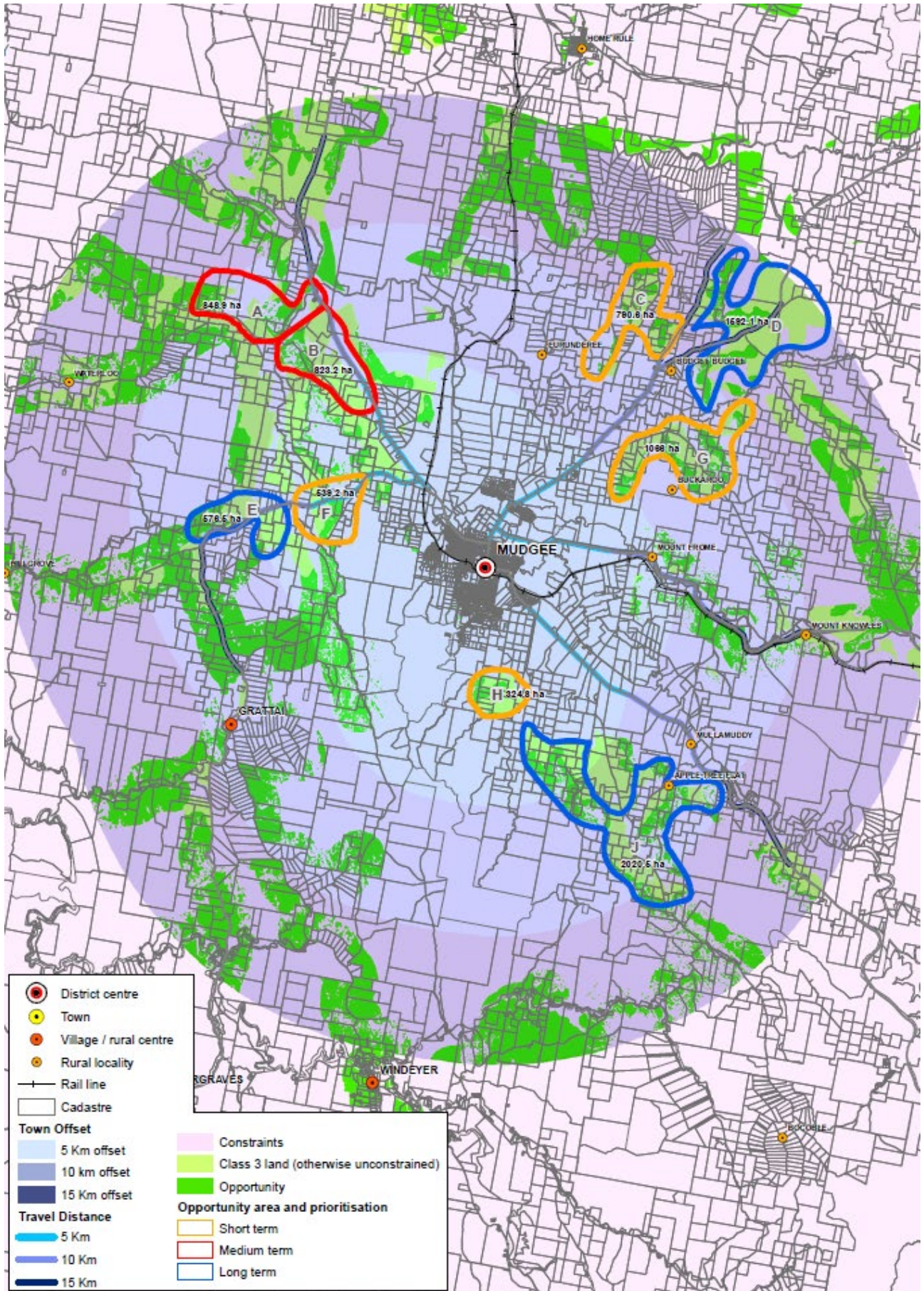
The proponent has stated the surrounding land has already been developed with dwellings. This is the case for the site immediately adjoining to the east. However, for the other adjoining land, lots have been consolidated to achieve the minimum lot size for the erection of a dwelling 100 hectares.

The submitted Planning Proposal incorrectly identifies the subject site on Figure 4-3 Rural lifestyle opportunities (Mudgee). The below figure correctly locates the subject site within the long term opportunity area.



Subject site identified on CLUS Figure 4-3 Rural lifestyle opportunities – 15km offset area surrounding Mudgee

The above long term opportunity area is just one of nine identified opportunity areas. The below figure identifies the nine opportunity areas with the 5, 10 and 15km offsets of Mudgee.



CLUS Figure 4-3 Rural lifestyle opportunities – 15km offset area surrounding Mudgee

INTENDED OUTCOMES

The Planning Proposal seeks to amend the LEP to facilitate the future development of a dwelling on Lot 39 DP 756870.

EXPLANATION OF PROVISIONS

The Planning Proposal outlines a proposed amendment Schedule 1 Additional Permitted Uses to provide an additional permitted use for a dwelling house subject to development consent on Lot 39 DP 756870. An alternative is also provided to rezone and amend the lot size map.

The proponent has stated the rezoning and change to the minimum lot size may be the best option if Council intends to proceed with the implementation of the CLUS. The short and medium opportunities have not been taken up, so Council will not be proceeding with the implementation of the CLUS in this long term opportunity area.

JUSTIFICATION

The DPIE guide to preparing Planning Proposals outlines eleven questions to be addressed in the Planning Proposal, the proponent has addressed the eleven questions. The questions most applicable in the consideration of this Planning Proposal are discussed below.

Q1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Mid-Western Regional Comprehensive Land Use Strategy 2010

The CLUS has three volumes of particular relevance in the consideration of this Planning Proposal is Part B – Constraints and Opportunities and Part C – Strategy. The relevant sections of Parts B & C have been considered below:

Part B, Section 2.2.3 Land Suitability Factors (for development opportunities)

Section 2.2.3 stipulates two principles to assist in the identification of development opportunities. Of particular relevance is Principle 1: *Develop close to existing towns, villages and rural centres*. The subject site is located within the 10km offset from Mudgee. There is an adequate supply of development opportunities, both zoned and identified within the 5km offset from Mudgee. Accordingly, in order to promote orderly development, Council would support development opportunities within the 5km offset from Mudgee in the first instance.

Part B Section 3.1.2 Analysis of 'opportunity' areas

Section 3.1.2 states that mapping opportunity areas may be taken as the most suitable locations for future development. However, the CLUS then states that not all 'opportunity areas' should be developed. Travel distance is a factor influencing what opportunity area should be prioritised. The CLUS identifies short, medium and long term opportunity areas within 5, 10 and 15km offsets from Mudgee. The subject site is located within the 10km offset. The opportunity areas within the 5km offset of Mudgee should be developed first instance.

Part C Section 4.8.3 Release and Staging of opportunity areas

This section highlights increasing rural population densities should occur in a measured and staged manner. Accordingly, supporting an additional dwelling within the long term opportunity area, before the supply within the 5km offset is exhausted, is inconsistent with this position.

Q2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

There is a sufficient land supply within the short and medium term opportunity areas to deliver the desired outcome of an additional rural lifestyle lot.

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies).

No, the Planning Proposal will not give effect to *Direction 28 Manage Rural Residential Development, specifically, Action 28.2 Enable new rural residential development only where it has been identified in a local housing strategy prepared by Council and approved by DPIE*. The site has been identified as a long term opportunity under the CLUS (a strategy approved by DPIE), however, the opportunities within the 5km offset have not been taken up and should be prior to the opportunities located beyond the 5km offset.

NEXT STEP

If Council supports the recommendation not to support the proposed rezoning, the next step would involve notifying the applicant of the decision not to proceed with the Planning Proposal.

Community Plan implications

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

Strategic implications

Council Strategies

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

Council Policies

The forwarding of the Planning Proposal will not require any change to relevant policies.

Legislation

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

Financial implications

Nil.

Associated Risks

Nil.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

28 April 2021

Attachments: 1. Planning Proposal. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.3 Events Assistance Applications

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, ECO800009; FIN300052

RECOMMENDATION

That Council:

1. receive the report by the Manager Economic Development on the Events Assistance Applications;
2. provide Events Assistance to the below applicants (includes cash and in-kind amounts) for Period 1, July – December 2021;

Mudgee Race Club – Mudgee Cup	\$2000
Gulgong Vintage & Classic Motor Cycle Show	\$2000

3. provide multi-year Events Assistance funding to the below applicants (includes cash and in-kind amounts) for the period of 2021, 2022 and 2023;

	2021	2022	2023
Gardens of Mudgee	\$1000	\$1000	\$1000
Mudgee Small Farm Field Days	\$2500	\$2500	\$2500
Motorfest	\$1500	-	\$1500
Mudgee Tri Club – Mudgee Running Festival	\$2500	\$2500	\$2500
Sculptures in the Garden	\$2500	\$2500	\$2500

4. decline Events Assistance to the below applicant:

Cudgegong Camera Club	\$2000
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5. amend the 2020/21 Budget and 2017-21 Delivery Program to reflect a transfer of the previously approved Events Assistance funding to the below applicants (including cash and in-kind amounts) from the current Events Assistance budget to be used for rescheduled events to be held in the 2021 - 2022 Financial Year;

Cadillac La Salle Club National Event	\$2000
--	---------------

Executive summary

This report considers applications for Events Assistance under Council's Events Assistance Policy. It relates to events to be held in period 1, between 1 July and 30 December 2021, which is the current period for applications. A total of 10 complete applications were considered, and an additional 2 applications were passed on to Community Grants.

It should be noted that the following events are also approved in the 2021/22 budget via Events Assistance, under multi-year funding (Rylstone Street Feast, Gulgong Folk Festival, Kandos Street Machine).

In addition the following events are due to take place in the period having previously received approval for Events Assistance. Due to COVID-19, these events were rescheduled and approval of funding transferred to the 2021-2022 budget.

Mudgee Junior Rugby League	\$1174
Gulgong Gold Cup	\$1000

Disclosure of Interest

Nil.

Detailed report

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

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

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

Gardens of Mudgee

The annual event complements other garden based activities in spring in Mudgee. The two day event will see six private gardens opened to the public, with an expected attendance of 1,600 spectators made up of locals and visitors. \$2,000 of cash support is requested to contribute to the cost of advertising and event expenses. If Council wishes to support the event in 2021, 2022 and 2023 the recommended amount based on the scoring scale is \$1,000 for each year.

Mudgee Small Farm Field Days

The annual 2 day agriculture event promotes innovation and sustainability in agriculture and rural lifestyle. With an expected attendance of over 12,000 people made up of locals and visitors. \$2,500 of cash support is requested to contribute to the cost of the event. If Council wishes to support the event in 2021, 2022 and 2023 the recommended amount based on the scoring scale is \$2,500 for each year. Council supported the event in 2019, with \$2,500. The event did not take place in 2020 due to COVID-19 and the restrictions in place around crowd numbers.

Cudgegong Camera Club

The annual event hosted throughout the Central West is an interclub weekend event of the Western Districts Association of Camera Clubs, which aims to showcase the local area through workshops, presentations, excursion and social activity. There is an expected participation of 250 photographers made up of locals and visiting photographers. At time of application, a date for this

event had not been set. \$2,000 of support is requested made up of in-kind (potential hire of the Mudgee Art Gallery with cost estimated to be between \$250 - \$600) and remainder in cash to contribute to event expenses. Based on the low participation numbers and the status of the event, it is recommended that Council do not support this event at this time. Cudgegong Camera Club may approach Council in the future should further details be established and have this event considered.

Motorfest

The bi-annual event aims to promote a large collection of vintage vehicles owned in the Mudgee Region. With an expected attendance of 2,200 spectators made up of locals and visitors. Up to \$1,500 of in-kind support is requested for venue hire of the Mudgee Showground Arena (\$1,100), Access to Power (\$34) and Waste (15 x bins including delivery \$328) in 2021. If Council wishes to support the event in 2021 and 2023 the recommended amount based on the scoring scale is up to \$1,500 for each year.

Mudgee Triathlon Club

The Mudgee Running Festival is an annual event promoting physical activity through its 4 race program. With an expected participation of approximately 1,500 runners made up of locals and visitors. \$2,500 of in-kind support is requested to contribute to the cost of traffic management expenses. If Council wishes to support the event in 2021, 2022 and 2023 the recommended amount based on the scoring scale is \$2,500 for each year. Council supported the event in 2019 with \$2,500.

Sculptures in the Garden

The annual event is an art event that exhibits some of the best in Australian sculpture and has an anticipated attendance of 5,000 made up of locals and visitors to the region. \$2,500 of cash assistance is requested to be used towards marketing the event. It is recommended that Council support the event with \$2,500 for 2021, 2022 and 2023 to ensure the ongoing success of the event. Council supported the event in 2020 with \$2,500.

Mudgee Race Club Mudgee Cup

The proposed event is the annual Mudgee Cup, with an expected attendance of 4,000 spectators made up of locals and visitors. \$2,500 of cash support is requested to contribute to the cost of advertising. It is recommended that if Council wishes to support the event in 2021 the recommended amount of funding based on the scoring scale is \$2,000 of cash assistance. Council supported the event in 2020, with \$2,000 in Events Assistance Funding.

Gulgong Vintage & Classic Motor Cycle Show

The annual multi-day event has an expected attendance of 3,000 people made up of locals and visitors. \$2,500 of cash support is requested to contribute to the cost of venue hire and event expenses. If Council wishes to support the event in 2021 the recommended amount based on the scoring scale is \$2,000.

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

LOCAL COMMUNITY/VOLUNTEER PARTICIPATION IN EVENT

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

CAPACITY TO ENSURE EVENT CONTINUES AND DEVELOPS IN THE FUTURE

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

ECONOMIC ACTIVITY GENERATED FROM EVENT

SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	\$0-\$25K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
2	\$25K-\$50K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
4	\$50K-\$100K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
6	\$100K-\$150K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
8	\$150k-\$200K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
10	\$200K-\$250K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
12	\$250K-\$300K	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)
14	\$300K+	Number of visitors to the region x \$373 (if multi-day event) or \$107 (if single day)

ADDITIONAL POINTS IN-KIND REQUESTS**SCORE VALUE JUDGEMENT**

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

Attachment 1 outlines the requests and recommendations for funding.

Community Plan implications

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

Council Strategies

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

Council Policies

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

Legislation

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

Financial implications

Funding of \$45,000 was budgeted for the 2021/22 year for Events Assistance. Based on the scoring system above, the recommendation of staff is to provide \$16,000 in Events Assistance.

An additional \$12,556 is pre-allocated to events that were approved for multi-year funding (Rylstone Street Feast, Gulgong Folk Festival, Kandos Street Machine, Henry Lawson Festival, Gulgong Prince of Wales Eisteddfod, Cudgegong Cruisers and Gulgong Arts Council).

A budget of \$16,444 remains under the Events Assistance program for 2021/22.

Associated Risks

It is important for Council to provide support to these planned events in order to help encourage visitors back to the region and help stimulate the tourism economy following the recent challenging times of the COVID-19 pandemic. If Council does not support these events, there is a risk that they may not go ahead in the future or that they are held at another location and therefore, there is the potential of further lost economic benefits to the Mid-Western Region.

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

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

30 March 2021

Attachments: 1. Events Assistance Applications. (separately attached)
2. Events Assistance Application Summary May 2021. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.4 Adverse Event Plan

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, RIS900009

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the Adverse Event Plan; and**
2. **adopt the Adverse Event Plan as attached to the report.**

Executive summary

The draft Adverse Event Plan was placed on exhibition during March and April 2021. No public submissions were received during this period.

This report recommends the adoption of the Adverse Event Plan.

Disclosure of Interest

Nil

Detailed report

The draft Averse Event Plan was considered by Council at the March 2021 meeting. Feedback from Council was that a Drought event had not been noted in Section 9. Risks, External Roles and Responsibilities Summary.

The draft Adverse Event Plan was placed on exhibition during March and April 2021. No public submissions were received during this period.

The Adverse Event Plan has been updated to note a Drought Event.

It is recommended that Council adopts the Adverse Event Plan.

Community Plan implications

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

Strategic implications

Council Strategies

A range of policies and plans are utilised in the development and implementation of the Mid-Western Regional Council Adverse Event Plan including:

- Mid-Western Regional Local Emergency Management Plan
- Community Strategic Plan
- Industry Closure Strategy
- Pollution Incident Response Management Plan
- Water Asset Management Plan
- Mid-Western Regional Economic Development Plans (REDS)
- Mid-Western Regional Economic Development Strategy
- Roads Asset Management Plan
- Asset Management Strategy
- Building Asset Management Plan
- Comprehensive Land Use Strategy
- DIAP – Disability Inclusion Action Plan
- Mid-Western Regional Local Strategic Planning Statement
- Open Space and Recreational Asset Management Plan
- Pedestrian Access and Mobility Plan
- Pesticide Use Notification Plan
- Plant and Equipment Asset Management Plan
- Privacy Management Plan
- Sewer Asset Management Plan
- Solid Waste Asset Management Plan
- Stormwater Asset Management Plan

Legislation

Nil

Financial implications

Not applicable

Associated Risks

Nil

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

3 May 2021

Attachments: 1. Adverse Event Plan.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

ADVERSE EVENT PLAN

MID-WESTERN REGIONAL COUNCIL

MAY 2021





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1. OVERVIEW

Mid-Western Regional Council ('Council')s Adverse Event Plan is designed to assist Council and the region's community to prepare an effective response to adverse events that may impact the Mid-Western Region – its activities, events or infrastructure in which Council has full or partial vested interest or a participatory role.

Adverse events may include events such as fire, flood, severe weather and disease or pandemic, or other adverse events such as drought and/or sudden and unforeseen trade restrictions resulting from an unanticipated adverse event.

Planning and preparedness for any arising adverse event is a considered an ongoing pursuit by Council to ensure the safety, well-being and economic sustainability of the community.

Council's Adverse Event Plan is for use by Mid-Western Regional Council staff and Councillors, the Mid-Western Region community and the Australian Government.

The Mid-Western Region



The Mid-Western Region covers 875,279 ha (approx 8,737 square kilometres).

The major populated centres are:

- Mudgee (Administrative centre for Mid-Western Regional Council)
- Gulgong
- Kandos
- Rylstone
- Plus numerous villages and rural localities



Village settlements located within the area:

- Birriwa
- Bylong
- Cooyal
- Clandulla
- Charbon
- Goolma
- Grattai
- Hargraves
- Ilford
- Running Stream
- Lue
- Olinda
- Tambaroora
- Turill
- Ulan
- Windeyer
- Wollar

and intervening rural areas.



Mudgee is the major centre in the local government area.

Mudgee is located 261 kilometres North-West of Sydney.



The Mid-Western Regional area is located within the Weather Forecast District (BOM) of Central Tablelands, and is located within the NSW Fire Area (RFS) of Central Ranges.

2. DEFINITION OF AN ADVERSE EVENT

An adverse event means an event or incident that has a negative impact on the well-being of the Mid-Western community.

3. SCOPE OF PLAN

Council's Adverse Event Plan relates to adverse events that may directly affect the Mid-Western Region, events or infrastructure in which Council has full or partial vested interest.

It establishes best practice, strategies and plans to provide detailed guidance to Council staff and the community by which they can prevent (where possible), prepare and recover from adverse events that may impact the Mid-Western Region – its activities, events or infrastructure that Council is either fully or partially responsible for.

Council's Adverse Event Plan may consider the following:

- **Natural resource management** (i.e. managing water supply, ground cover, trees, erosion, biodiversity)
- **Economic diversification and community resilience** (i.e. infrastructure planning, tourism investment, diversifying local industries, capacity building for local leadership)
- **Communication and coordination** (i.e. how to let people know what is available – now, and in the future; how do you communicate in hard times and for recovery).

Additionally, the Adverse Event Plan considers the following Council plans and documents:

- Community Strategic Plan
- Mid-Western Regional Local Emergency Management Plan (Local EMPLAN)
- Industry Closure Strategy
- Pollution Incident Response Management Plan
- Water Asset Management Plan
- Mid-Western Regional Economic Development Plans (REDS)
- Mid-Western Regional Economic Development Strategy
- Drinking Water Management Plan
- MWRC WHS Framework

4. COUNCIL'S VISION AND VALUES

OUR VISION

A prosperous and progressive community we proudly call home.

OUR VALUES

Respect



We respect ourselves, our team mates and our organisation as a whole.

When we talk or write to each other we show respect by being positive, polite and truthful; really listening; responding politely; and providing honest feedback.

We never tolerate bullying and discrimination in the workplace.

Integrity



We are all accountable for our own actions and also for assisting and supporting our fellow workers.

We seek solutions, we don't cast blame.

We work for the community and we are proud to show our care for the place in which we live.

We are committed to action – we do what we say we will do.

We are honest with each other in everything we say and do, and we are committed to open, two-way communication.

Recognition



We are committed to a healthy, safe and constructive working environment where everyone's well-being is our major focus.

We work together to develop employment policies and practices that are adaptable to individual circumstances.

We celebrate our achievements and recognise that everyone's contribution is essential to this Council's success.

In supporting each other and working together we create the right environment in which we all can achieve our very best.

We seek continuous improvement both individually and collectively.

We admit our mistakes and focus on getting better.

We strive to achieve our personal best and be industry leaders.



5. AIM OF THE PLAN

The aim of Council's Adverse Event Plan is to show leadership, capability and resilience by adapting and managing the unexpected stresses associated with adverse events in the Mid-Western Region by prevention of, preparation for, response to, and recovery from emergencies within the LGA.

Key steps to meeting the proposed aims



6. MANAGING AN ADVERSE EVENT

It is understood that every adverse event would usually vary in many ways, and therefore will be managed in different ways. Differences may be identified and ranked by:



It is therefore implicit that the response to and management of every adverse event will be proportionate to the adverse event's specific risks, scale, scope, and complexity.

Council's risk management framework sets out five steps in the risk management process:

- STEP 1 ➤ Hazard identification
- STEP 2 ➤ Risk assessment
- STEP 3 ➤ Identification and control/elimination of the risk
- STEP 4 ➤ Allocation of responsibilities
- STEP 5 ➤ Monitoring and review

If and where necessary, additional resources or support may be obtained from reliable sources such as The Australian Disaster Resilience Knowledge Hub (<https://knowledge.aidr.org.au/>) and Resilience NSW (<https://resilience.nsw.gov.au>) through the course of managing an adverse event or in preparation for one should warning be provided.

7. MEDIA PROTOCOLS

As per Council's Media Protocols (section 5.9) the timeliness of reporting an adverse event is critical. Prompt reporting to, and liaison with the Continuity Management Team (CMT) allows for the preparation of an appropriate response/action strategy. The Media Protocol Plan should be referred to in-depth should media interest be realised in relation to an Adverse Event.

In the case of an adverse event, which triggers the Business Continuity Plan, it can be referred to so as to commence an appropriate communications strategy.

The following additional resources may be utilised by approved personnel as necessary to ensure appropriate media protocol has been maintained:

- BCI 3 Media Enquiry Record Form
- BCI 4.1 Media Release – Council Service Disruption
- BCI 4.2 Media Release – Council Travel Advisory

Communications

Communication procedures in relation to adverse events will be managed in accordance to the type of adverse event and the need to work with or to involve additional stakeholders and third parties (i.e local or national emergency services).

The Corporate Communications Coordinator is required to assist the CMT Director in the management of media contact and enquiries during an adverse event. The Coordinator must be highly familiar with the Business Continuity Plan, team responsibilities and the Plan itself. The Coordinator's responsibilities include supporting the CMT Director, liaising with senior executives, managing media visits and organising the monitoring and recording of all media.

8. INTERNAL ROLES AND RESPONSIBILITIES

General Manager

It is the General Manager's responsibility to ensure that the Adverse Event Plan is effective, current, and regularly reviewed, and that Council successfully meets all obligations arising from an adverse event under the Work Health and Safety Act 2011.

Directors

All Council Directors must exercise due diligence in responding to an adverse event, ensuring that Council is complicit with all relevant WHS duties. Directors' duties include:

- Actively support staff in response to an adverse event
- Ensure Council has effective processes for obtaining, receiving, considering, and responding to relevant information regarding incidents, hazards and risks
- Ensure that Council complies with any responsibilities and obligations as per the WHS Act 2011 or associated codes of practice and regulations
- Where possible, maintain effective Council operations whilst understanding relevant hazards and risks
- Ensure Council has effective resources to minimise risks associated with an adverse event
- Ensure Council uses appropriate resources and process to minimise any potential hazards and risks

NB: Directors may also be considered workers under the WHS Act 2011.

Managers and Supervisors

Council's Managers and Supervisors, contractors to Council and other affiliated groups of Council are responsible for:

- Ensuring that any adverse event is reported immediately
- Investigating any reports of adverse events thoroughly
- Implementing and monitoring WHS policies and procedures within their working environment and team
- Identifying and managing workplace hazards and risks
- Responding to an adverse event in an appropriate and effective manner.

Corporate Communications Coordinator

The Corporate Communications Coordinator is required to assist the CMT Director in the management of media enquiries and contact during an adverse event. The Corporate Communications Coordinator must be familiar with the Business Continuity Plan, Critical function Sub Plans and team responsibilities in addition to the Adverse Event Plan. Responsibilities include:

- Support CMT director regarding interviews/media briefings/public statements
- Liaise with other senior executive with regards to staff briefings
- Where appropriate, manage media visits
- Organising the monitoring and recording of all media related broadcast during the period of the adverse event.

Staff/Workers

All Council workers are responsible for:

- Reporting an adverse event promptly to the appropriate personnel, within Council's approved plans and procedures
- Taking steps to manage and monitor their own health and safety
- Complying, where possible to any instruction that is given by Council to allow Council to respond adequately to an adverse event
- Taking responsibility of his/her actions to not adversely affect the health or safety of a fellow worker, director, manager or supervisor, third party stakeholder or community member.

Others

The term Others consider persons who may be affected but are not already covered in the above Council Structure. Others must:

- Take steps to manage and monitor their own health and safety
- Take responsibility of his/her actions so as to not adversely affect the health or safety of others including directors, managers or supervisors, third party stakeholders or community members
- Comply, where possible to any instruction that is given by Council to allow Council to respond adequately to an adverse event.

9. RISKS, EXTERNAL ROLES AND RESPONSIBILITIES SUMMARY

Where necessary, Council will work with the following third-party stakeholders to best manage the relative actions required around the following types of adverse event. Relevant strategies and plans will also be referred to as required.

Source of Risk	Risk Level	Combat Agency (Key Support Agency)
BUSHFIRE (Grass/bushfire impinging on residential areas and/or environment)	E	NSW Rural Fire Service
MINES EMERGENCY	E	LEOCON (Mines Safety – Trade & Investment)
PANDEMIC (human/animal)	E	Department of Health
FLOOD – Flash (Mudgee/Rylstone/Kandos)	H	NSW SES
STORM	H	NSW SES
HAZMAT (Rail)	H	Fire and Rescue NSW
AGRICULTURAL DISEASE – Animal (exotic stock/animal disease)	H	DPI (Local Land Services)
AGRICULTURAL DISEASE – Plant (grapes)	H	DPI (Local Land Services)
UTILITIES FAILURE – Electricity (sub stations / transmission lines)	H	LEOCON (Essential Energy/ Endeavour Energy)
TRANSPORT EMERGENCY – AIR (regular passenger aircraft)	H	LEOCON (NSW Police Force)
HAZMAT (major storage facilities; Orica explosives plant; Robert Oatley Winery)	H	Fire and Rescue NSW
HAZMAT (road transport routes)	H	Fire and Rescue NSW
EXPLOSION	H	Fire and Rescue NSW
UTILITIES FAILURE – Telecommunication	H	LEOCON
UTILITIES FAILURE – Water	H	LEOCON (Mid-Western Regional Council)
TRANSPORT EMERGENCY – ROAD (passenger and school coach/bus)	H	LEOCON
TRANSPORT EMERGENCY – ROAD (Animals)	H	NSW Police Force

Source of Risk	Risk Level	Combat Agency (Key Support Agency)
FIRE – COMMERCIAL or INDUSTRIAL (warehouses; industrial; Orica explosives plant, gas storage/ shopping centres; aged care, hospitals)	H	Fire and Rescue NSW
DAM FAILURE (Windamere and Rylstone Dams)	H	NSW SES (Water NSW/ MWRC)
DROUGHT	M	NSW DPI and Local Land Services
FLOOD (major to max probable)	M	NSW SES
BUILDING COLLAPSE	M	LEOCON / NSW Police Force
LANDSLIDE (Charbon area)	M	LEOCON
UTILITIES FAILURE - Sewage	M	LEOCON (Mid-Western Regional Council)
EARTHQUAKE	L	LEOCON
TRANSPORT EMERGENCY – RAIL (Coal Train)	L	LEOCON / NSW POLICE FORCE JHR / ARTC
FIRE RESIDENTIALTRANSPORT EMERGENCY – RAIL (Coal Train)	L	Fire and Rescue NSW; NSW Rural Fire Service LEOCON/NSW Police Force; JHR/ ARTC
FIRE RESIDENTIAL	L	Fire and Rescue NSW NSW Rural Fire Service

E = Extreme | **H** = High | **M** = Medium | **L** = Low

Name	Contact number
NSW Rural Fire Service	02 6372 4434
LEOCON	02 6372 8599
State Emergency Service (SES)	132 500
Fire and Rescue NSW	02 6339 8500
Department of Health	02 6881 8567 (24/7 basis)
Local Land Services (LLS)	02 6378 1717
NSW Police (Mudgee)	02 6372 8599
Essential Energy	1800 641 424
Endeavour Energy	131 003
Mines Rescue	1300 015 551

10. ADVERSE EVENTS PROCESSES

The successful management of an adverse event will rely on a combined effort by staff/workers, directors, managers and supervisors to ensure that the relevant strategies and plans are adhered to and implemented should an adverse event occur.

As necessary, additional strategic guidance will come from existing strategies and plans, including (but not limited to):

- Mid-Western Regional Local Emergency Management Plan (Local EMPLAN)
- Community Strategic Plan
- Industry Closure Strategy
- Pollution Incident Response Management Plan
- Water Asset Management Plan
- Mid-Western Regional Economic Development Plans (REDS)
- Mid-Western Regional Economic Development Strategy
- Roads Asset Management Plan
- Asset Management Strategy
- Building Asset Management Plan
- Comprehensive Land Use Strategy
- DIAP – Disability Inclusion Action Plan
- Mid-Western Regional Local Strategic Planning Statement
- Open Space and Recreational Asset Management Plan
- Pedestrian Access and Mobility Plan
- Pesticide Use Notification Plan
- Plant and Equipment Asset Management Plan
- Privacy Management Plan
- Sewer Asset Management Plan
- Solid Waste Asset Management Plan
- Stormwater Asset Management Plan

11. POLICY REVIEW

The Adverse Event Plan will be reviewed by the Local Emergency Management Committee (LEMC) every three years or immediately following any of the following:

- Legislative changes that subsequently affect the plan
- At the end or during an adverse event, to ensure the plan's effectiveness and relevance, or

when deemed necessary as part of a test of policy strength and relevance or policy/strategy upgrading.

12. ADDITIONAL RESOURCES

Supplementary Mid-Western Regional Council Plans:

- Emergency Management Plan
- Business Continuity Plan
- Bushfire Recovery Plan

The Australian Disaster Resilience Knowledge Hub (<https://knowledge.aidr.org.au/>)

Relevant Third-Party Stakeholders Policies

8.5 Acceptance of Grant Funding - Regional Events Acceleration Fund

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, GRA600044

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the Acceptance of Grant Funding - Regional Events Acceleration Fund;**
2. **if successful, accept \$150,000 in grant funding from the NSW Government Regional Events Acceleration Fund;**
3. **if successful, amend the 2020/21 Budget to include grant funding received of \$150,000; and**
4. **if successful, authorise the General Manager to finalise and sign the funding agreement with the NSW Government.**

Executive summary

Council was invited to apply for grant funding from the NSW Government Regional Events Acceleration Fund in regards to the 2021 NRL Premiership Match held at Glen Willow Stadium in April. The intention of this grant is to support major events held in regional NSW. The funding aims to help meet the costs of attracting or retaining major events and help fund the operational and infrastructure improvements existing events need to increase visitation and length of stay.

If successful, the Regional Events Acceleration funding will help Council cover delivery costs of the NRL Premiership event.

Disclosure of Interest

Nil

Detailed report

In March 2021, Council was invited to apply for grant funding to help cover the costs of the 2021 NRL Premiership Match held in April between Manly Sea Eagles and Gold Coast Titans.

As identified in the Towards 2030 Community Plan, Council works to promote the region as a great place to live, work, invest and visit. Attracting and hosting major events, such as an NRL fixture plays an important role in delivering against this strategy.

Due to COVID-19 related Government Health Orders, a number of costs in relation to hosting major events has increased in 2021, including increased staff costs to include COVID Marshalls, additional cleaning rotations, additional signage, increased fencing and other additional materials. In addition, capacity limits in the stadium resulted in reduced ticket sales, which deteriorated income to offset expenses.

As a result, Council applied to the NSW Government for support in delivering this event through the NSW Government Regional Events Acceleration Fund.

It is recommended, if Council is successful in its application for funding, that it accepts the grant funding, authorises the General Manager to sign the funding agreement and amend Council's Budget for 2020-21, by increasing grant funding by \$150,000 towards the NRL Premiership event.

Community Plan implications

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

Strategic implications

Council Strategies

Hosting major events, such as NRL Premiership matches, form part of Council's strategy to promote the Region as a great place to live, work, invest and visit.

Council Policies

Nil

Legislation

Nil

Financial implications

The provision of this grant will reduce reliance on Council funds to deliver the NRL Premiership Event.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2020/21	✓	-	-
Future Years	-	-	-

Associated Risks

Nil

ALINA AZAR
MANAGER ECONOMIC DEVELOPMENT

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

4 May 2021

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.6 Monthly Development Applications Processing and Determined

REPORT BY THE DIRECTOR DEVELOPMENT
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, A0420109

RECOMMENDATION

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

Executive summary

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

Disclosure of Interest

Nil

Detailed report

Included in this report is an update for the month of April 2021 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.
- Variations to the Mid-Western DCP.

Community Plan implications

Theme	Looking After Our Community
Goal	Vibrant towns and villages
Strategy	Maintain and promote the aesthetic appeal of the towns and villages within the Region

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

JULIE ROBERTSON
DIRECTOR DEVELOPMENT

01 May 2021

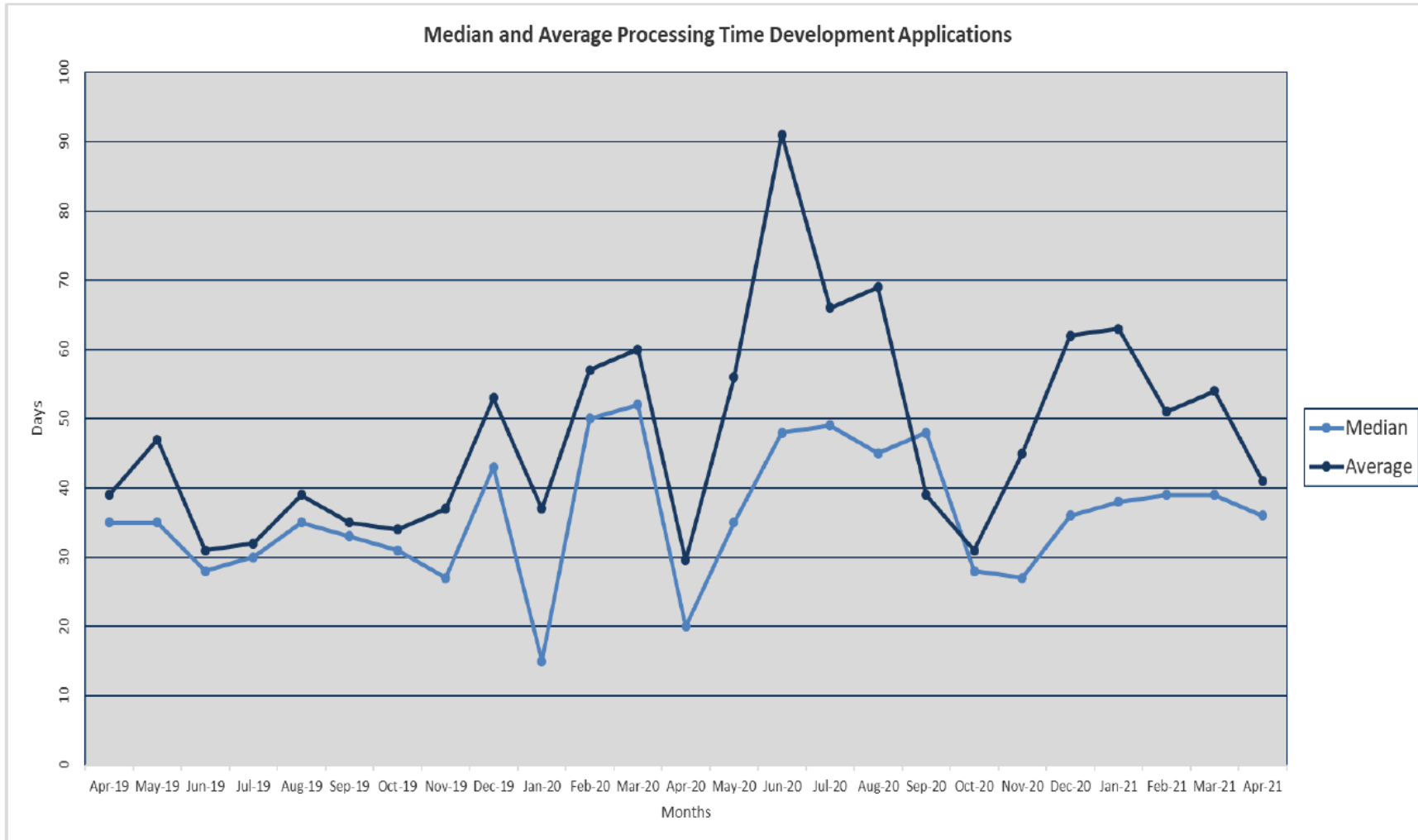
Attachments: 1. Monthly Development Application Processing and Determined - April 2021.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

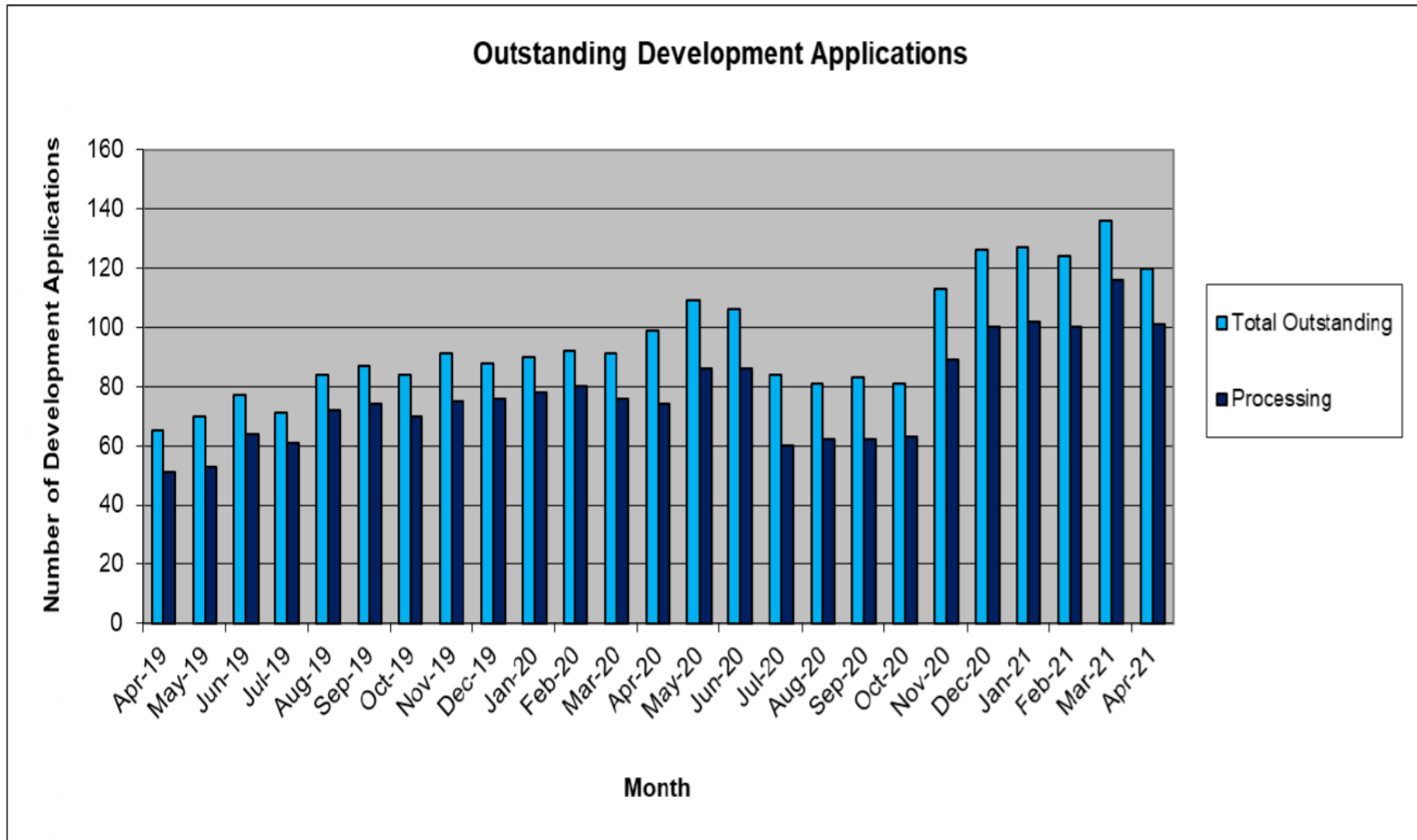
Monthly Development Application Processing Report – April 2021

This report covers the period for the month of April 2021. Graph 1 indicates the processing times up to 30 April 2021 with the month of April having an average of 41 days and a median time of 36 days.



Monthly Development Application Processing Report – April 2021

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



Monthly Development Application Processing Report – April 2021

The Planning and Development Department determined 49 Development Applications either by Council or under delegation during April 2021.

Development Applications Determined – April 2021

App/Proc ID	Description	House No	Street Name	Locality
DA0254/2019	Dual Occupancy	100	Inglis Street	MUDGEE
DA0225/2020	Subdivision - Torrens Title	402	Castlereagh Highway	MENAH
DA0132/2021	Dual Occupancy	591	Wollar Road	CROSS ROADS
DA0160/2021	Subdivision - Torrens Title	473	Burrundulla Road	BURRUNDULLA
DA0173/2021	Residential Shed	8	Bowman Street	GULGONG
DA0196/2021	Industrial Building	10	Industrial Avenue	MUDGEE
DA0200/2021	Commercial Alterations/Additions	82	Market Street	MUDGEE
DA0203/2021	Hotel or Motel Accomodation	38	Gladstone Street	MUDGEE
DA0207/2021	Dwelling House	206	Lesters Lane	PIAMBONG
DA0209/2021	Dual Occupancy	1212	Creek Road	YARRAWONGA
DA0220/2021	Subdivision - Torrens Title	107	Bellevue Road	MUDGEE
DA0225/2021	Camping Ground	1372	End Road	GRATTAI
DA0227/2021	Alterations & Additions	74	Douro Street	MUDGEE
DA0234/2021	Alterations & Additions	7	Fitzgerald Street	RYLSTONE
DA0250/2021	Alterations & Additions	162	Eurunderee Lane	EURUNDEREE
DA0255/2021	Dual Occupancy	48	Saleyards Lane	MUDGEE
DA0257/2021	Alterations & Additions	107	Denison Street	MUDGEE
DA0259/2021	Commercial Premises	21	Sydney Road	MUDGEE
DA0261/2021	Residential Shed	163	Denison Street	MUDGEE
DA0264/2021	Pergola	25	Stockmans Drive	BUCCA
DA0265/2021	Moveable Dwelling	1532	Castlereagh Highway	APPLE TREE FLAT
DA0270/2021	Dwelling House	2	Oakfield Close	MUDGEE
DA0271/2021	Change of use - Yoga Studio to Shop	15	Byron Place	MUDGEE
DA0272/2021	Pergola	11	Richards Street	MUDGEE
DA0275/2021	Dwelling House	3	Joseph Place	BOMBIRA
DA0276/2021	Alterations & Additions	48	Mudgee Street	RYLSTONE
DA0279/2021	Secondary Dwelling	517	Yarrabin Road	YARRABIN
DA0280/2021	Alterations & Additions	29	Short Street	MUDGEE
DA0284/2021	Residential Shed	23	Buchanan Street	KANDOS
DA0285/2021	Dwelling House	221	Stubbo Road	STUBBO

Monthly Development Application Processing Report – April 2021

DA0287/2021	Dual Occupancy	50	Saleyards Lane	MUDGEES
DA0289/2021	Commercial Alterations/Additions	56	Sydney Road	MUDGEES
DA0290/2021	Dual Occupancy	78	Crossings Road	MENAH
DA0292/2021	Dwelling House	146	Tuckermans Road	MENAH
DA0293/2021	Dwelling House	2	Lovett Court	SPRING FLAT
DA0295/2021	Dwelling House	42	Pindari Road	COLLINGWOOD
DA0298/2021	Screen Enclosure	71	Peppercorn Lane	BUCKAROO
DA0301/2021	Alterations & Additions	64	Mortimer Street	MUDGEES
DA0305/2021	Residential Shed	243	Robertson Road	SPRING FLAT
DA0307/2021	Dwelling House	33	Wurth Drive	BOMBIRA
DA0311/2021	Residential Shed	4	Lahy Court	MUDGEES
DA0314/2021	Dwelling House	274	Rock Road	FROG ROCK
DA0316/2021	Garage	10	Short Street	RYLSTONE
DA0319/2021	Carport	191	Gladstone Street	MUDGEES
DA0321/2021	Residential Shed	33	Wurth Drive	BOMBIRA
DA0325/2021	Residential Shed	4	Lahy Court	MUDGEES
DA0327/2021	Residential Shed	354	Yarrowonga Road	YARRAWONGA
DA0330/2021	Shed >150m ²	192	Buckaroo Road	BUCKAROO
DA0335/2021	Swimming Pool	4	Ilford Road	RYLSTONE

*NOTE – four Development Applications were approved with a variation to the DCP as listed below:

- DA0196/2021 (>10%)
- DA0207/2021 (>10%)
- DA0270/2021 (>10%)
- DA0293/2021 (>10%)

Monthly Development Application Processing Report – April 2021

Development Applications currently being processed – April 2021

Appl/Proc ID	Description	House No	Street Name	Locality
DA0214/2011	Dwelling House	663	Castlereagh Highway	BURRUNDULLA
DA0327/2011	Shed >150m2	23	Horatio Street	MUDGEE
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI
DA0325/2016	Change of use - Garage to Bedroom	179	Denison Street	MUDGEE
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTA BUCCA
DA0266/2017	Residential Shed	3	Cudgegong Street	RYLSTONE
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE
DA0142/2018	Subdivision - Torrens Title	38	Rifle Range Road	MUDGEE
DA0214/2018	Camping Ground	2970	Lue Road	LUE
DA0089/2019	Change of use - Shed to Dwelling	2037	Coxs Creek Road	RYLSTONE
DA0228/2019	Recreation Facility (outdoor)	103	Wattlegrove Lane	LINBURN
DA0263/2019	Camping Ground	40	Grevillea Street	GULGONG
DA0086/2020	Subdivision - Torrens Title	50	Broadhead Road	MUDGEE
DA0282/2020	Boundary Adjustment	470	Castlereagh Highway	BURRUNDULLA
DA0024/2021	Subdivision - Community Title	20	Sydney Road	MUDGEE
DA0025/2021	Caravan Park	196	Rocky Waterhole Road	MOUNT FROME
DA0053/2021	Change of use - Workshop	22	Industrial Avenue	MUDGEE
DA0087/2021	Carport	63	Court Street	MUDGEE
DA0123/2021	Industrial Building	9	Sydney Road	MUDGEE
DA0125/2021	Subdivision - Torrens Title	18	Marshfield Lane	MUDGEE
DA0126/2021	Dwelling House	111	Mount Pleasant Lane	BUCKAROO
DA0141/2021	Dwelling House	329	New Olivers Road	RUNNING STREAM
DA0147/2021	Subdivision - Torrens Title	13	Belmore Street	GULGONG
DA0155/2021	Dwelling House	663	Castlereagh Highway	BURRUNDULLA
DA0157/2021	Farm Stay Accommodation	1307	Castlereagh Highway	APPLE TREE FLAT
DA0161/2021	Subdivision - Torrens Title	230	Reedy Creek Road	RYLSTONE
DA0166/2021	Water Storage Facility	51	Oaklands Road	MOUNT FROME
DA0178/2021	Dwelling House	55	Byrnes Lane	BURRUNDULLA
DA0186/2021	Tourist and Visitor Accommodation	109	Tinja Lane	EURUNDEREE
DA0189/2021	Subdivision - Torrens Title	283	Erudgere Lane	ERUDGERE

Monthly Development Application Processing Report – April 2021

DA0191/2021	Subdivision - Torrens Title	209	Robertson Road	SPRING FLAT
DA0195/2021	Dwelling House	931	Castlereagh Highway	MULLAMUDDY
DA0199/2021	Change of use - Serviced Apartment	1A	Sydney Road	MUDGEE
DA0205/2021	Dwelling House	60	Dangar Street	KANDOS
DA0211/2021	Eco-tourist Facility	1245	Coxs Creek Road	COX CREEK
DA0231/2021	Residential Shed	35	Redbank Road	MUDGEE
DA0232/2021	Tourist and Visitor Accommodation	2976	Goolma Road	GOOLMA
DA0239/2021	Dwelling House	1403	Springs Road	BUNGABA
DA0243/2021	Alterations & Additions	33	Coolcalwin Street	OLINDA
DA0251/2021	Change of use - Restaurant to Retail	18	Sydney Road	MUDGEE
DA0253/2021	Dwelling House	3	Kilkenny Avenue	MUDGEE
DA0262/2021	Subdivision - Torrens Title	174A	Beechworth Road	HARGRAVES
DA0266/2021	Change of use - Mechanic to Gym	11	Wilkins Crescent	MUDGEE
DA0273/2021	Change of use - Serviced Apartment	857	Ridge Road	BERYL
DA0278/2021	Residential Shed	66	Paterson Avenue	MUDGEE
DA0282/2021	Carport	10	Spring Road	MUDGEE
DA0283/2021	Commercial Premises	3	Sydney Road	BURRUNDULLA
DA0286/2021	Residential Shed	1335	Pyramul Road	PYRAMUL
DA0288/2021	Retaining Wall	36	Paterson Avenue	MUDGEE
DA0294/2021	Residential Shed	162	Bruce Road	MUDGEE
DA0299/2021	Function Centre	833	Goolma Road	GUNTAWANG
DA0300/2021	Carport	19	Redbank Road	MUDGEE
DA0302/2021	Cafe	24	Cox Street	LUE
DA0303/2021	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON
DA0304/2021	Residential Shed	50	Spring Road	MUDGEE
DA0308/2021	Pergola	88	White Circle	MUDGEE
DA0310/2021	Moveable Dwelling	3	Tallawang Road	GULGONG
DA0313/2021	Swimming Pool	4	Albens Lane	MUDGEE
DA0317/2021	Dwelling House	3739	Lue Road	MONIVAE
DA0318/2021	Residential Shed	48	Norris Lane	GALAMBINE
DA0320/2021	Carport	93	Williams Road	GULGONG
DA0322/2021	Commercial Alterations/Additions	433	Ulan Road	EURUNDEREE
DA0323/2021	Dwelling House	218	Castlereagh Highway	GULGONG

Monthly Development Application Processing Report – April 2021

DA0324/2021	Commercial Alterations/Additions	548	Hill End Road	ERUDGERE
DA0326/2021	Dwelling House	7	Meramie Street	CAERLEON
DA0328/2021	Residential Shed	96	Spring View Lane	BUDGEE BUDGE
DA0331/2021	Industrial Building	35	Depot Road	MUDGEE
DA0332/2021	Dwelling House	10	Butler Circle	BOMBIRA
DA0333/2021	Residential Shed	151	Robertson Street	MUDGEE
DA0334/2021	Shed >150m2	166	Lesters Lane	PIAMBONG
DA0336/2021	Dwelling House	36	Tinja Lane	PUTTA BUCCA
DA0337/2021	Residential Shed	1	Scott Avenue	GULGONG
DA0338/2021	Dwelling House	17	Hone Creek Drive	CAERLEON
DA0339/2021	Residential Shed	15	Tongbong Street	RYLSTONE
DA0340/2021	Residential Shed	4	Lovett Court	SPRING FLAT
DA0341/2021	Subdivision - Torrens Title	85	Rocky Waterhole Road	MOUNT FROME
DA0342/2021	Dual Occupancy	8	Bruce Court	MUDGEE
DA0343/2021	Function Centre	109	Tinja Lane	EURUNDEREE
DA0344/2021	Demolition	37	Racecourse Road	GULGONG
DA0344/2021	Commercial Alterations/Additions	37	Racecourse Road	GULGONG
DA0345/2021	Dual Occupancy	29	Ilford Road	RYLSTONE
DA0346/2021	Subdivision - Torrens Title	17	Harvey Street	BOMBIRA
DA0348/2021	Residential Shed	190	Mayne Street	GULGONG
DA0349/2021	Alterations & Additions	144	Norris Lane	GALAMBINE
DA0351/2021	Alterations & Additions	387	Melrose Road	MOUNT FROME
DA0352/2021	Subdivision - Torrens Title	71	Fairydale Lane	MUDGEE
DA0353/2021	Garage	262	Mount Vincent Road	RUNNING STREAM
DA0355/2021	Dwelling House	44	Saleyards Lane	MUDGEE
DA0356/2021	Dwelling House	172	Springwood Park Road	COPE
DA0357/2021	Dual Occupancy	52	Saleyards Lane	MUDGEE
DA0358/2021	Subdivision - Torrens Title	174	Beechworth Road	HARGRAVES
DA0359/2021	Serviced Apartment	1807	Ulan Road	FROG ROCK
DA0361/2021	Residential Shed	9	Durack Court	MUDGEE
DA0362/2021	Dual Occupancy	3	Woodside Close	MUDGEE
DA0363/2021	Shed >150m2	1677	Ridge Road	MEBUL

Monthly Development Application Processing Report – April 2021

Heritage Development Applications currently being processed – April 2021.

App/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE
DA0300/2019	Demolition	80	Madeira Road	MUDGEE
DA0118/2020	Change of use - Retail Shop Beautician	26	Market Street	MUDGEE
DA0032/2021	Multi Dwelling Housing	68	Mortimer Street	MUDGEE
DA0066/2021	Commercial Alterations/Additions	77	Medley Street	MUDGEE
DA0159/2021	Information and Education Facility	49	White Street	GULGONG
DA0188/2021	Multi Dwelling Housing	47A	Lewis Street	MUDGEE
DA0197/2021	Alterations & Additions	35	Louee Street	RYLSTONE
DA0198/2021	Change of use - Flat to Serviced Apartment	110	Church Street	MUDGEE
DA0201/2021	Change of use - Bakery	131	Church Street	MUDGEE
DA0215/2021	Residential Shed	42	Court Street	MUDGEE
DA0224/2021	Commercial Alterations/Additions	23	Louee Street	RYLSTONE
DA0246/2021	Dual Occupancy	90	Louee Street	RYLSTONE
DA0269/2021	Residential Shed	23	Atkinson Street	MUDGEE
DA0291/2021	Cafe	88	Mayne Street	GULGONG
DA0296/2021	Dual Occupancy	61	Denison Street	MUDGEE
DA0297/2021	Demolition	118A	Medley Street	GULGONG
DA0309/2021	Restaurant	91	Horatio Street	MUDGEE
DA0312/2021	Swimming Pool	44	Horatio Street	MUDGEE
DA0329/2021	Commercial Alterations/Additions	93	Church Street	MUDGEE
DA0347/2021	Commercial Alterations/Additions	42	Court Street	MUDGEE
DA0350/2021	Residential Shed	188	Church Street	MUDGEE
DA0354/2021	Carport	151	Market Street	MUDGEE
DA0360/2021	Alterations & Additions	98	Denison Street	MUDGEE
DA0364/2021	Secondary Dwelling	35	Court Street	MUDGEE

Item 9: Finance

9.1 Classification of Land - 68-72 Carwell Street Rylstone

REPORT BY THE PROPERTY OFFICER

TO 19 MAY 2021 ORDINARY MEETING

GOV400088, P1630911

RECOMMENDATION

That Council:

- 1. receive the report by the Property Officer on the Classification of Land - 68-72 Carwell Street Rylstone; and**
- 2. classify allotments 18, 19 & 20 Section 2 Deposited Plan 758891 at 68-72 Carwell Street Rylstone as Operational land in accordance with Chapter 6 Part 2 Division 1 Local Government Act 1993.**

Executive summary

This report seeks to formalise the classification of Allotments 18, 19 & 20 Section 2 Deposited Plan 758891 at 68-72 Carwell Street Rylstone as Operational land.

The land was resumed for drainage purposes through publication of a Notice of Resumption of Land by Rylstone Shire Council in Government Gazette No. 76 on 28 July 1972.

Disclosure of Interest

Nil

Detailed report

Although the land was acquired on publication of the resumption notice, the Certificates of Title have not issued in the name of Council and are currently recorded in private ownership. Council is undergoing the process of arranging for the land titles to issue into the name of Mid-Western Regional Council, in which new titles will be issued.

Classification of the land at this point is deemed appropriate to ensure there is no uncertainty on the status of the land as Operational despite classification having already been actioned by the former Rylstone Shire Council.

As part of the process of classification of the land, Council advertised its intention to classify Allotments 18, 19, & 20 Section 2 Deposited Plan 758891 as Operational in accordance with Chapter 6, Part 2, Division 1 of the Local Government Act 1993.

Council's intention to classify the land as Operational was advertised in the local newspaper on 26th March 2021. Written submissions were called for with the closing date for submissions being 23rd April 2021. No submissions were received.

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

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

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

Financial implications

Not applicable

Associated Risks

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

KELLY BARNES
PROPERTY OFFICER

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

11 March 2021

Attachments: 1. GG 28 July 1972.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

NOTICE OF RESUMPTION OF LAND BY RYLSTONE SHIRE COUNCIL.—LOCAL GOVERNMENT ACT, 1919.—Form 3 (Ordinance No. 77).—Whereas on the twenty-seventh day of August, one thousand nine hundred and seventy-one, the Rylstone Shire Council (hereinafter called "the Council") resolved, in pursuance of the Local Government Act, 1919, to resume the land described in the Schedule hereto for the purpose of draining a public road; and whereas the Council further resolved to make an application for the approval of the Governor to cause a notice of the resumption of such land, together with a description of such land, to be published in the Gazette and in a newspaper circulating in the area in which such land is located; and whereas on the seventh day of June, one thousand nine hundred and seventy-two, upon the application of the Council, His Excellency the Governor, with the advice of the Executive Council, approved of a notice of resumption of the land described in the said Schedule for such purpose, together with a description of such land, to be published in the Gazette and a newspaper circulating in the area in which the land is located: Now, therefore, the Council, with the approval of His Excellency the Governor, with the advice of the Executive Council as aforesaid, doth hereby give notice that the land described in the Schedule hereto is hereby resumed by the Council under the provisions of the Local Government Act, 1919, aforesaid, and the Council doth hereby also give notice that a plan of such land has been filed in the office of the Rylstone Shire Council, at the Council Chambers, Rylstone, and with the Surveyor-General, at the Department of Lands, Sydney, which plans are open for public inspection; and the Council doth hereby also give notice that upon the publication of this notice and the description in the Schedule hereto the land becomes for the purposes and subject to the provisions of the said Act vested in the Council for an estate in fee simple in possession freed and discharged from all trusts, obligations, estates, interests, contracts, charges, rates, rights of way, or easements whatsoever.

(L.S.) **A. E. BARTLETT, President.**

The Common Seal of the Council of the Shire of Rylstone was hereunto affixed this 21st day of July, 1972, in pursuance of a resolution of the Council passed on the 20th day of July, 1972.

D. G. WHITE, Shire Clerk.

Government Gazette of the State of New South Wales (Sydney, NSW : 1901 - 2001), Friday 28 July 1972 (No. 100)

D. G. WHITE, Shire Clerk.

SCHEDULE

All that piece or parcel of land situate in the Shire of Rylstone, Parish of Rylstone, and County of Roxburgh, being allotments 18, 19 and 20, section 2, Town of Rylstone, having an area of 1 acre 2 roods or thereabouts, and said to be in the possession of Herbert J. King. 651—\$15

9.2 Classification of Land - 15 Carwell Street Rylstone

REPORT BY THE PROPERTY OFFICER
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, P21852

RECOMMENDATION

That Council:

1. **receive the report by the Property Officer on the Classification of Land - 15 Carwell Street Rylstone; and**
2. **classify allotment 1505 Deposited Plan 1271922 at 15 Carwell Street Rylstone as Operational Land in accordance with Chapter 6 Part 2 Division 1 Local Government Act 1993.**

Executive summary

This report seeks to formalise the classification of Allotment 1505 Deposited Plan 1271922 at 15 Carwell Street Rylstone as Operational land.

The land was acquired by the former Rylstone Shire Council on 1st December 1966 for Rylstone Weir, including easements.

Detailed report

Although the land was acquired through a deed of conveyance dated 1 December 1966, the Certificates of Title have not issued in the name of Council. Council is undergoing the process of arranging for the land titles to issue in the name of Mid-Western Regional Council.

Classification of the land at this point is deemed appropriate to ensure there is no uncertainty on the status of the land as Operational despite classification having already been actioned by the former Rylstone Shire Council.

As part of the process of classification of the land, Council advertised its intention to classify Allotment 1505 Deposited Plan 1271922 as Operational in accordance with Chapter 6, Part 2, Division 1 of the Local Government Act 1993.

Council's intention to classify the land Operational was advertised in the local newspaper on 26th March 2021. Written submissions were called for with the closing date for submissions being 22nd April 2021. No submissions were received.

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

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

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

Financial implications

Not applicable

Associated Risks

Any land acquired by Council that is not classified under the Act i.e. resolved by Council at the end of 3 months, is taken to have been classified as Community Land.

KELLY BARNES
PROPERTY OFFICER

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

19 March 2021

Attachments: 1. Conveyance 1 December 1966.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

DATED

1st day of December 1966

R.S.



THIS DEED made on the first day of December One thousand nine hundred and sixty-six BETWEEN The Commissioner for RAILWAYS A Body Corporate, created under or by virtue of the Transport (Division of Functions) Act 1932 as amended (hereinafter called "The Vendor") of the One Part and THE COUNCIL OF THE SHIRE OF RYLSTONE (hereinafter called "The Purchaser") of the Other Part WHEREAS by virtue of a Notice of Resumption published in Government Gazette No. 139 of 19th September, 1930 the land described in the first schedule hereto was resumed for Railway purposes AND WHEREAS by virtue of Section 15 of the Ministry of Transport Act 1932 and Section 17 of the Transport (Division of Functions) Act 1932 the said land has become vested in the Vendor in fee simple AND WHEREAS by Notices of Resumption published in Government Gazette No. 139 of 19th September, 1930 the easements described in the second schedule hereto were resumed respectively for a pipeline and for access for Railway purposes AND WHEREAS by virtue of Section 15 of the Ministry of Transport Act 1932 and Section 17 of the Transport (Division of Functions) Act 1932 the said easements are now vested in the Vendor AND WHEREAS the Vendor has agreed to sell to the Purchaser the said land described in the first schedule hereto together with the easements appurtenant thereto described in the second schedule hereto at or for the price or sum of Twenty Dollars (\$20-00) NOW THIS DEED WITNESSETH that in consideration of the sum of Twenty Dollars (\$20-00) paid by the Purchaser to the Vendor (the receipt whereof is hereby acknowledged) the Vendor as beneficial owner DOTH HEREBY convey unto the Purchaser in fee simple ALL THAT the land described in the first schedule hereto together with the easements appurtenant thereto and described in the second schedule hereto IN WITNESS WHEREOF the Vendor hath hereunto affixed its seal.

THE FIRST SCHEDULE HEREINBEFORE REFERRED TO ALL THAT parcel of land situated at RYLSTONE in the Parish of Dabee County of Phillip State of New South Wales being part of portions 98 and 99 and Parish of Rylstone County of Roxburgh State of New

THE COMMISSIONER FOR RAILWAYS

and

THE COUNCIL OF THE SHIRE OF RYLSTONE

C O N V E Y A N C E

JOHN A. KNOX,
Solicitor
Louee Street,
RYLSTONE, N.S.W.

South Wales being part of Permanent Common dedicated 3rd September 1894 being lands resumed for railway purposes vide Government Gazette No. 139 of 19th September 1930 Commencing at the south western most corner of portion 99 aforesaid and bounded thence on the north west by part of the northwestern boundary of portion 99 aforesaid bearing 23° 30' 44.3 links thence on the north by a line bearing 85° 17' 412.1 links thence on the east by a line bearing 178° 55' 795 links thence on the southwest by a line bearing 206° 56' 500 links thence on the west and northwest by lines bearing 357° 50' 455.2 links and 23° 30' 130.7 links to the point of commencement excluding therefrom the bed of the Cndgegong River and containing an area of about 2 acres 1 rood 29½ perches.

THE SECOND SCHEDULE HEREINBEFORE REFERRED TO.

ALL THAT the easement resumed for pipeline for railway purposes vide Government Gazette 139 of 19th September 1930 over ALL THAT piece or parcel of land situate at Rylstone in the Parish of Rylstone County of Roxburgh State of New South Wales being part of Permanent Common dedicated 3rd September 1894 commencing at a point on the western side of Carwell Street bearing 180° 00' 2273.1 links from the south eastern corner of portion 149 and bounded thence on the east by part of the western side of Carwell Street aforesaid bearing 180° 17.8 links thence on the southwest by a line bearing 301° 32' 2458.5 links thence on the west by part of the eastern boundary of the area 2 acres 1 rood 29½ perches above described bearing 358° 55' 18 links thence on the north-east by a line bearing 121° 32' 2458.9 links to the point of commencement and containing an area of about 1 rood 19½ perches AND ALSO ALL THAT easement for access for Railway purposes vide Government Gazette No. 139 of 19th September 1930 over ALL THAT parcel of land situate as aforesaid being part of Permanent Common dedicated 3rd September 1894 Commencing at a point on the western side of Carwell Street bearing 180° 00' 55.5 links from the south-eastern corner of portion 149 and bounded on the east by the western side of Carwell Street aforesaid bearing 180° 00'

12.8 links thence bounded generally on the south-east and south by lines bearing 45° 21' 158.1 links 47° 05' 872.1 links 57° 23' 90 links 76° 59' 110 links 89° 59' 180 links 92° 39' 470 links 91° 19' 244 links 80° 39' 160 links 57° 15' 133 links thence on the west by part of the eastern boundary of the area of 2 acres 1 rood 29½ perches above described bearing 358° 55' 10.7 links thence generally on the north west and north by lines bearing 237° 15' 129.88 links 260° 39' 163.4 links 271° 19' 244.9 links 272° 39' 469.9 links 269° 59' 178.75 links 256° 59' 107.4 links 237° 23' 87.6 links 227° 05' 871.1 links 225° 21' 166.4 links to the point of commencement and containing an area of about 35½ perches.

The Common Seal of THE COMMISSIONER)
FOR RAILWAYS hath been herewith duly)
affixed in the presence of:-)

J. Keraghty
.....
Secretary for Railways.
CORRECT
A. G. G. G.
Asst. Solicitor for Railways

RECEIVED INTO THE REGISTRATION OF DEED OFFICE AT SYDNEY.

THE 20th MARCH 1967 AT 50 MINUTES PAST 2 O'CLOCK IN THE

AFTER NOON FROM *Edley* CLERK TO J. A. KNOX *Solitor* Solitor, A

TRUE COPY of the ORIGINAL CONVEYANCE VERIFIED BY *ANGELA* MINOR of *KANDOS* }
AND NUMBERED 565 BOOK 2828

S. Loung
DEPUTY REGISTRAR

9.3 Quarterly Budget Review Statement March 2021

REPORT BY THE MANAGER FINANCE
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, FIN300240

RECOMMENDATION

That Council:

1. **receive the report by the Manager Finance on the Quarterly Budget Review Statement March 2021;**
2. **amend the 2020/21 Budget in accordance with the proposed variations as listed in the Quarterly Budget Review Statement attachment to this report; and**
3. **note the opinion of the Responsible Accounting Officer regarding the satisfactory financial position of Council, based upon the revised estimates of income and expenditure.**

Executive summary

This report, with its incorporated attachment, makes up the March 2021 Quarterly Budget Review Statement of the 2020/21 Operational Plan. Proposed budget variations to the Budget with relevant financial implications are included in the attachment.

Disclosure of Interest

Nil.

Detailed report

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

Certification

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

It is my opinion that the attached Quarterly Budget Review Statement for Mid-Western Regional Council indicates that Council's projected financial position as at 30 June 2021 will be satisfactory, having regard to the projected estimates of income and expenditure for the 2020/21 financial year.

Community Plan implications

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

Strategic implications

Council Strategies

The recommendation if approved will amend the 2020/21 Budget. In accordance with the Delivery Program 2017/21 a comprehensive Quarterly Budget Review reporting is required to be completed within two months of period end.

Council Policies

Not applicable.

Legislation

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

(1) Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the Council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.

(2) A budget review statement must include or be accompanied by:

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

(3) A budget statement must also include any information required by the Code to be included in such a statement.

Financial implications

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

Associated Risks

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

NEIL BUNGATE
MANAGER FINANCE

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

27 April 2021

Attachments: 1. Quarterly Budget Review Statement March 2021. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.4 Monthly Statement of Investments as at 30 April 2021

REPORT BY THE MANAGER FINANCE
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, FIN300053

RECOMMENDATION

That Council:

1. receive the report by Manager Finance the on the Monthly Statement of Investments as at 30 April 2021; and
2. note the certification of the Responsible Accounting Officer.

Executive summary

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

Disclosure of Interest

Nil.

Detailed report

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 30 April 2021.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

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

Legislation

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

a) this report sets out details of all money that the Council has invested under Section 625 of the Act, and

b) all investments have been made in accordance with the Act and the regulations

Financial implications

Not applicable.

Associated Risks

Not applicable.

NEIL BUNGATE
MANAGER FINANCE

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

4 May 2021

Attachments: 1. Investment Report 30 April 2021.

APPROVED FOR SUBMISSION:

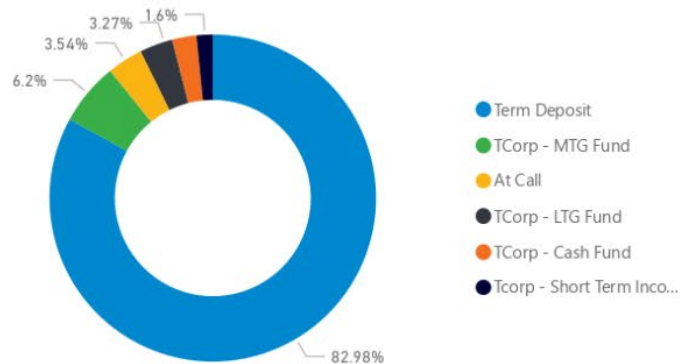
BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council Cash and Investments as at 30 April 2021

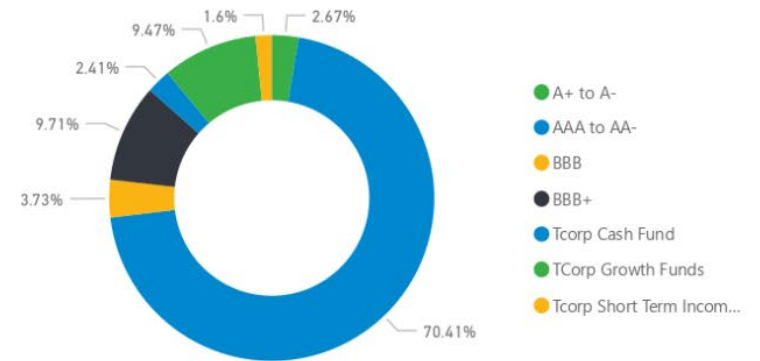
Total Investment Portfolio

93.75M

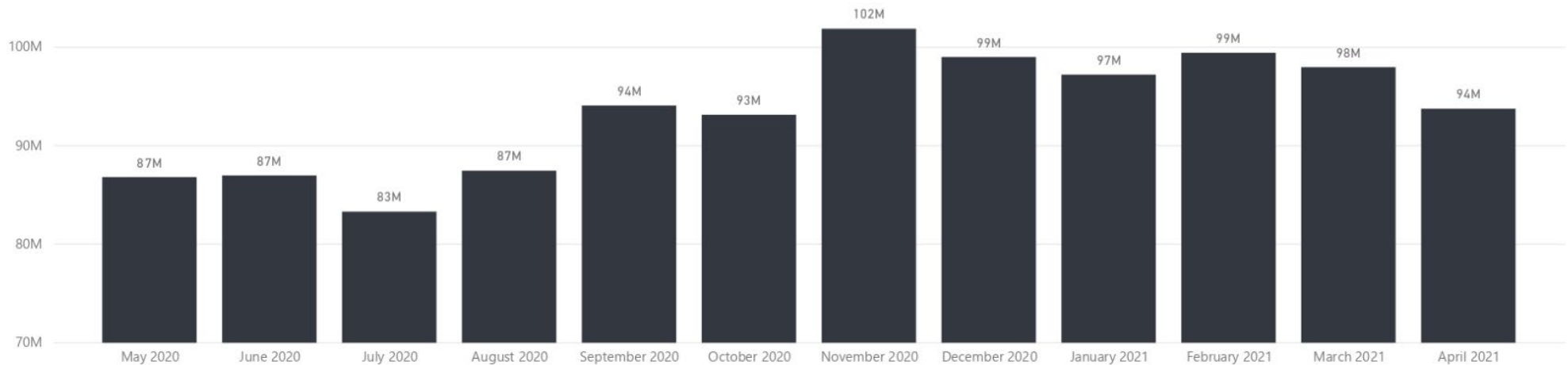
Investments by Type



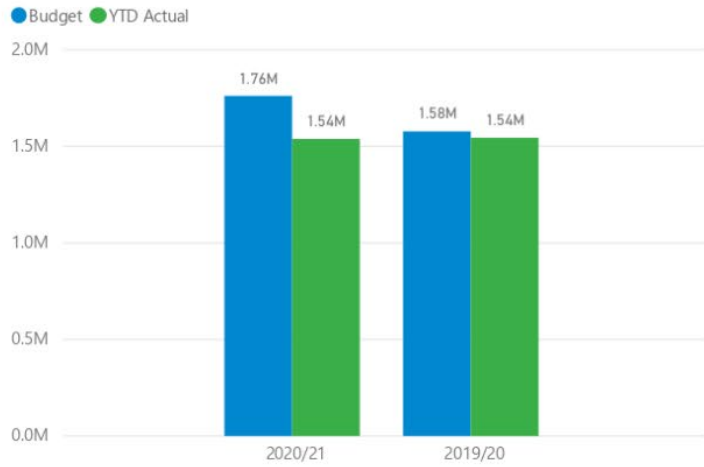
Investments by Long Term Rating



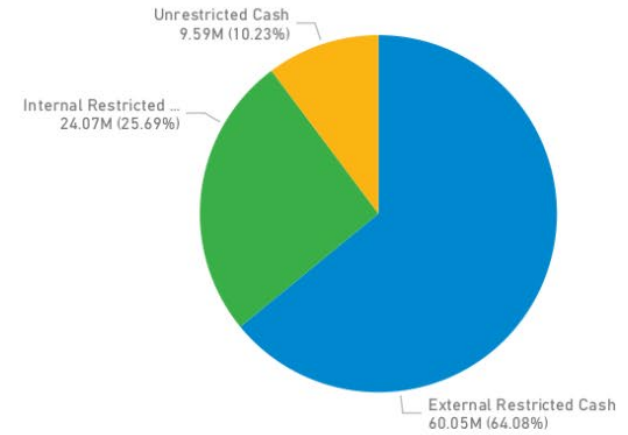
Portfolio Balance at End of Month



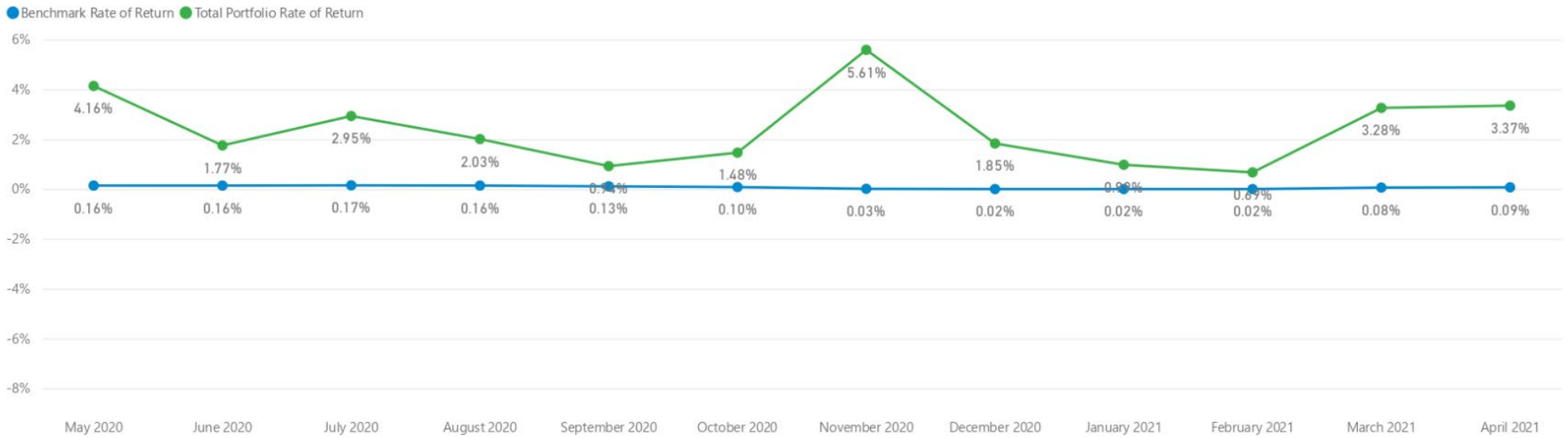
Income from Investments



Balance by Cash Category



Investment Performance



At Call Fund and Managed Funds

Institution	Yield	Term to Maturity	Principal Amount
NAB	0.50%	0	3,316,213.36
TCorp - Cash Fund	0.50%	1	2,258,470.21
TCorp - Long Term Growth Fund	0.50%	5	3,064,369.73
TCorp - Medium Term Growth Fund	0.50%	5	5,816,932.95
Tcorp - Short Term Income Fund	0.50%	5	1,498,683.39
Total			15,954,669.64

Current Term Deposits

Institution	Yield	Term to Maturity	Principal Amount
AMP	0.75%	222	2,000,000
AMP	0.75%	278	1,500,000
Bank Of Queensland	1.65%	194	2,500,000
Bank Of Queensland	1.60%	292	1,500,000
Bank Of Queensland	1.45%	306	1,000,000
Bank Of Queensland	0.90%	516	1,500,000
CBA	0.70%	166	1,500,000
CBA	0.68%	208	1,800,000
CBA	0.55%	173	1,200,000
CBA	0.53%	264	2,000,000
CBA	0.53%	278	2,000,000
CBA	0.53%	320	2,000,000
CBA	0.44%	362	2,500,000
CBA	0.43%	348	1,500,000
CBA	0.46%	390	1,500,000
CBA	0.42%	404	1,000,000
CBA	0.42%	418	2,000,000
ING	1.13%	376	1,500,000
Macquarie	1.40%	670	1,000,000
MyState Bank	0.75%	180	2,600,000
NAB	1.00%	68	1,800,000
NAB	0.85%	82	2,200,000
NAB	0.81%	75	1,500,000
NAB	0.80%	110	1,500,000
NAB	0.87%	474	2,000,000
NAB	0.81%	117	2,000,000
NAB	0.75%	145	2,500,000
NAB	0.75%	152	1,000,000
NAB	0.79%	502	1,500,000
NAB	0.70%	530	1,000,000
NAB	0.61%	236	1,500,000
NAB	0.57%	327	2,000,000
NAB	0.48%	334	2,500,000
NAB	0.57%	670	1,700,000
St George	1.15%	12	1,500,000
St George	1.15%	40	2,000,000
St George	1.15%	54	3,000,000
St George	1.12%	26	2,000,000
St George	0.60%	250	1,500,000
St George	0.60%	264	1,500,000
Westpac	1.54%	96	1,500,000
Westpac	0.85%	462	2,000,000
Westpac	0.80%	124	1,000,000
Westpac	0.80%	138	1,500,000
Westpac	0.62%	222	1,500,000
Total			77,800,000

Investment Portfolio Summary

Term to Maturity	Amount \$'000	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	29,954,670	32%	32%	20%	OK
Between 3 months and	47,100,000	50%	82%	40%	OK
Between 1 year and 2	16,700,000	18%	100%	50%	OK
Between 2 years and 4	-	0%	100%	85%	OK
More than 5 years	-	0%	100%	0%	OK
Total	93,754,670				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	CBA	40%	OK	20%	19,000,000
	NAB	40%	OK	30%	28,016,213
	St George	40%	OK	12%	11,500,000
	Westpac	40%	OK	8%	7,500,000
A+	Macquarie	20%	OK	1%	1,000,000
A	ING	20%	OK	2%	1,500,000
	Bank Of				
BBB+	Queensland	10%	OK	7%	6,500,000
	MyState Bank	10%	OK	3%	2,600,000
BBB	AMP	5%	OK	4%	3,500,000
	TCorp - Cash				
Tcorp Cash Fund	Fund	30%	OK	2%	2,258,470
TCorp Growth Funds	TCorp - Long				
	Term Growth	15%	OK	3%	3,064,370
	TCorp - Medium				
	Term Growth	15%	OK	6%	5,816,933
	Tcorp - Short				
	Term Income				
Tcorp Short Term Inc	Fund	15%	OK	2%	1,498,683
Grand Total				100%	93,754,670

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
AAA to AA-	100%	OK	70%	66,016,213
A+ to A-	50%	OK	3%	2,500,000
BBB+	20%	OK	10%	9,100,000
BBB	10%	OK	4%	3,500,000
Tcorp Cash Fund	30%	OK	2%	2,258,470
TCorp Growth Funds	15%	OK	9%	8,881,303
Tcorp Short Term Inc	15%	OK	2%	1,498,683
Grand Total			100%	93,754,670

Monthly Investment Portfolio Activity

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

Bank Accounts	Opening Balance	Redeemed Balance	Re-invested Balance
NAB (At call account)	5,699,649		3,316,213
TCorp - Cash Fund	2,258,374		2,258,470
TCorp - Long Term Growth Fund	2,992,204		3,064,370
TCorp - Medium Term Growth Fund	5,729,078		5,816,933
Tcorp - Short Term Income Fund	1,497,913		1,498,683
Total	18,177,218	-	15,954,670

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
St George	2.61%	28/04/2021	2,500,000	130,142
NAB	1.10%	21/04/2021	1,000,000	10,759
St George	1.11%	14/04/2021	1,500,000	15,327
Total			5,000,000	156,228

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
CBA	0.42%	8/06/2022	1,000,000	4,913
CBA	0.42%	22/06/2022	2,000,000	10,149
Total			3,000,000	15,062

9.5 Monthly Budget Review - April 2021

REPORT BY THE MANAGER FINANCE
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, FIN300240

RECOMMENDATION

That Council receive the report by the Manager Finance on the Monthly Budget Review - April 2021.

Executive summary

This report provides Council with information on the progress of the 2020/21 capital works program at 30 April 2021.

Disclosure of Interest

Nil.

Detailed report

Over the period of the financial year, Council has an opportunity to review and approve variances to the Budget. The attachment to this report provides information on the progress of capital works. Any budget variations are included in the March Quarterly Budget Review Statement.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable

Legislation

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

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

Financial implications

There are no proposed budget variations within this report.

Associated Risks

Not applicable.

NEIL BUNGATE
MANAGER FINANCE

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

4 May 2021

Attachments: 1. Monthly Budget Review Attachment - April 2021 EOM.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

*Good
Government*

MONTHLY BUDGET
REVIEW – 30 APRIL
2021

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

19 MAY 2021



MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



1. CAPITAL WORKS PROGRAM

Summary of capital works program as at 30 April 2021.

37 M

Actual YTD

218

Capital Projects

*Excludes Budget Only and
Deferred

62%

Budget Spent

91

Capital Projects
Completed

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Looking after our Community							
BUSHFIRE RECOVERY - LARGE WATER TANKS (DRFA)	196	0	196	189	96%	6	Final works
MUDGEES POUND UPGRADE - RENOVATION & EXTENSION	30	0	30	1	2%	5	Initial works
GPS CEMETERY SITES	42	(25)	17	8	46%	4	Final works
CEMETERY CAPITAL PROGRAM	15	0	15	11	75%	0	Final works
MUDGEES CEMETERY FENCE UPGRADE	65	0	65	39	60%	0	Final works
MUDGEES CEMETERY ROAD UPGRADE	25	0	25	7	27%	17	Complete
RYLSTONE CEMETERY DRAINAGE	26	0	26	3	10%	0	Construction
LIBRARY BOOKS	91	0	91	79	86%	0	Construction
LIBRARY EQUIPMENT	20	0	20	14	71%	0	Complete
RYLSTONE LIBRARY BRANCH	9	0	9	4	40%	0	Construction
COMMUNITY CENTRE - COURT STREET CAPITAL WORKS	50	(30)	20	0	0%	6	Consultation
GULGONG MEMORIAL HALL EXT. PAINTING	30	0	30	31	102%	0	Complete
GULGONG MEMORIAL HALL ROOF	70	0	70	70	100%	0	Complete
TOWN HALL - SURVEILLANCE CAMERA UPGRADE	50	(35)	15	13	88%	0	Complete
GUIDES BUILDING - RYLSTONE	40	0	40	35	88%	0	Final works
GULGONG HALL	34	0	34	2	5%	16	Initial works
PROPERTY PURCHASE- 70 COURT ST	650	0	650	653	100%	0	Complete-awaiting invoices
KANDOS LIBRARY & HALL	12	0	12	7	57%	0	Complete
POOL SHADE PROGRAM	55	0	55	0	0%	49	Construction
GULGONG POOL REPAINT	91	0	91	91	99%	0	Complete
GULGONG POOL STORAGE SHED	25	0	25	1	3%	7	Initial works
POOL FILTER REPLACEMENT	55	0	55	0	0%	0	Procurement
POOL MATTS	60	0	60	0	0%	0	Procurement
KANDOS POOL HEATERS	85	0	85	0	0%	0	Procurement
MUDGEES SHOWGROUNDS - REDEVELOPMENT	497	(250)	247	21	8%	696	Initial works
GLEN WILLOW SPORTS GROUND UPGRADES	10,948	0	10,948	7,136	65%	5,046	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
GLEN WILLOW SHED	60	0	60	0	0%	0	Design
GLEN WILLOW CARPARK	500	0	500	359	72%	77	Construction
VICTORIA PARK GULGONG - LIGHTING CAP UPGRADE	557	0	557	537	96%	7	Final works
RYLSTONE CEMETERY STORAGE SHED	20	0	20	8	38%	0	Final works
MUDGEES DOG PARK RELOCATION & UPGRADE	150	0	150	0	0%	123	Construction
BILLY DUNN AMENITIES	332	(200)	132	7	6%	0	Procurement
RYLSTONE SHOWGROUND CAPITAL	75	0	75	4	5%	17	Procurement
BILLY DUNN CARPARK ACCESS	96	0	96	26	27%	2	Construction
PUBLIC TOILETS - CLANDULLA	5	0	5	3	64%	0	Complete
PUBLIC TOILETS - WALKERS OVAL	10	0	10	11	106%	0	Complete
MUDGEES SHOWGROUNDS - CARPARK & PATHWAY UPGRADE	74	0	74	64	87%	0	Complete
MUDGEES SHOWGROUNDS - BRIDGE CLUB KITCHEN	57	0	57	57	100%	0	Complete
MUDGEES SHOWGROUNDS - ROAD REHAB AND FENCING	10	0	10	0	4%	2	Construction
PASSIVE PARKS - LANDSCAPING IMPROVEMENTS	6	0	6	0	0%	4	Initial works
SHADE SAIL REPLACEMENTS	0	5	5	5	101%	0	Complete
SCULPTURES ACROSS THE REGION	26	0	26	14	54%	4	Construction
PLAYGROUND SHADING PROGRAM	171	(65)	106	18	17%	0	Complete
DISTRICT ADVENTURE PLAYGROUND	9	0	9	9	100%	0	Complete
PITTS LANE - LIGHTING *	50	0	50	0	0%	46	Construction
FLIRTATION HILL DEVELOPMENT	38	0	38	2	6%	0	Initial works
RED HILL CAPITAL WORKS	20	0	20	9	44%	6	Initial works
PLAYGROUND CCTV	15	0	15	14	91%	0	Complete
PUBLIC TOILETS - CORONATION PARK	10	0	10	1	11%	0	Construction
PUBLIC TOILETS - ROBERTSON PARK	20	0	20	1	5%	0	Procurement
PLAYGROUND - ROBINSON / FISHER ST GULGONG	24	0	24	10	43%	0	Final works
CLANDULLA MOUNTAIN BIKE TRAIL DEVELOPMENT *	50	(50)	0	0	0%	0	Deferred/Cancelled
ROBERTSON PARK PATHWAY	10	0	10	0	0%	0	Complete

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
ART GALLERY FACILITY	7,471	0	7,471	5,135	69%	1,745	Construction
STREETSCAPE - CBD INFRASTRUCTURE	25	(5)	20	19	95%	0	Complete-awaiting invoices
Total	23,164	(654)	22,509	14,727	65%	7,886	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	202	0	202	84	41%	27	Construction
MUDGEES WASTE DEPOT UPGRADES	59	0	59	41	70%	0	Construction
NEW TIP CELL CONSTRUCTION	78	0	78	48	61%	11	Final works
WASTE SITES REHABILITATION	30	0	30	30	100%	0	Complete
RECYCLING PLANT UPGRADES	200	(193)	7	1	14%	4	Procurement
LEACHATE POND ENLARGEMENT	27	0	27	15	55%	5	Final works
WEIGHBRIDGE SOFTWARE UPGRADE	43	0	43	44	102%	0	Complete
KANDOS WTS OFFICE REPLACEMENT	99	0	99	18	19%	53	Initial works
GULGONG WTS OFFICE REPLACEMENT	118	0	118	18	15%	87	Initial works
MUDGEES LANDFILL WHEEL WASH	35	0	35	0	0%	0	Procurement
DRAINAGE CAPITAL IMPROVEMENTS	117	20	137	114	83%	11	Construction
MUDGEES FLOOD STUDY & FLOODPLAIN MANAGEMENT PLAN	60	(24)	36	18	50%	2	Final works
EARTH CHANNEL ENLARGEMENT WORKS	90	(20)	70	0	0%	4	Construction
PIT MODIFICATIONS – VARIOUS LOCATIONS	17	0	17	8	47%	0	Construction
CAUSEWAY - SCHOOL LANE	33	0	33	30	91%	0	Final works
MUDGEES FLOODPLAIN MANAGEMENT PLAN STAGE 2	150	(150)	0	0	0%	0	Design
KANDOS STORMWATER UPGRADE	701	(350)	351	86	24%	155	Procurement
CAUSEWAY - DREWS LANE	33	0	33	2	6%	3	Initial works
PUTTA BUCCA WETLANDS EXTENSION	11	0	11	0	5%	7	Complete-awaiting invoices
PUTTA BUCCA WETLANDS TOILET	101	(95)	6	2	27%	0	Design

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
WATER NEW CONNECTIONS	113	50	163	136	83%	1	Construction
WATER AUGMENTATION - MUDGEES HEADWORKS	330	(321)	9	9	100%	0	Procurement
WATER AUGMENTATION - ULAN RD EXTENSION	311	0	311	275	88%	0	Complete
WATER TELEMTRY	250	0	250	199	79%	52	Complete
WATER MAINS - BYRON PLACE	60	0	60	0	1%	0	Procurement
WATER MAINS - LYNNE STREET	30	(14)	16	16	98%	0	Complete
WATER MAINS - MAYNE STREET	270	(270)	0	0	0%	0	Deferred/Cancelled
WATER MAINS - ANDERSON STREET	138	0	138	138	100%	0	Complete
WATER MAINS - COOYAL STREET	148	(49)	99	99	100%	0	Complete
WATER MAINS - SCULLY STREET	50	(14)	36	35	98%	0	Complete
WATER MAINS - QUEEN STREET	86	(17)	69	69	100%	0	Complete
WATER MAINS - BELMORE STREET	250	25	275	278	101%	2	Complete
WATER MAINS - MOONLIGHT STREET	65	0	65	65	99%	0	Complete
WATER MAINS - STOTT STREET	22	0	22	5	24%	0	Construction
WATER MAINS - NANDOURA STREET	200	(70)	130	123	95%	2	Complete
WATER MAINS - FISHER STREET	50	(14)	36	33	92%	2	Complete
CHURCH STREET ROUNDABOUT - NON-POTABLE WATER MAIN REPLACEMENT	75	0	75	15	20%	11	Initial works
WATER PUMP STATION - CAPITAL RENEWALS	19	0	19	19	101%	0	Complete
RYLSTONE DAM PS PAC DOSING SYSTEM	90	0	90	0	0%	89	Final works
RYLSTONE DAM MONITORING EQUIPMENT	0	13	13	10	76%	0	Procurement
RESERVOIRS - RYLSTONE, KANDOS, CHARBON, CLANDULLA	106	0	106	66	63%	17	Final works
RAW WATER SYSTEMS RENEWALS	20	0	20	15	77%	0	Final works
WATER TREATMENT RYLSTONE UPGRADES	8	0	8	8	96%	0	Complete
WATER WELLFIELD BORE INTEGRITY UPGRADES	40	(13)	27	21	78%	0	Complete
WATER METER REPLACEMENT	70	0	70	63	89%	0	Final works
RAW WATER SYSTEMS - MUDGEES AND GULGONG DISINFECTION UPGRADES	2	0	2	2	101%	0	Complete

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
RAW WATER SYSTEMS - SALEYARDS WATER SUPPLY	28	0	28	0	0%	0	Consultation
RURAL CUSTOMER FILL STATIONS	270	0	270	6	2%	7	Initial works
SEWER NEW CONNECTIONS	24	10	34	20	58%	0	Construction
SEWER TELEMTRY	31	0	31	0	0%	27	Construction
SEWER MAINS - CAPITAL BUDGET ONLY	591	(591)	0	3	0%	1	Budget only
SEWER MAINS RELINING	300	200	500	29	6%	431	Construction
RISING MAIN ULAN RD TO PUTTA BUCCA	129	0	129	129	100%	0	Deferred/Cancelled
SEWER MAIN REPLACEMENT - SHORT ST/MARKET ST MUDGEE	0	12	12	0	0%	0	Design
SEWER MAIN COLLAPSE- LAWSON PARK WEST MUDGEE	0	150	150	0	0%	123	Design
SEWER PUMP STATION - CAPITAL RENEWALS	38	0	38	39	102%	0	Deferred/Cancelled
SEWER TREATMENT WORKS - RENEWALS	22	0	22	21	99%	0	Construction
MUDGEE STP SLUDGE DEWATERING IMPROVEMENTS	9	0	9	9	100%	0	Complete
SEWER TREATMENT WORKS - GULGONG STP SPILLWAY	30	(30)	0	0	0%	0	Deferred/Cancelled
SEWER TREATMENT WORKS MUDGEE INLET	46	0	46	32	70%	11	Complete
MUDGEE STP EMERGENCY WORKS	500	0	500	333	67%	16	Construction
SEWER TREATMENT WORKS - MUDGEE STP CBT DESLUDGE	275	0	275	0	0%	240	Initial works
Total	7,299	(1,755)	5,544	2,878	52%	1,401	

Building a Strong Local Economy

RYLSTONE CARAVAN PARK - CAPITAL	80	(50)	30	7	23%	3	Design
RIVERSIDE CARAVAN PARK FIRE SERVICES	103	0	103	27	26%	0	Initial works
MUDGEE VALLEY PARK UPGRADE	706	(100)	606	325	54%	23	Construction
CUDGONG WATERS PARK INTERNAL ROADS	50	0	50	0	0%	0	Initial works
ENTRANCE SIGNAGE PROJECT	112	0	112	101	89%	2	Final works
SALEYARDS SECURITY CAMERAS	3	0	3	3	100%	0	Complete
SALEYARDS BULL PEN SHADE	11	(4)	6	6	100%	0	Final works

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
SALEYARDS WATER PUMP	7	0	7	0	0%	4	Initial works
PROPERTY - MUDGEE AIRPORT SUBDIVISION	200	(180)	20	15	76%	0	Complete
PROPERTY - EX SALEYARDS STAGE I	586	(60)	526	539	102%	32	Complete
RYLSTONE KANDOS PRESCHOOL EXTENSION	14	0	14	6	46%	0	Complete
COMMERCIAL PROP - MN353/20	2,042	0	2,042	2,042	100%	0	Complete
CAPITAL WORKS PITTS LANE	34	0	34	34	100%	0	Complete
PROPERTY PURCHASE	1,508	0	1,508	0	0%	7	Procurement
Total	5,456	(394)	5,062	3,106	61%	72	

Connecting our Region

URBAN RESEALS - BUDGET ONLY	0	116	116	0	0%	0	Budget Only
URBAN RESEALS - BAYLY ST SEG 10-60	41	0	41	41	100%	0	Complete
URBAN RESEALS - BELMORE ST SEG 10-20,50-90	91	(74)	17	17	100%	0	Complete
URBAN RESEALS - MAYNE ST SEG 20,60,70	31	(15)	16	16	100%	0	Complete
URBAN RESEALS - QUEEN ST SEG 10-80	55	(13)	42	42	100%	0	Complete
URBAN RESEALS - WYALDRA ST SEG 10	7	1	8	8	100%	0	Complete
URBAN RESEALS - COX ST SEG 10	13	0	13	13	100%	0	Complete
URBAN RESEALS - WALKERS LN SEG 10	13	0	13	13	100%	0	Complete
URBAN RESEALS - BELLEVUE RD SEG 30-60	33	0	33	33	100%	0	Complete
URBAN RESEALS - BRUCE RD SEG 30	28	0	28	22	79%	0	Complete
URBAN RESEALS - CEDAR AVE SEG 10-20	7	0	7	7	99%	0	Complete
URBAN RESEALS - COMMON RD SEG 10	10	0	10	1	11%	0	Complete
URBAN RESEALS - CONSTANTIA RD SEG 10	20	0	20	15	75%	0	Complete
URBAN RESEALS - COURT ST SEG 10,60-100	55	(21)	34	34	99%	0	Complete
URBAN RESEALS - COX ST SEG 15-20	19	0	20	20	100%	0	Complete
URBAN RESEALS - GLADSTONE ST SEG 10-40,110-130	126	0	126	96	76%	0	Complete
URBAN RESEALS - NORMAN RD SEG 10-30	30	0	30	30	100%	0	Complete

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
URBAN RESEALS - ROBERT JONES ST SEG 10	5	0	5	5	100%	0	Complete
URBAN RESEALS - MUDGEES ST SEG 10-70	110	0	110	79	71%	53	Construction
URBAN ROADS KERB & GUTTER CAPITAL	26	0	26	18	68%	0	Construction
URBAN REHAB - CHURCH / MEARES ST ROUNDABOUT	935	(335)	600	41	7%	65	Construction
HEAVY PATCHING - MUDGEES ST RYLSTONE	50	12	62	62	100%	0	Complete
URBAN REHAB - SHORT ST RYLSTONE KERB & GUTTER	61	1	62	62	100%	0	Complete
URBAN HEAVY PATCHING	25	0	25	7	28%	1	Initial works
MULTIPLE PEDESTRIAN REFUGES & BUILDOUTS	20	0	20	20	100%	0	Complete
ROAD EXTENSION - BETWEEN PUTTA BUCCA & GLEN WILLOW	841	(541)	300	1	0%	0	Design
RESHEETING - URBAN ROADS	16	0	16	2	11%	0	Initial works
URBAN ROADS LAND MATTERS CAPITAL	28	0	28	3	9%	0	Consultation
GUTTERING BYLONG VALLEY WAY KANDOS	66	2	67	67	100%	0	Complete
RURAL SEALED ROADS RESEALS BUDGET ONLY	0	91	91	0	0%	0	Budget Only
RESEAL - CRAIGMOOR RD SEG 10	29	0	29	29	100%	0	Complete
RESEAL - EDGELL LANE SEG 10	16	0	16	16	100%	0	Complete
RESEAL - CRAIGMOOR RD SEG 20	26	1	27	27	100%	0	Complete
RESEAL - HENRY LAWSON DR SEG 80-90,120	117	0	117	117	100%	0	Complete
RESEAL - GREEN GULLY RD SEG 15	10	0	10	10	100%	0	Complete
RESEAL - GUNDOWDA RD SEG 10-30,70	84	0	84	84	100%	0	Complete
RESEAL - QUEENS PINCH RD SEG 70,110-120	62	1	63	63	100%	0	Complete
RESEAL - NULLO MOUNTAIN RD SEG 110	25	0	25	25	100%	0	Complete
RESEAL - LESTERS LN SEG 10-40	134	(24)	110	100	91%	0	Complete
RESEAL - QUEENS PINCH RD SEG 50	27	0	27	27	100%	0	Complete
RESEAL - HENRY LAWSON DR SEG 130-160	160	0	160	160	100%	0	Complete
RURAL SEALED ROAD REHAB & WIDENING - BUDGET ONLY	0	132	132	0	0%	0	Budget Only
RURAL REHAB - CUDGEGONG RD	360	0	360	38	11%	45	Construction
RURAL REHAB - BARNEYS REEF RD	430	0	430	3	1%	87	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
HEAVY PATCHING	46	0	46	19	40%	0	Construction
CUDGEGONG ROAD GUARDRAIL	50	(4)	46	46	100%	0	Complete
ULAN WOLLAR ROAD - STAGE 3A	88	(50)	38	38	100%	0	Complete
ULAN WOLLAR ROAD - MOOLARBEN INTERSECTION	72	(2)	70	70	100%	0	Complete
REHAB - LUE RD SEG 100 TO 110	3	0	3	3	100%	0	Complete
RURAL SEALED ROAD LAND MATTERS	18	0	18	(1)	-7%	0	Consultation
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM *	329	0	329	154	47%	133	Construction
ULAN AND WOLLAR ROAD UPGRADES	86	0	86	0	0%	0	Project Scope
MUNGHORN GAP REALIGNMENT & UPGRADE	1,695	0	1,695	1,714	101%	15	Complete
HILL END ROAD SAFETY IMPROVEMENTS	1,501	(219)	1,283	1,027	80%	250	Construction
BVW UPGRADE RNSW 2080	1,823	0	1,823	1,117	61%	124	Construction
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	15	0	15	1	5%	3	Initial works
SEAL EXTENSION - BARIGAN RD	2,006	(447)	1,559	1,525	98%	10	Complete
WIDEN AND SEAL MT VINCENT ROAD HILL	90	(30)	60	60	100%	0	Complete
SEAL EXTENSION - AARONS PASS RD	1,200	0	1,200	993	83%	4	Complete
SEAL EXTENSION - COXS CREEK RD	460	(118)	342	341	100%	0	Complete
SEAL EXTENSION - MEBUL RD	1,405	0	1,405	185	13%	113	Construction
SEAL EXTENSION - PYRAMUL RD SEG 120-130	375	0	375	67	18%	54	Construction
RESHEETING	2,512	0	2,512	2,458	98%	10	Construction
SEAL EXTENSION - PYRAMUL RD	107	0	107	108	101%	65	Complete
UNSEALED ROADS LAND MATTERS CAPITAL	20	0	20	16	78%	0	Construction
DIXONS LONG POINT CROSSING	1,175	(343)	833	448	54%	158	Design
REGIONAL ROAD BRIDGE CAPITAL	3	(3)	0	0	0%	0	Complete
GOULBURN RIVER BRIDGE ULAN ROAD	400	(200)	200	35	18%	0	Initial works
ULAN ROAD - BLACKSPRINGS ROAD TO BUCKAROO LANE	400	0	400	14	4%	0	Initial works
ULAN ROAD - HOLYOAKE BRIDGE TO LUE ROAD REHAB	110	0	110	1	1%	54	Construction
FOOTWAYS - CAPITAL WORKS	136	0	136	123	90%	0	Construction
PEDESTRIAN - PUTTA BUCCA WALKWAY	30	0	30	2	8%	0	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
PUTTA BUCCA ECO TRAIL	319	0	319	109	34%	205	Construction
MUDGEES SHARED CYCLEWAY/WALKING LOOP	28	0	28	29	101%	0	Complete
FOOTPATH - LAWSON PARK EAST	51	0	51	0	0%	50	Initial works
PEDESTRIAN ACCESS AND MOBILITY PLAN WORKS	700	0	700	316	45%	311	Construction
FOOTPATH - WALKERS OVAL TO CULTURAL PRECINCT	175	0	175	95	54%	7	Construction
SHARED PATHWAY - GLEN WILLOW TO PUTTA BUCCA WETLANDS AREA	247	0	247	122	49%	0	Construction
AIRPORT RUNWAY *	1,012	(52)	960	888	93%	0	Complete-awaiting invoices
AIRPORT AMBULANCE TRANSFER BAY	83	0	83	40	48%	17	Construction
AIRPORT TERMINAL AWNING	6	0	6	6	99%	0	Complete
AIRPORT HELICOPTER LANDING PAD	32	(10)	22	22	100%	0	Complete-awaiting invoices
CBD PEDESTRIAN CROSSING LIGHTING UPGRADE	220	(88)	132	1	0%	138	Initial works
Total	23,271	(2,228)	21,043	13,668	65%	1,970	

Good Government

MUDGEES ADMINISTRATION BUILDING UPGRADE	35	0	35	0	0%	0	Procurement
RYLSTONE COUNCIL BUILDING	64	0	64	42	65%	16	Final works
MUDGEES STORES BUILDING	10	0	10	8	78%	0	Deferred/Cancelled
OLD POLICE STATION CAPITAL	62	(62)	0	2	0%	0	Deferred/Cancelled
CARMEL CROAN BUILDING CAPITAL	45	0	45	45	100%	0	Complete
CONCEPT PLANS FOR MAIN ADMIN BUILDING	50	0	50	3	7%	68	Construction
MUDGEES STORES/WORKSHOP SECURITY UPGRADE	0	10	10	0	0%	0	Design
IT SPECIAL PROJECTS	31	0	31	19	60%	0	Procurement
IT - NETWORK UPGRADES	101	0	101	5	5%	94	Initial works
IT CORPORATE SOFTWARE	128	0	128	61	48%	1	Construction
SERVER ROOM MUDGEES CAPITAL UPGRADES	30	0	30	15	51%	2	Construction
BACKUP DISASTER RECOVERY UPGRADE	282	0	282	0	0%	229	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
PLANT PURCHASES	8,022	(3,765)	4,257	2,101	49%	3,992	Final works
RYLSTONE DEPOT CAPITAL WORKS	10	0	10	10	99%	0	Complete
RYLSTONE DEPOT WASHBAY	156	0	156	150	97%	5	Complete-awaiting invoices
SOLAR FARM INITIATIVE	848	(400)	448	117	26%	360	Design
REPLACE DEPOT FUEL BOWSERS	36	0	36	36	100%	0	Complete
RYLSTONE DEPOT SEALING	40	(2)	38	38	99%	0	Complete
WORKSHOP FIRE EXIT	1	0	1	1	98%	0	Complete
WORKSHOP CONCRETE WORKS	25	0	25	0	0%	7	Initial works
STORE WATER PIPE SHED	30	0	30	9	28%	26	Construction
Total	10,008	(4,219)	5,789	2,662	46%	4,799	
Total Capital Works Program	69,198	(9,251)	59,947	37,041	62%	16,128	

Status	Description
Consultation	Engaging with stakeholders for ideas and to determine viability and direction for the project.
Project Scope	Initial concept, business case and project plan development.
Design	Initial and detailed design.
Procurement	Tendering, sourcing quotes or suppliers.
Initial works	Early stages of project delivery.
Construction	Major project activities are in progress.
Final works	Project is in final stages of completion or awaiting minor items.
Complete, awaiting invoices	Project work is complete. Waiting on invoices from suppliers for financial completion.
Complete	Project work is complete and all costs have been allocated.
Deferred/Cancelled	Project is no longer in current year's program
Budget only	Project for budget purposes only. Fully allocated out to projects.

9.6 Plan of Management for Mudgee Common

REPORT BY THE MANAGER PROPERTY AND REVENUE AND ENVIRONMENT OFFICER
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, COU500102, 22104

RECOMMENDATION

That Council:

1. **receive the report by the Manager Property and Revenue and Environment Officer on the Plan of Management for Mudgee Common;**
2. **refer the draft Plan of Management for the Mudgee Common, Reserve 120019 (Lot 7304 DP 1151583) to the Minister administering the Crown Land Management Act 2016 for approval;**
3. **note that Native Title advice has been received for Reserve 120019;**
4. **upon approval from the Minister administering the Crown Land Management Act 2016 Council amends the draft Plan of Management for Reserve 120019 if required, and place it on public exhibition, as per Section 38 of the Local Government Act 1993;**
5. **conduct a public hearing in accordance with S40A Local Government Act 1993 to alter the categorisation of Reserve 120019 to *Natural Area*;**
6. **receive a further report at the conclusion of the public exhibition period and public hearing period to consider any submissions received and if appropriate, adopt the final Plan of Management for Reserve 120019; and**
7. **permit the General Manager to enter into a suitable Licence agreement with the Mudgee Region MTB Incorporated to facilitate the requirements of cl5.7 of the draft Plan of Management for the Mudgee Common.**

Executive summary

Under Section 36 of the Local Government Act 1993 (LGA) all public land in the care and control of Council classified as community land is subject to a Plan of Management (PoM).

The Mudgee Common PoM has been developed to provide the framework and guidelines for which the Mudgee Common will be managed.

The execution version draft of the PoM is appended as attachment 1 to this Report.

Disclosure of Interest

Nil

Detailed report

In July 2018 the Crown Land Management Act 2016 (CLMA) came into force which required all councils to categorise the Crown land under their control into the community land categories specified in the Local Government Act 1993 (LGA) (unless a reserve could be

classified as Operational land). This direction previously had not been required as PoMs were directed to be developed for council managed Crown land under Crown's legislation, not Local Government legislation.

Accordingly, all Crown reserves that are classified as *Community* land must now be categorised and have a PoM developed in accordance with the LGA. *Community* land is required to be used and managed in accordance with the PoM applying to the land and any law permitting the use of the land for a specified purpose, or otherwise regulating the use of the land.

The subject land is identified as Lot 7304 in DP 1151583, described as Reserve 120019, 58 Common Road, Mudgee and is known as the Mudgee Common. The Reserve was dedicated for the purpose of *Public Recreation* in 1987. It has been classified under the LGA as *Community Land* and the Crown has confirmed its categorisation to be that of *Park*.

It is however considered that a more appropriate categorisation for the Reserve would be that of *Natural Area – Bushland*. In concurrence with Crown it is proposed to amend the category from *Park* to *Natural Area – Bushland*.

Under Section 40A of the LGA Council must hold a public hearing if the proposed PoM alters the categorisation of *Community* land under s36(4) LGA to *Natural Area*.

As defined by the Local Government (General) Regulation 2005 (the Regulation) *Natural Area* is land that, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore.

The category *Bushland* is assigned to land that contains primarily native vegetation and that vegetation is:

- The natural vegetation or a remainder of the natural vegetation of the land, or
- Although not the natural vegetation of the land, is still representative of the structure or floristics, or structure and floristics, of the natural vegetation in the locality. Such land includes:
 - Bushland that is mostly undisturbed with a good mix of tree ages, and natural regeneration, where the understorey is comprised of native grasses and herbs or native shrubs, and which contains a range of habitats for native fauna (such as logs, shrubs, tree hollows and leaf litter), or
 - Moderately disturbed bushland with some regeneration of trees and shrubs, where there may be a regrowth area with trees of even age, where native shrubs and grasses are present in the understorey even though there may be some weed invitations, or
 - Highly disturbed bushland where the native understorey has been removed, where there may be significant weed invasion and where dead and dying trees are present, where there is no natural regeneration of trees or shrubs, but where the land is still capable of being rehabilitated.

The core objectives for management of community land categorised as Bushland are:

- (a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and
- (b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and
- (c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement

- measures directed to minimising or mitigating any disturbance caused by human intrusion, and
- (d) to restore degraded bushland, and
 - (e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and
 - (f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and
 - (g) to protect bushland as a natural stabiliser of the soil surface.

Mid-Western Regional Council first developed a PoM under the Crown's previous legislation for the development of the Mudgee Common in 2013 in order to legitimise the existing trails designated as a mountain bike track network and develop a plan for the development of further trails.

This plan was approved by the Minister but was revised in 2016 due to the discovery of a large population of *Swainsona recta* (Small Purple Pea) flowers which are listed as Endangered under the Biodiversity Conservation (BC) Act and Environment Protection and Biodiversity Conservation (EPBC) Act.

This most recent revision was prompted by unapproved trail works which produced a very large double black diamond (extreme) bike track, hereby known as the 'Smuggler'.

The objectives of the draft PoM are as follows:

- To identify appropriate recreation uses within the Reserve;
- To set out the rules and obligations for users of the Reserve;
- To identify the obligations of Mid-Western Regional Council as the Crown land manager of the Reserve;
- To ensure the protection of the reserve's environmental characteristics through the formalisation of bike tracks and the closure of unauthorised tracks;
- Protection of the threatened species identified.

The draft PoM aims to set clearer guidelines around stakeholder responsibilities (particularly in relation to the Mountain Bike Club) the as well as acceptable track/reserve usage.

The draft POM states that the maintenance of trails will be subject to a licence to occupy agreement between Council and the Mountain Bike Club, which endorses the club's ability to use the Reserve and outlines conditions in which the Cub may occupy the reserve.

The draft POM outlines how the bike tracks will be maintained as well as how to minimise impact and protect the threatened species. The impact to the Swainsona plants was determined to be minimal if recommendations outlined in the draft PoM are adhered to.

No new tracks are approved to be constructed.

It is recommended that the PoM be reviewed every 4 years.

All PoMs for Crown Reserves must be compliant with the statutory requirements of the Native Title Act 1993 (NTA) prescribed by both the CLM Act and the LGA. The Department of Planning Industry and Environment – Crown Land will not process a draft PoM unless Council attests that it has considered Native Title Manager advice.

Written Native Title advice has been obtained indicating that the PoM complies with applicable provisions of the NTA, being in this case, valid future acts under Section 24JA.

Native Title Manager's advice is appended as attachment 2 to this Report.

Council is required to resolve to refer the draft PoM to the Minister administering the CLM Act for review. On approval of the Minister, the plan will be placed on public exhibition for a period of 28 days, allowing not less than 42 days after the date on which the draft plan is placed on exhibition, to receive submissions.

A public hearing is to be conducted and all submissions received during the exhibition period and the public hearing are to be considered by Council thereafter. Council may then amend the draft PoM, if applicable, or adopt it without amendment.

If significant amendments are made to the draft plan it must be further publicly exhibited. If proposed changes are not substantial the draft PoM may be adopted without further public exhibition.

Community Plan implications

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

Strategic implications

Council Strategies

This PoM will provide strategic direction for Council managed Crown land and is consistent with Council's responsibilities under the LGA and the CLMA. The plan identifies the permissible uses and development for the Mudgee Common.

Council may not undertake any activities, uses or developments which are not provided for in this PoM.

Council Policies

Not Applicable

Legislation

Crown Land Management Act 2016

Division 3.4 – Crown Land managed by Councils

Division 3.6 – Plans of Management and other plans

Section 8.7 - When advice of Native Title Manager is required

Local Government Act 1993

Division 2 – Use and Management of Community Land

Section 36(4) Preparation of draft plans of management for community land – natural area

Section 36(5) Preparation of draft plans of management for community land – bushland

Section 36J - Core objectives for management of community land categorised as bushland

Section 38 - Public notice of draft plans of management

Section 40 – Adoption of plans of management

Section 44 - Use of community land pending adoption of plan of management

Local Government (General) Regulations 2005

Reg. 102 Guidelines for categorisation of land as a Natural Area

Reg. 107 Guidelines for categorisation of land as a bushland

Native Title Act 1993 (Commonwealth)

Section 233 – Future Act

Section 24JA – Reservations, leases etc. – this Subdivision applies to a future act.

Biodiversity Conservation Act (BC Act)

Environment Protection and Biodiversity Conservation Act (EPBC Act).

Financial implications

This PoM will not have an immediate financial impact. Any future priorities identified as part of the PoM will be considered through the normal budget process.

The PoM stipulates that although Mid-Western Regional Council is the trustee of the reserve Council's obligations in regard to the maintenance of the reserve are limited to environmental management such as the threatened species conservation, bushfire hazard reduction (RFS), weed and pest management, and maintenance of the access to the site.

For Council to meet its environmental management obligations particularly in relation to ongoing weed management Community Proposal Plans will be submitted in alignment with this plan to be considered in the budget process. Note there is currently no budget for weed management in this reserve.

Council will not be responsible for the maintenance of the mountain bike trails.

Council received funding from the NSW Government through the Plans of Management Funding Support Program of \$94,087 to develop compliant PoMs under the LGA for all Council managed Crown reserves. The costs of preparing the Mudgee Common PoM will be funded from this resource.

Associated Risks

Ongoing maintenance of the trails will not be carried out by Mid-Western Regional Council. Maintenance of trails will be subject to a licence to occupy agreement between Council and the Mountain Bike Club, which endorses the clubs ability to use the Reserve and requires the club to undertake management actions in relation track maintenance (according to the rules outlined in the POM).

For the day-to-day use of the reserve, liability will come under council's public liability insurance.

DIANE SAWYERS
MANAGER PROPERTY AND REVENUE

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

3 May 2021

Attachments: 1. Mudgee Common Draft PoM. (separately attached)
2. Mudgee Common Native Title Managers' Advice. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.7 Community Grants Program - May 2021

REPORT BY THE MANAGER FINANCE
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, FIN3000159

RECOMMENDATION

That Council:

1. **receive the report by the Manager Finance on the Community Grants Program - May 2021;**
2. **consider as a submission to the Draft 2021/22 Operational Plan to provide financial assistance to the following applicant in accordance with the criteria and guidelines of the Community Grants Policy; and**

Kandos Rylstone Community Radio Inc.	10,000
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3. **decline to provide financial assistance to the following applicants, for the reasons provided in the report;**
 - **Gulgong Men's Shed**
 - **Anglican Church of Rylstone and Kandos.**

Executive summary

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

Provision is made in Council's Community Grants Program Policy to provide financial assistance to not-for-profit community-based organisations, groups and individuals that offer a significant contribution to community outcomes and goals as provided in the Towards 2030 Community Plan.

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

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

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

Applicant	Project/Activity	Funding Request \$	Total Score out of 9	Recommended Amount \$
Kandos Rylstone Community Radio Inc.	Rylstone-Kandos District Newsletter-Community Capers	12,000	7	10,000
Gulgong Men's Shed	Refund of Rent	559	0	0
Anglican Church of Rylstone and Kandos	Monthly stall holders	500	3	0
Total				10,000

Disclosure of Interest

Nil

Detailed report

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

Kandos Rylstone Community Radio Inc.

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

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

COMMUNITY GRANT CATEGORY

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

RECOMMENDATION:

\$10,000

The Kandos Rylstone Community Radio Inc. has already received \$10,000 for the 2020/21 financial year for the Community Capers Newsletter and thus have reached the cap. As the program is for the 2021/22 is for financial year we recommend that this funding is allocated from the 2021/22 Operational Plan.

Gulgong Men's Shed

Gulgong Men's Shed requests \$559 for Refund of Rent. Closure of the shed from March 2020 to October 2020 due to the directive from the State health as a response to the Covid-19 pandemic.

Link to Community Plan: Nil

COMMUNITY GRANT CATEGORY

Other Grants Category: Cap \$ 2,000

RECOMMENDATION:

\$ 0

As the application form was incomplete the panel were unable to assess and recommend funding.

Anglican Church of Rylstone and Kandos

Anglican Church of Rylstone and Kandos requests \$500 for Monthly stall holders. Monthly stall to offer the community information about various programs and activities run by the Anglican Church in Rylstone and Kandos. Sausage sandwiches and coffee/tea will be sold at the stall.

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

COMMUNITY GRANT CATEGORY

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

RECOMMENDATION:

\$ 0

There does not appear to be significant benefits linked with the objectives of Councils Community Plan. The panel also noted project expenses were nil as equipment already exists.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Recommendations are made under the Community Grants Program Policy.

Legislation

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

Financial implications

Funding of \$105,000 is provided in the 2020/21 Operational Plan for financial assistance. \$84,997 has already been allocated, leaving a balance of \$20,003. Based on the scoring system above, the recommendation of staff is to provide \$10,000 in financial assistance for 2021/22. Should Council approve the recommendations in the report, a balance of \$20,003 will still remain for 2020/21 and \$10,000 in financial assistance will be provided in the 2021/22 Operational Plan.

Associated Risks

Not applicable.

NEIL BUNGATE
MANAGER FINANCE

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

3 May 2021

Attachments: 1. Community Grant Applications.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Application Form

APPLICANTS DETAILS

Name of Organisation	Kandos Rylstone Community Radio Inc
Contact Person	Brent Barlow
Address	50 Angus Avenue, Kandos NSW 2848 PO Box 99, Kandos NSW 2848
Phone	02 6379 1020
Email	krrfm@winsoft.net.au
ABN	99 620 347 393
Bank Account Name	[REDACTED]
BSB	[REDACTED] BSB number.
Account Number	[REDACTED] account number.

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Community Capers Newsletter	
Amount of funding requested	\$ 12,000.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	01/07/2021	31/06/2022
Briefly, describe Project / Activity	Publish and distribute monthly community newsletter Community Capers across the region.	



ADDRESS CRITERIA

How will your project benefit the Mid-Western Region Community?

(Note: limited number of characters)

Through publicising events, items of interest, community announcements and services across a range of providers each month. Through acknowledging residents and organisations that deserve recognition each month and publicising government grants that benefit our region.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

The newsletter is distributed to 1700 resident addresses across the district, placed in newsagents, information outlets and Council's offices. It is also available on KRR's website at krfrm.org.au and the rylstone.com website. Participants include over 20 organisations and groups who contact us regularly with updates and requests to be included in our newsletter.

What level of consultation and collaboration with other local groups has your organisation undertaken?

(ie what other local community groups are or will be involved in this project?)

(Note: limited number of characters)

The newsletter has been published for over 20 years and was an initiative of Rylstone Shire Council. It was first part-funded by them and since amalgamation has been part-funded by Mid-Western Regional Council. We are supported by a number of community groups including Rotary, Scouts, Fire Brigades, Rescue Squad, Kandos and Rylstone CWA, Cementa and Rylstone StreetFeast. Many other community groups also contact Community Capers each month to update information or place new information. Community volunteers help fold and distribute the newsletter each month.

Outline your organisation's capacity to deliver the Project / Activity OR describe previous experiences.

(Note: limited number of characters)

Kandos Rylstone Community Radio has been publishing Community Capers for more than 12 years. It is printed in Mudgee by Lynx Printing Service and is folded and distributed each month by a group of volunteers from KRR and the community.

Project Income	Community Grant (amount sought from Council)	\$ 12,000.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$ 5,000.00
	Other Income	
TOTAL INCOME		\$ 17,000.00

List proposed cash expenditure (provide copies of quotes for equipment)

Project Expenditure	Printing	\$ 7,623.00
	Postage and delivery	\$ 5,000.00
	Editing, layout and distribution	\$ 5,500.00
TOTAL EXPENDITURE		\$ 18,123.00
TOTAL SURPLUS / DEFICIT		-\$ 1,123.00

If positive or surplus budget, please provide further details/explanation what this surplus will be used for.

The deficit of \$1,123.00 will be funded by KRR's contribution from its own finances.

(Note: Unspent grants >\$200 will be required to be returned to MWRC)

FINANCIAL DETAILS

	YES (click to tick)	NO (click to tick)
Is your group/organisation Incorporated?	<input checked="" type="radio"/>	<input type="radio"/>
Have you registered for Goods & Services Tax (GST) purposes?	<input type="radio"/>	<input checked="" type="radio"/>
Do you have an Australian Business Number (ABN)? Note: If you do not have an ABN please attach a 'Statement by Supplier' form	<input checked="" type="radio"/>	<input type="radio"/>



Has your organisation/group previously received a Community Grant from Council?	YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
If yes, please advise date and amount	DATE / YEAR 01/07/2020	AMOUNT \$ 11,000.00
Did your group return the acquittal form?	YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
Closing bank balance from the most recent bank statement or treasurer's report	\$ 25,658.00	

Comment on cash set aside for specific projects (optional)

APPLICATION CHECKLIST

If the following are not attached with the application, this may result in the application not being considered.

	SUPPLIED? (click to tick)	
	YES	NO
A copy of the group's/organisation's most recent bank statement or treasurer's report	<input checked="" type="radio"/>	<input type="radio"/>
A copy of the group's/organisation's public liability insurance	<input checked="" type="radio"/>	<input type="radio"/>
Where the group intends to purchase equipment, a copy of the quote/s obtained	<input type="radio"/>	<input checked="" type="radio"/>
Where the groups/organisations does not have an ABN, 'Statement by Supplier' is required	<input checked="" type="radio"/>	<input type="radio"/>
If your group is not incorporated, please supply a letter from your auspicing body	<input checked="" type="radio"/>	<input type="radio"/>

AUTHORISATION OF APPLICANT

Name	Brent Barlow
Position	President
Date	30/07/2020

- I confirm that the information contained in the application form and within the attachments are true and correct.
- I confirm that this application has been submitted with the full knowledge and support of the applicant.
- I acknowledge the Community Grants Program acquittal requirements and understand that surplus funds may be required to be returned to Council.
- I am aware that this application will be reproduced in the Council Business Paper, and authorise public release of information provided.

SUBMIT YOUR APPLICATION

EMAIL: After you complete this digital form, please save it to your computer and email to council@midwestern.nsw.gov.au

DELIVER TO: Customer Service Locations

86 Market Street
MUDGEE

109 Herbert Street
GULGONG

77 Louee Street
RYLSTONE

MAIL TO: Mid-Western Regional Council
Attn: Finance Department
PO Box 156
MUDGEE NSW 2850

[SUBMIT ONLINE](#)

[COMMUNITY GRANTS POLICY](#)

[PRINT MY APPLICATION](#)



9.8 Policy Review - Hardship Provision Rates and Charges

REPORT BY THE MANAGER PROPERTY AND REVENUE
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, A0340005

RECOMMENDATION

That Council:

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

Executive summary

The existing Policy Review - Hardship Provision Rates and Charges (the Policy) has been reviewed and proposed amendments are suggested as part of Council's ongoing policy review program.

Disclosure of Interest

Nil

Detailed report

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

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

Community Plan implications

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

Strategic implications

Council Strategies

Nil

Council Policies

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

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

Legislation

Local Government Act 1993

Local Government (General) Regulation 2005

Privacy and Personal Information Protection Act 1998

Privacy and Personal Information Protection Regulation 2019

Financial implications

Not Applicable

Associated Risks

Not Applicable

DIANE SAWYERS
MANAGER PROPERTY AND REVENUE

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

27 April 2021

Attachments: 1. Current Hardship Provision - Rates and Charges Policy with track changes.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Hardship Provision – Rates and Charges

*A prosperous
and progressive
community.*

ADOPTED	15/03/2017	VERSION NO	2.0
COUNCIL MEETING MIN NO	49/17	REVIEW DATE	MARCH 2021/MAY 2025
DATE:	30/06/2017	FILE NUMBER	GOV400047 A0340005

Objective

The objectives of this policy are to:

Provide assistance where possible, in accordance with the Local Government Act 1993 NSW (LGA) and the Local Government (General) Regulation 2005 NSW, to those ratepayers who are experiencing substantial financial difficulties in paying their rates and charges.

Provide an administrative process to determine hardship applications.

Legislative requirements

- Local Government Act 1993 NSW
- Local Government (General) Regulation 2005 NSW
- Valuation of Land Act 1916 NSW

Related policies and plans

- Privacy Management Plan
- Debt Recovery Policy

Policy

This Policy recognises that due to exceptional circumstances, ratepayers may at times encounter difficulty in paying rates and charges. The policy provides the framework to be followed in providing assistance to those ratepayers who are suffering substantial financial hardship. A ratepayer in substantial financial hardship is someone who is identified by themselves, the council or an independent financial counsellor as having the intention, but not the financial capacity to make the required payments within the timeframe set out in the rates and charges notice. Where a ratepayer falls within this definition, the council may apply its hardship provision – rates and charges policy.

1.1 The Local Government Act 1993 NSW (LGA) specifies a range of assistance measures that Council can provide to ratepayers who are experiencing substantial financial hardship, including those addressed in this policy - sections 567 and 601.

2. Eligibility

2.1 This Policy is available to the ratepayers of all land categorised as Residential or Farmland for rating purposes within the Mid-Western Regional Council local government area, subject to the “definitions” and “provisions” as disclosed in this Policy.

3. Definitions

3.1 Ratepayer – the person liable for payment of the rates of the property for which hardship is being claimed.

3.2 Residential or Farmland categorisation for rating purposes– all land categorised as Residential or Farmland for rating purposes in accordance with s515 and s516 LGA.

3.3 Principal place of residence – the property that the ratepayer occupies as their sole or dominant residence.

3.4 Property ownership qualifying period – the applicant, having been the ratepayer on the property for which the application is being made for a period of not less than 1 year.

3.5 Mixed developments – those properties which are subject to a Mixed Development Apportionment Factor (MDAF) furnished to Council by the Valuer General and are rated in accordance with the MDFA as part Residential and part Business. The part of the property that is subject to an MDFA and rated as Residential only, is to be considered in the calculation of the increase.

3.6 Rates payable calculation test – the increase in the general rates levied as a result of a General Revaluation must be, at the minimum, 25% above the previous year's rate levy, including any permissible rate increase adopted by Council in accordance with s506 & s508a LGA.

LGA, Section 567(c): Writing off of accrued interests

4.1 Accrued interest on overdue rates and charges may be written off where payment of the accrued interest would cause the ratepayer financial hardship.

4.2 Provisions.

4.3 The applicant/s must be the ratepayer/s of the property.

4.4 ~~Hardship provision relief will not be considered if the ratepayer/s has been convicted of fraud within the past 10 years.~~

4.5-4 The property for which the ratepayer/s is requesting assistance is the only property in which the ratepayer/s has an interest.

4.6-5 The property must be the ratepayer/s principal place of residence.

4.7-6 The property must be land categorised as either Residential or Farmland for rating purposes.

4.8-7 The residential component of mixed developments will only be considered for the hardship provision assistance.

POLICY: [HARDSHIP PROVISION – RATES AND CHARGES](#) [HARDSHIP PROVISION – RATES AND CHARGES](#) [HARDSHIP PROVISION – RATES AND CHARGES](#) [RATES AND CHARGES](#) | 2-9, ERROR! REFERENCE SOURCE NOT FOUND.

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4.9-8 The ratepayer/s must enter into a payment agreement in accordance with s564(1) LGA, facilitated by Council's Debt Recovery Policy, for settlement of the overdue rates and charges.

4.10-9 Interest on overdue rates and charges will be written off, provided that the ratepayer/s honours the payment agreement entered into in accordance with s 564(1) LGA relating to the payment of the overdue amounts. If the payment agreement is not adhered to, the accrued interest on the overdue rates and charges will not be written off.

4.11-10 Only one successful application will be granted within the current ratepayer's ownership period.

LGA, Section 601: Hardship Resulting from certain Valuation Charges

5.1 A ratepayer who suffers substantial financial hardship as the consequence of the making and levying of a rate on the most recent valuation may apply to council for deferral of payment of the calculated amount as stipulated in the provisions, below. The rate will not be waived or reduced.

5.2 Provisions:

5.3 Assistance is only available in relation to general purpose rates. No assistance is provided for any other charges or special rates levied on the property.

5.4 Assistance is only available in the first year that the new valuations are used to levy the general purpose rate, i.e. only to 30 June of the financial year in which the general purpose rate was levied.

5.5 The application must be made within 3 months of the posting date of the Rates and Charges Notice in the first year of the use of the General Revaluation for rating purposes.

5.6 The applicant/s must be the ratepayer/s of the property and satisfy the property ownership qualifying period.

5.7 Hardship Provision relief will not be considered if the ratepayer/s has been convicted of fraud within the past 10 years.

5.8 The property must be the ratepayer/s principal place of residence.

5.9 The property must be land categorised as either Residential or Farmland for rating purposes.

5.10 The residential component of mixed developments will only be considered for the hardship provision assistance.

5.11 Applications for assistance must meet the 'rates payable calculation test'.

5.12 The ratepayer/s must enter into a payment agreement in accordance with s564(1) LGA, facilitated by Council's Debt Recovery Policy, for settlement of the deferred amount.

5.13 Interest on outstanding deferred amounts will not accrue, provided that the ratepayer/s honours the payment agreement entered into in accordance with s 564(1) LGA relating to the payment of the deferred amount. If the payment agreement is not adhered to, interest, in accordance with s566 LGA, will apply from the date of the default.

Procedure

6.1 Applications for Hardship Provision – Rates and Charges must be made on the Hardship Assistance application form available from Council's website or from any of Council's offices.

6.2 All Hardship Provision – Rates and Charges applications will be determined in accordance with Council delegations and where considered necessary, will be discussed only in a meeting of Council which is closed to the public.

6.3 Further information, supporting documentation or an interview with the ratepayer/s may be requested, if considered necessary, to fully understand the issues causing hardship.

6.4 All Hardship Provision – Rates and Charges applicants will be advised in writing of Council's decision within 30 days of receipt of the application.

6.5 Any applicant dissatisfied with Council's decision may request that the application be reconsidered. Such requests must be made within 7 days of being advised that the initial application was unsuccessful.

6.6 All applicants have the obligation of informing Council within 21 days of any change in circumstances that may affect ultimate eligibility under the Hardship Provision – Rates & Charges.

6.7 All data collected through the Hardship Provision – Rates and Charges process will be dealt with by way of Council's Privacy Management Plan.

6.8 Sections 564(2), 567(a) and 567(b) LGA allow Council to write off or reduce interest accrued on rates and charges if a person complies with an agreement as to periodical payment or if the person was unable to pay the rates and charges by the due date for reasons beyond that person's control. These sections do not refer to financial hardship and are therefore covered in Council's *Debt Recovery* Policy.

Variations

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

Item 10: Operations

10.1 Grant Funding - Fixing Country Bridges - Goodiman Creek Bridge Spring Ridge Road

REPORT BY THE MANAGER WORKS
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, A0210007

RECOMMENDATION

That Council:

1. receive the report by the Manager Works on the Grant Funding - Fixing Country Bridges - Goodiman Creek Bridge Spring Ridge Road;
2. confirm acceptance of \$1,200,000 in grant funding from the Fixing Country Bridges program for the replacement of the Goodiman Creek Bridge on Spring Ridge Road;
3. amend the 2020/21 Budget as follows:
 - 3.1 allocate a budget of \$50,000 for preliminary works on Goodiman Creek Bridge, funded from grant funding; and
4. amend the 2021/22 Budget and Delivery Program:
 - 4.1 allocate a budget of \$1,150,000 for the replacement of the Goodiman Creek Bridge on Spring Ridge Rd funded from grant funding.

Executive summary

In September 2020 Council applied for grant funding through the Fixing Country Bridges program to replace the Goodiman Creek Bridge on Spring Ridge Road that is currently a timber/steel composite bridge. Council has been successful in obtaining the funding. The purpose of this report is to confirm acceptance of the funding and authorise the relevant budget allocations.

Disclosure of Interest

Nil

Detailed report

The Fixing Country Bridges Program currently focuses on replacement of timber bridges across NSW. Mid-Western Regional Council currently has two bridges with Timber components. The Goodiman Creek timber bridge No. 18 on Spring Ridge Rd was built in 1954, in the rural area North of Gulgong NSW. The timber deck was replaced with a steel deck in 1984. The current situation of timber piles and abutments is not in an appropriate situation for service, the bridge was assessed in poor condition overall. The timber abutment sheeting and wing walls have deteriorated because of weathering and insect infestation, particularly in the East abutment, with section loss of up to 35% and splitting is observed on the piles. Hence Council applied for funding to replace the bridge and has been successful.

It is recommended that Council confirm acceptance of the funding and authorise the inclusion of budget allocations in 20/21 and 21/22 for the works.

Community Plan implications

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

Strategic implications

Council Strategies

Roads Asset Management Plan

Council Policies

Not applicable

Legislation

Roads Act 1993

Financial implications

The project is funded fully from the Fixing Country Bridges Program. A budget allocation has been recommended for both 20/21 and 21/22.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2020/21	-	✘	✓
Future Years	-	✘	✓

Associated Risks

Council staff will manage the construction risks associated with the projects.

ANDREW KEARINS
MANAGER WORKS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

10 May 2021

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.2 Acceptance of Fixing Local Roads Round 2 funding for Lower Piambong Road, Botobolar Road and Coxs Creek Road seal extensions

REPORT BY THE MANAGER WORKS
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, GRA600015

RECOMMENDATION

That Council:

1. receive the report by the Manager Works on the Acceptance of Fixing Local Roads Round 2 funding for Lower Piambong Road, Botobolar Road and Coxs Creek Road seal extensions;
2. accept \$4,855,200 in grant funding from the Fixing Local Roads program for seal extensions;
3. amend the 2021/22 Budget and Delivery Program as follows:
 - 3.1 allocate a budget of \$1,360,000 for the sealing of 4.0km of Coxs Creek Rd funded by \$1,156,000 from grant income and \$204,000 from the Rural Sealed Road Rehab & Widening budget allocation;
 - 3.2 allocate a budget of \$1,020,000 for the sealing of 3.0km of Botobolar Rd funded by \$867,000 from grant income and \$153,000 from Rural Sealed Road Rehab & Widening budget allocation;
 - 3.3 allocate a budget of \$680,000 for the sealing of 2.0km of Lower Piambong Rd funded by \$578,000 from grant income and \$102,000 from the Rural Sealed Road Rehab & Widening budget allocation;
4. amend the 2022/23 Budget and Delivery Program as follows:
 - 4.1 allocate a budget of \$1,700,000 for the sealing of 5.0km of Coxs Creek Rd funded by \$1,445,000 from grant income and \$255,000 from the Seal Extension Program budget allocation (Seal Extension Reserve);
 - 4.2 allocate a budget of \$952,000 for the sealing of 2.8km of Botobolar Rd funded by \$809,200 from grant income and \$142,800 from the Seal Extension Program budget allocation (Seal Extension Reserve); and
5. authorise the General Manager to finalise and sign the funding agreement with Transport for NSW.

Executive summary

In December 2020, Council applied for grant funding through the Fixing Local Roads Program Round 2, to seal unsealed main local road bus routes. Council received notification of one of the applications being successful. The purpose of this report is to authorise the General Manager to accept funding and sign the funding agreement and other relevant documentation.

Disclosure of Interest

Nil

Detailed report

Currently, there is approximately 90kms of main local road in the Mid-Western Regional Council area that are school bus routes and are unsealed. These roads require frequent maintenance grading given the relatively high traffic volumes, school bus use and heavy vehicles generally. These roads are on a 12-month grading schedule, however sometimes require grading more frequently.

Council applied for funding to seal the higher volume main local road bus routes and was successful in one of the applications that included sealing of 9kms of Coxs Creek Rd, 5.8kms of Botobolar Rd and 2kms of Lower Piambong Rd, resulting in a total of 16.8km of existing unsealed main local road bus routes being sealed.

The application required Council to fund 15% of the total project cost, with the remainder being from the NSW Government. It is recommended, that Council accept the grant funding and authorise the General Manager to sign the funding agreement with Transport for NSW.

Community Plan implications

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

Strategic implications

Council Strategies

Roads Asset Management Plan

Council Policies

Not applicable

Legislation

Roads Act 1993

Financial implications

The funding arrangement is 85% grant to 15% Council funding. A budget allocation has been recommended for both 21/22 and 22/23.

An upgrade in infrastructure increases the renewal burden for future years, therefore negatively impacting Building and Infrastructure Renewal Ratio. It also increases depreciation and maintenance in future years which will have a negative impact on future years Operating Performance Ratio.

The increase in grant funding received is good for the community by providing important infrastructure upgrades, however it will have a negative impact on the current years Own Source

Revenue ratios, and the future Operating Performance Ratio (increased depreciation) and Building & Infrastructure Renewal Ratio. Extending the sealed road network provides an increase to Councils levels of service, which results in the negative impact to ongoing financial ratios.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2021/22	-	X	-
Future Years	X	X	X

Associated Risks

Council staff will manage the construction risks associated with the projects.

ANDREW KEARINS
MANAGER WORKS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

10 May 2021

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.3 Lifting of Water Restrictions

REPORT BY THE MANAGER WATER AND SEWER
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, F0780013

RECOMMENDATION

That Council:

1. **receive the report by the Manager Water and Sewer on the Lifting of Water Restrictions;**
2. **remove the current level 2 water restrictions for the Gulgong and Mudgee townships; and**
3. **continue to implement communication and education initiatives in respect of water conservation in the Mid-Western Region.**

Executive summary

Council introduced Level 1 water restrictions in August of 2019 in response to the drought. Further restrictions were introduced in November 2019 due to the decreasing water level of Windamere Dam and scheduled imminent bulk water release from Windamere Dam.

This report is recommending the lifting of water restrictions in Gulgong and Mudgee as the trigger for lifting of water restrictions have been met.

Disclosure of Interest

Nil

Detailed report

The townships of Gulgong and Mudgee are currently on Level 2 water restrictions. Given that the drought conditions have greatly improved due to the return of rainfall across the region this year, and in particular following significant rain events in March 2021, it is timely to revisit water restrictions for the townships of Gulgong and Mudgee.

The 'trigger' to remove/reduce water restrictions previously discussed with Council is based on two factors:

1. Windamere Dam level increase greater than that when restrictions commenced; and
2. Receiving confirmation from WaterNSW that Bulk Water Transfer has been postponed.

Below is a graph accessed from the WaterNSW website showing Windamere Dam percentage (%) full storage for the period July 2019 to 10 May 2021.



Timeline of introduction of Water Restrictions

- 1 August 2019 – commence Level 1 restrictions – Windamere Dam 32.1% full
- 11 November 2019 – commence Level 2 restrictions – Windamere Dam 29.9% full
- 10 May 2021 – latest storage % full advised by WaterNSW – Windamere Dam 33.7% full

Windamere dam levels have increased from 32.1% in August 2019 when level 1 water restrictions were first introduced to the current dam level of 33.7% on 10 May 2021. Although the current level is only marginally higher than in August 2019, the current dam level does satisfy trigger point 1 above.

WaterNSW has also advised via their latest Regional Water Availability Report for Macquarie and Cudgong Catchment that:

“..Rainfall and inflows this year have delayed the second phase of the transfer from Windamere to Burrendong February 2022. The transfer will leave a minimum of 70 GL in Windamere Dam...”

We therefore have confirmation of no bulk water transfers for the remainder of this year, thereby satisfying trigger point 2 above.

Based on the information provided above, this report recommends lifting of water restrictions for the Gulgong and Mudgee townships.

Of further interest, Council at its meeting held on 18 November 2020, resolved to lift the water restrictions for the communities upstream from Windamere Dam, being Rylstone and Kandos due to the Rylstone Dam being at 100% capacity.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Not applicable.

Legislation

Not applicable.

Financial implications

Not applicable.

Associated Risks

Not applicable.

CLAIRE CAM
MANAGER WATER AND SEWER

GARRY HEMSWORTH
DIRECTOR OPERATIONS

11 May 2021

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 11: Community

11.1 Rylstone Caravan Park Master Plan

REPORT BY THE DIRECTOR COMMUNITY

TO 19 MAY 2021 ORDINARY MEETING

GOV400088, P1617011

RECOMMENDATION

That Council:

- 1. receive the report by the Director Community on the Rylstone Caravan Park Master Plan;**
- 2. place the Draft Rylstone Caravan Park Master Plan on public exhibition for 28 days; and**
- 3. endorse the Rylstone Caravan Park Master Plan if no submissions are received.**

Executive summary

This report seeks to provide Council and the community with an update on proposed future works at the Rylstone Caravan Park. This is presented in the form of a draft Master Plan for Council's review and to go out on public exhibition to receive community feedback.

Disclosure of Interest

Nil

Detailed report

The Rylstone Caravan Park exists on a small area of Crown Land managed by Council adjacent to the Rylstone Golf Club and Tennis courts. There is potential for further development of this site with the potential for increased utilisation of the caravan park and the other community recreational facilities in the area.

A Master Plan has been developed that provides for an extension of the Park area within the same Reserve lot. This Master Plan provides information on the pending stage of works as well as future proposals for consideration.

In the 2021/22 budget, funds are provided for the construction of a new amenities building on the site. This will include the demolition of the existing amenities. The new amenities will be brought closer to the road and powered sites will be created in the location of the demolished amenities. With associated servicing works and internal road upgrades, this forms the extent of Stage 1.

Future works proposed include further expansion of powered and unpowered site areas, the construction of a number of cabins and improvements to recreation areas, including a playground area. It is noted that any increase in the capacity of the site or the construction of cabin accommodation will require changes to the Approval to Operate for the Caravan Park.

Consultation has taken place with the golf club over this proposal. It will include some changes to the course to accommodate the increase in size of the caravan park.

Consultation has also taken place with Crown Lands who have indicated support for the proposed changes.

It is recommended to place this Master Plan on public exhibition seeking community feedback on the proposal.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Not applicable

Legislation

Local Government Act

Crown Land Management Act

Financial implications

There is budget in place for initial works at the Rylstone Caravan Park, including the new amenities building. Future budget needs will be assessed and funds allocated as part of the normal budgetary processes. This report does not seek additional expenditure at this time but provides a framework for future planning.

Associated Risks

The establishment of a master plan does not of itself create significant risks. However, it does raise expectations of future development and expenditure that need to be considered. Significant expenditure on the site will need to follow the relevant planning and approval processes as well as any necessary capital expenditure reviews. It is also noted that the site is situated on crown land and all relevant processes and approvals will also need to be considered.

SIMON JONES

DIRECTOR COMMUNITY

1 March 2021

Attachments: 1. Rylstone Caravan Park - Draft Master Plan.

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER

RYLSTONE CARAVAN PARK

DRAFT MASTERPLAN

- EXISTING SITE BOUNDARY
- SURVEYED SITE BOUNDARY
- PROPOSED NEW BOUNDARY

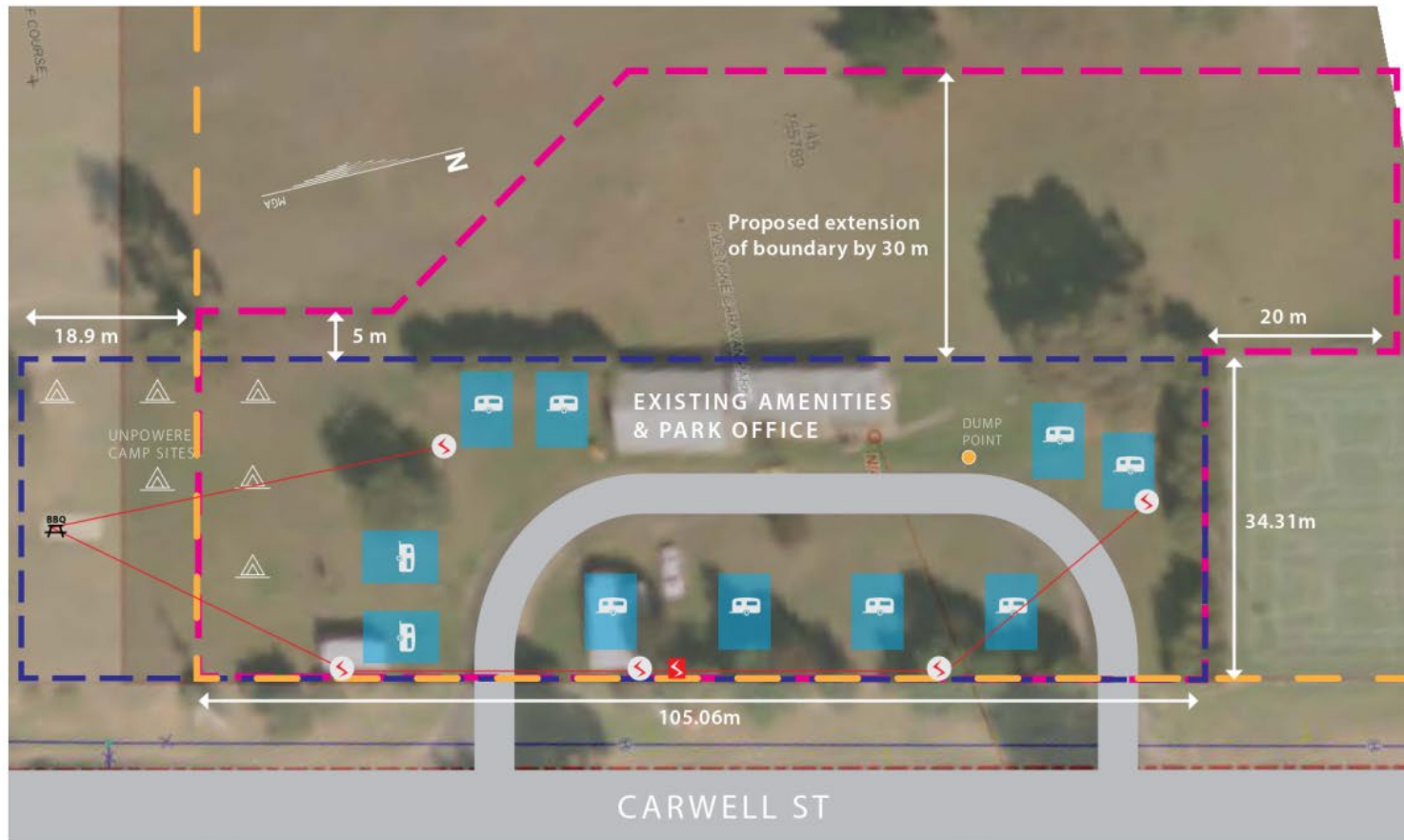
PROPOSED EXTENSION SHOWN ON OVERALL SITE PHOTO



RYLSTONE CARAVAN PARK

DRAFT MASTERPLAN

EXISTING SITE



- | | | | |
|---|------------------------|---|----------------------------|
|  | EXISTING SITE BOUNDARY |  | POWER / POWER SUPPLY POINT |
|  | SURVEYED SITE BOUNDARY |  | CAMP SITE |
|  | PROPOSED NEW BOUNDARY |  | CARAVAN/CAMPER VAN SITE |

RYLSTONE CARAVAN PARK

DRAFT MASTERPLAN

PROPOSED SITE PLAN



- EXISTING SITE BOUNDARY
- SURVEYED SITE BOUNDARY
- PROPOSED NEW BOUNDARY
- UNPOWERED CAMP SITE
- CARAVAN/CAMPER VAN SITE - 12M X 10M - POWERED
- LARGE CARAVAN/CAMPER VAN SITE - 15M X 12M - POWERED



11.2 Glen Willow Stage 2 Update

REPORT BY THE DIRECTOR COMMUNITY

TO 19 MAY 2021 ORDINARY MEETING

GOV400088, COR400303, COR400277, COR400332, PAR300584, COR400273

RECOMMENDATION

That Council receive the report by the Director Community on the Glen Willow Stage 2 Update.

Executive summary

The attached report provides an update on the Progress of the Glen Willow Stage 2 Project.

Disclosure of Interest

Nil

Detailed report

The Glen Willow Stage 2 Project is a major project that has attracted \$17 million in funding from State and Federal governments. It is the most significant project currently under construction by Mid-Western Regional Council. The attached report provides an update on the project.

The project continues to progress with construction continuing on the Rugby Union Clubhouse, Canteen and Change rooms along with field construction and road and carpark construction.

Relocation and construction of the new dog park is also moving forward with an opening pencilled in for July.

There are series of sections of fencing and pathways that are also being completed over the coming months.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan
Glen Willow Master Plan

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

Not applicable

Associated Risks

Regular reporting to Council provides an opportunity to communicate and manage any ongoing or unexpected risks that emerge with this project.

SIMON JONES
DIRECTOR COMMUNITY

29 April 2021

Attachments: 1. Glen Willow Stage Two Progress Report - May 2021.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



GLEN WILLOW STAGE TWO PROGRESS REPORT

5 MAY 2021

MID-WESTERN REGIONAL COUNCIL
COMMUNITY

■ ■ ■ ■ ■ TOWARDS 2030



Project Update

As at 30 April 2021 the overall project progress for Stage Two of the Glen Willow project was approximately 60%.

OVERALL PROJECT PROGRESS



PROJECT EXPENDITURE



PROJECT EXPENDITURE - COMMITTED



Achievements and highlights

- Road and carpark construction continues and is nearing completion
- Junior Rugby League disabled parking and concrete ramp completed and landscaping works taking place.
- Construction of Glen Willow Rugby Union Club House and Change rooms progressing well.
- Field construction continues with all fields seeded. Heat mats will be placed over the fields during the colder months to increase germination and help set the root bed.
- Drainage works across the site still progressing.
- Fencing of the new dog park is completed with associated landscaping works in progress.
- Fencing plans underway.
- Power upgrade works nearing completion.
- 2 NRL fixtures went ahead successfully with minimal disruptions caused by the Stage Two works.
- Field lighting tender awarded - installation due for completion by September 2021.

COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT



Glen Willow Stage 2 Project Plan

As at: 30 April 2021

PROJECT No.	PROJECT COMPONENT	END DATE	% COMPLETE
1	Site Prep - North	December 2019	100%
2	Junior Rugby League Building	July 2020	100%
3	Roads & Carpark Design & Construction	September 2021	90%
4	Services	July 2021	90%
5	Site Prep - South	July 2020	100%
6	Rugby Union Building	August 2021	50%
7	Field Construction	September 2021	80%
8	Field Lighting	September 2021	20%
9	Site Finalisation	November 2021	20%

The Next 3 Months

- Construction of the Rugby Union Club house, change rooms and canteen continues
- Playing field construction continues.
- Roads and carpark construction continues
- Field Lighting works to continue.
- Electricity upgrade works to be completed.
- Wayfinding and signage plan for the precinct to be developed.
- Fencing works continue
- Footpath construction continues

COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT

Photos





COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT





COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT



11.3 Art Gallery & Cultural Precinct Project Update

REPORT BY THE DIRECTOR COMMUNITY

TO 19 MAY 2021 ORDINARY MEETING
GOV400088, COR400301, REC800038

RECOMMENDATION

That Council receive and note the report by the Director Community on the Art Gallery & Cultural Precinct Project Update.

Executive summary

The attached report provides an update on the Progress of the Mudgee Art Gallery Project.

Disclosure of Interest

Nil

Detailed report

The attached report provides a summary update of the project.

The Mudgee Regional Art Gallery Project is a major project that has attracted \$5.3 million in State and Federal funding from a total budget of \$8.1 million.

The project continues to progress well with refurbishment and construction by Hutchinson Builders at 90 Market street of the new Gallery and Tourism information due to be nearing completion in the next few weeks. Design work has also commenced on the secondary workshop building which is due to be completed by June 2022.

Council's Gallery Curator has secured an opening exhibition which will be a collection of works specifically created for the opening exhibition by Archibald Prize winning artist Guy Maestri. The exhibition program for the first twelve months is also taking shape with funding secured to support this program of exhibitions.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

There are no financial implications from this report.

Associated Risks

Regular reporting to Council provides an opportunity to communicate and manage any ongoing unexpected risks that emerge with this project.

SIMON JONES
DIRECTOR COMMUNITY

29 April 2021

Attachments: 1. Mudgee Regional Art Gallery & Cultural Precinct Progress Report May 2021.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MUDGEE REGIONAL ART GALLERY & CULTURAL PRECINCT PROGRESS REPORT

5 MAY 2021

MID-WESTERN REGIONAL COUNCIL
COMMUNITY

■ ■ ■ ■ ■ TOWARDS 2030



Project Update

As at 30 April 2021 the total project progress for the Art Gallery & Cultural Precinct building project is as follows

OVERALL PROJECT PROGRESS



GALLERY BUILDING PROGRESS



PROJECT EXPENDITURE



PROJECT EXPENDITURE - COMMITTED



Progress of works

- Construction work progressing well and nearing completion – external cladding and glazing now installed. Front forecourt works taking place – Footpath extensions and concreting works nearing completion.
- Expressions of Interest for Café management has taken place and is currently under review.
- Sculpture walk extensions to pathway through Walkers Oval are now completed. Further works to link this path to the cultural precinct are being planned.
- Development of a brand platform – Destination Marketing Store have been engaged to explore gallery names and have run workshops with community members to develop a brand platform to be used across the cultural precinct.
- Initial exhibition program finalised – Opening Exhibition - Guy Maestri.
- Survey works taking place at the old childcare centre and plans being developed by consultants BKA for DA of the workshop/collaborative spaces.
- Landscaping consultants engaged

The Next Three Months

- Finalisation of Gallery Construction and refurbishment of the old chambers building.
- Finalise brand platform/precinct branding and logo
- Establishment of a crossing over Short St connecting the Sculpture walk to the cultural precinct to take place.
- Establishment of a gallery logo and branding – Begin gallery and exhibition promotion and marketing.
- Traffic consultancy and investigations for DA purposes of old childcare building
- Landscaping plans for the remaining areas of the cultural precinct to be finalised.
- Development of an initial program for Gallery exhibitions and community engagement continues
- Planning approvals for refurbishment of old childcare centre
- Planning - Formal Opening of Mudgee Gallery: Proposed August 2021

COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT

Photos



Photographs by Amber Hooper



Exhibition Program

Opening Exhibition – Guy Maestri

Guy Maestri is an Australian contemporary artist who won the 2009 Archibald Prize for a portrait of Australian singer and musician Geoffrey Gurrumul Yunupingu. He completed a Bachelor of Fine Arts at the National Art School in Darlinghurst in 2003 and was a finalist in the 2007 and 2008 Dobell Drawing Prize.



LL15 2020 oil on linen 229.0 x 275.0 cm



LL11 2020 oil on linen 168.0 x 138.0 cm

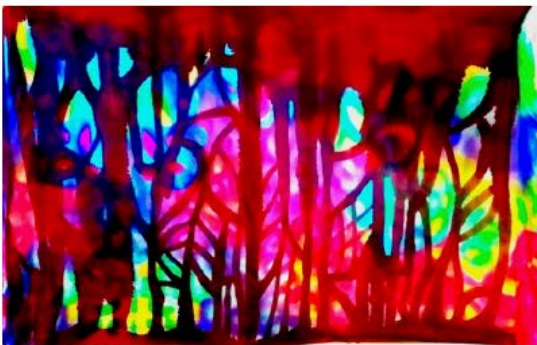
Future Programming

'Shadow Waters'

The second exhibition will feature Aleshia Lonsdale, local curator and Wiradjuri young leader – collaborative show will reference The Drip and include an on-country immersion.

Linda Jackson

The third exhibition will be Clandulla based textile artist, Linda Jackson. Her show will document the 2019 bushfires: damage and regeneration, as well as other lived local experiences – including drought and COVID-related isolation



Linda Jackson, Opal Bush, 2018
Watercolour on silk 120 x 200cm



'The Drip'
https://mdeg.org.au/wp-content/uploads/2017/05/10_the_drip_mudgee-959x640.jpg

11.4 Mudgee Fine Foods Inc. - Robertson Park Farmers Markets

REPORT BY THE DIRECTOR COMMUNITY

TO 19 MAY 2021 ORDINARY MEETING
GOV400088, PAR300628

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Mudgee Fine Foods Inc. - Robertson Park Farmers Markets; and**
2. **endorse a change to the Memorandum of Understanding with Mudgee Fine Foods Inc. to allow up to two markets each calendar month at Robertson Park.**

Executive summary

The Mudgee Farmers Markets have been operating at Robertson Park since July 2019. The move has been successful with visitation numbers increasing substantially. Council has been approached to consider changes to the Memorandum of Understanding with Mudgee Fine Foods so that additional markets can be held throughout the year.

Disclosure of Interest

Nil

Detailed report

Mudgee Fine Foods are reporting significant visitation numbers at the Farmers Markets held at Robertson Park. As a result, a request has come from Mudgee Fine Foods asking Council to consider allowing additional markets to be held throughout the year.

Under the current MOU, up to 16 markets are allowed each year. The request is for this to increase to be up to 24 markets.

A number of factors need to be considered with this request. There would be an increase in the usage of Robertson Park and this may lead to increased maintenance being required. Ultimately, the Park (and the Markets) play an important part in the presentation of the town and provide an important economic support for local producers. The investment in our Parks & Gardens team is representative of this investment in ensuring that the town is presented well. It is believed that with the small amount of increased income from the non-exclusive hire of the Park, we can continue to maintain the park to a high standard.

The letter from Mudgee Fine Foods indicates that they would like to have the flexibility to hold the markets on a Saturday or a Sunday. While there is no issue with this, it is important that Mudgee Fine Foods confirm their dates and book with Council. Primarily, this allows staff to be aware of the dates and can plan maintenance and repair activities around dates where possible. It is also because there are other bookings that are taken for the park (and the rotunda in particular).

Another consideration is the impact that the decision may have on other markets in Mudgee. There are markets held at the Anglican Church and Lawson Park once a month and an increase in the

number of markets may well see conflicts emerge with these markets if they are held on the same day. The advice from Mudgee Fine Foods is that this will not cause an issue. However, it may be that Council would prefer to see some consultation and feedback from these markets prior to changing the Memorandum of Understanding.

Community Plan implications

Theme	Looking After Our Community
Goal	Vibrant towns and villages
Strategy	Maintain and promote the aesthetic appeal of the towns and villages within the Region

Strategic implications

Council Strategies

Community Plan

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

There will be a slight increase in income raised from the markets. This is relatively immaterial but can offset the costs of maintaining Robertson Park to a high standard.

Associated Risks

There is some impact on the park from the increased use. This is mitigated to a large degree by the concentration of the market stalls around the rotunda, meaning that there is less wear and tear on the grassed areas.

SIMON JONES

DIRECTOR COMMUNITY

3 May 2021

Attachments:

1. Mudgee Fine Foods Letter to MWRC Re: MOU.
2. DRAFT - Memorandum of Understanding MWRC and Mudgee Fine Foods May 2021 - With Track Changes.

APPROVED FOR SUBMISSION:

BRAD CAM

GENERAL MANAGER



16 April 2021

Simon Jones
Acting General Manager
Midwestern Regional Council
PO Box 56
MUDGEE NSW 2850

REQUEST FOR COUNCIL APPROVAL FOR AMENDMENTS TO THE MEMORANDUM OF UNDERSTANDING BETWEEN MID-WESTERN REGIONAL COUNCIL AND MUDGEE FINE FOODS INC

Dear Simon

Please accept our sincere appreciation for your time at our meeting in Council offices at 11.00 am yesterday (15 April 2021).

As discussed at the meeting the Committee of Mudgee Fine Foods Inc requests that the Council give favourable consideration to - and approve - some important amendments we propose to the Memorandum of Understanding between the MWRC and Mudgee Fine Foods dated 18 January 2021.

Proposed Amendments

1. We propose that Clause 2.4 be amended to:
 - (a) allow for two markets per month to meet increased demand by locals and visitors
 - (b) grant discretion to Mudgee Fine Foods to determine whether these additional markets are held on the first and third weekend or the second and fourth weekend of each month and whether the markets are held on a Saturday or a Sunday morning
2. We further propose that Clause 2.5 be amended to allow a revised Clause 2.4 to apply irrespective of any decisions by previous markets at Lawson Park and the Anglican Church to resume operations.

Supporting the Proposed Changes

As important context in support of this request, both Council and Mudgee Fine Foods have worked in a very constructive and collaborative partnership to deliver a highly successful program of Farmers' and Makers' Markets ever since the markets – with Council's approval and support – moved to Robertson Park in July 2019. Since the move:

- Market patronage by local residents and visitors has grown by more than 100%. Depending on the time of year and weather conditions, the Farmers Market attracts between 1,500 and 4,000 patrons, with even higher patronage on Easter and public holiday weekends and at the December Christmas market

- At the first two markets after the 2020 Covid lockdown was lifted, our Covid check in app recorded more than 4000 patrons in June and over 3000 patrons in July 2020
- At the most recent Easter 2021 Makers Market, some 5,176 patrons were checked in to the market using our Covid-Safe check-in process
- Visitor numbers continue to grow since the Covid-19 lockdowns were eased in NSW in June 2020 and these visitors have a high expectation that one of NSW's most popular tourist towns will hold regular farmers markets
- Anecdotal evidence from Mudgee accommodation providers is that their visitor guests view our Farmers' and Makers' markets as a key highlight of their visit to our region, but that many visitors miss this opportunity because the market is only held once per month.
- Depending on the time of year, the split between local and visitor attendance ranges from 50/50 to 70% visitors 30% local residents.
- With the co-operation of stallholders - and by employing strict management practices to ensure full compliance with all requirements under the Memorandum of Understanding - there has been minimum disturbance to the amenity of Robertson Park. A key factor has been the use of groundsheets and weights by all stallholders, and the policy of restricting Farmers Market stalls to the gravelled area surrounding the rotunda.
- Our Farmers and Makers Markets have been assessed as being best-in-class in implementing Covid-safe check-in, distancing and health procedures.

On behalf of Mudgee Fine Foods, I trust that Council will give approval to our request and may I take this opportunity to again thank you for your guidance regarding our proposal.

Yours sincerely

Michael Sweeney
ACTING PRESIDENT
Mudgee Fine Foods Inc



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEE NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
E council@midwestern.nsw.gov.au

Memorandum of Understanding Mid-Western Regional Council and Mudgee Fine Foods Inc. From May 2021

Deleted: January

1. Purpose

The purpose of this Memorandum of Understanding (MOU) is to facilitate the use of Robertson Park Mudgee for the Mudgee Fine Foods Incorporated Farmers Markets and Makers Markets.

Mudgee Fine Foods Inc. will have permission to use the Robertson Park facilities and be responsible for the operation and co-ordination of the Mudgee Farmers Markets and Makers Markets.

2. Terms and Conditions of Use

- 2.1 Robertson Park Mudgee is located on community land managed by Council.
- 2.2 MWRC agrees to the use of Robertson Park for the Mudgee Fine Foods Inc. (MFFI) Farmers Markets and Makers Markets.
- 2.3 1 set of keys for access to the storage area at the toilets and the electricity box at the Rotunda will be provided to Mudgee Fine Foods Inc. on permanent loan for the duration of this MOU.
- 2.4 Up to two markets can be held each calendar month. These market days must be booked in advance with Council's Customer Service to ensure availability.
- 2.5 MFFI will be required to complete a booking form for these regular monthly bookings and for the Makers Markets bookings.
- 2.6 The fee for the use of Robertson Park will be \$250 (ex GST) per market. This fee will be reviewed periodically with an expectation of a CPI increase each financial year.
- 2.7 Any approvals required for the use of Robertson Park in the running of the markets are solely the responsibility of Mudgee Fine Foods to organise. This will include, but may not be limited to, any licencing requirements for the service or sale of packaged alcohol products or the suspension of alcohol free zones for the Park. This may also include any requirements for permanent or temporary signage.
- 2.8 Any works related to additional electricity or signage will be at the expense of MFFI and can only proceed with the agreement of MWRC.
- 2.9 Any maintenance issues are to be reported promptly to Mid-Western Regional Council's Building Services Department.

Deleted: Farmers Markets will take place on the third Saturday of the month unless otherwise notified to Council

Deleted: 2.5 It is noted that there are also four Makers Markets held per year. However, should other markets held at Lawson Park and the Anglican Church grounds not be operating, Makers Markets can also operate on the first Saturday of the month in a temporary capacity.¶

- 2.10 At no times can any vehicle be driven on any area of Robertson Park.
- 2.11 No stakes or pegs will be placed in the ground of the Robertson Park area without negotiation with MWRC Parks & Gardens staff.
- 2.12 At the conclusion of each market, MFFI are to ensure that the Park is left in a clean and tidy state with all litter and rubbish removed or placed in bins.
- 2.13 MFFI is to provide MWRC with a copy of its current public liability insurances (minimum \$20,000,000 coverage) and professional indemnity (\$5,000,000 coverage) with Council listed as an interested party. MFFI is required to ensure all individual stallholders have adequate public liability coverage.
- 2.14 This MOU extends for the period until June 2021 but can continue beyond that time until either party requests a further MOU to be negotiated. Alternatively, if the agreement extends beyond June 2021, either party can terminate this MOU with three months, or it can be terminated at any time if agreed by both parties.

Signed:

~~BRAD CAM~~ _____ ~~PAUL WILLOUGHBY~~
~~GENERAL MANAGER~~ _____ ~~PRESIDENT~~
~~MID-WESTERN REGIONAL COUNCIL~~ _____ ~~MUDGEES FINE FOODS INC.~~

Date:

Date:

Deleted: SIMON JONES

Deleted: ACTING

11.5 Delegations and Authorisations Policy

REPORT BY THE GOVERNANCE COORDINATOR
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, GOV400047

RECOMMENDATION

That Council:

- 1. receive the report by the Governance Coordinator on the Delegations and Authorisations Policy;**
- 2. place the Delegations and Authorisations Policy on public exhibition for 28 days; and**
- 3. adopt the policy if no submissions are received.**

Executive summary

The Council requires accurate administrative procedures to manage the delegation and authorisation of the vast legislative powers it has enabling Council to undertake its functions and duties.

It is recommended that the Council adopt a Policy that will inform the community of the means by which Council delegates its powers. The Policy will also provide the appropriate framework to manage the delegation and authorisation process.

Disclosure of Interest

Nil

Detailed report

The purpose of the Delegations Policy is to establish a framework for delegating authority within Council in a manner that facilitates efficiency and increases the accountability of staff for their performance.

The policy is intended to achieve the following objectives:

1. To ensure legislative compliance of Chapter 12 Part 3 Local Government Act, Delegation of Functions
2. To ensure the efficiency and effectiveness of the Council's regulatory and administrative processes.
3. To ensure authorised officers have the level of authority necessary to discharge their responsibilities.
4. To ensure that delegated authority is exercised by the most appropriate and competent individuals within the organisation in accordance with the law and Councils Compliance & Enforcement Policy.
5. To ensure internal controls are effective.
6. To ensure transparency in decision making by ensuring that delegations to staff are clearly defined and recorded in Council's Delegation Register.

Community Plan implications

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

Strategic implications

Council Strategies

- Provide accountable and transparent decision making for the community
- Improve communications between Council and the community and create awareness of Council's roles and responsibilities

Council Policies

- Procurement Policy
- Purchase of Goods & Services procedure

Legislation

Local Government Act 1993

Chapter 12 How Do Councils Operate

Part 3 Delegation of Functions

Section 377 General power of Council to Delegate,

Section 378 Delegations by the General Manager

Section 379 Delegation of regulatory functions

Section 380 Review of Delegations

Section 381 Exercise of functions conferred or imposed on council employees under other Acts

Financial implications

Not Applicable

Associated Risks

If the delegations are not done properly, the enforcement of decisions and actions taken may be compromised and there may be legal and administrative problems for the Council.

TIM JOHNSTON
GOVERNANCE COORDINATOR

SIMON JONES
DIRECTOR COMMUNITY

4 May 2021

Attachments: 1. Draft Delegations Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

ADOPTED		VERSION NO	1.0
COUNCIL MEETING MIN	[xx/xx]	REVIEW DATE	MARCH 2022
DATE:	19 TH MAY 2021	FILE NUMBER	GOV400070

Objective

The purpose of the Delegations Policy is to establish a framework for delegating authority within Council in a manner that facilitates efficiency and increases the accountability of staff for their performance.

Delegations Policy is intended to achieve the following objectives:

1. To ensure legislative compliance of Chapter 12 Part 3 Local Government Act, Delegation of Functions
2. To ensure the efficiency and effectiveness of the Council's regulatory and administrative processes.
3. To ensure authorised officers have the level of authority necessary to discharge their responsibilities.
4. To ensure that delegated authority is exercised by the most appropriate and competent individuals within the organisation in accordance with the law and Councils Compliance & Enforcement Policy.
5. To ensure internal controls are effective.
6. To ensure transparency in decision making by ensuring that delegations to staff are clearly defined and recorded in Council's Delegation Register.

Legislative requirements

Local Government Act 1993

Chapter 12 How Do Councils Operate
Part 3 Delegation of Functions

Section 377 General power of Council to Delegate,

Section 378 Delegations by the General Manager

Section 379 Delegation of regulatory functions

Section 380 Review of Delegations

Section 381 Exercise of functions conferred or imposed on council employees under other Acts

Related policies and plans

- Procurement Policy
- Purchase of Goods & Services Procedure
- Delegations and Authorisations Procedure

POLICY: | V 1.0 , 17 FEBRUARY 2021

Policy

Delegations and authorisations are the legislative mechanism by which the Council enables its officers to act on its behalf by devolving responsibility for decision making downwards through the organisation.

Delegations are a fundamental part of good governance and play an important role in ensuring that Council is acting in accordance with the legal and policy framework that applies to it.

Delegations and authorisations enable Council to carry out its functions and to be accountable for the decisions and actions taken on its behalf under specific legislative provisions.

Those tasked with the responsibility to carry out a function must have the corresponding authority to carry it out. It is important that delegations and authorisations are managed effectively to ensure decisions are validly made by a lawfully appointed delegate or authorised officer.

The Local Government Act 1993 (Act), and other relevant legislation, authorises Council to undertake a range of functions by way of delegations and authorisations to staff (or another person or body such as a section 355 committee).

Current delegations and authorisations assigned by the elected Council are:

- Instrument of delegation and authorisation to the Mayor and Deputy Mayor
- Instrument of delegation and authorisation to the General Manager (GM)
- Instrument of delegation and authorisation to Committees

Section 377 of the Act allows the elected Council to delegate, by Council resolution, authority to the General Manager to make most of the decisions and perform most of the functions required for council to operate on a day-to-day basis.

In turn, Council's General Manager sub-delegates functions to Council staff under section 378 of the Act.

- Instrument of delegation and authorisation to staff - Regulatory & Enforcement Functions
- Instrument of delegation and authorisation to staff – Service & Ancillary functions
- Instruments of appointment of functions conferred or imposed on council employees under other Act (s381 LG Act)

The General Manager has financial delegations that are sub delegated to staff with limits and conditions applied. Financial delegations to staff are detailed in councils Purchase of Goods and Services Procedure.

- Purchase of Goods and Services Procedure

Policy Principles

1. Delegations are intended to improve the efficiency of the administrative processes of Council by the assignment of authority and accountability to appropriate staff and/or Council Committees to enable the proper discharge of their responsibilities.

2. A delegation may be general or limited. A delegated function may be exercised only in accordance with any conditions or limitations to which the delegation is subject.
3. Delegations are to be made and exercised in accordance with all applicable legislation as well as Council's Code of Conduct, policies and budget limitations.
4. If a delegation refers to a Council policy, it is taken to refer to the current version of that policy or the successor to that policy at the time the delegation is exercised.
5. If legislation referred to within a delegation is superseded by updated or new legislation, the delegation applies to the new legislation to the extent practicable.
6. A person or body exercising a delegated function does so in their own right, not as agent (or on behalf of) the person or body delegating the function.
7. Where a staff member is acting in a position that has powers delegated to it, the person acting in that position can exercise the powers of the delegate.
8. Where a function is delegated to more than one position, each position may exercise the delegated function independently unless otherwise indicated.
9. A delegation cannot be exercised by a person who has a conflict of interest. If any conflict of interest occurs, it must be declared immediately and dealt with in accordance with Council's Code of Conduct.

Policy Scope

This Policy applies in full to Council's Mayor, Deputy Mayor, General Manager and staff who in the performance of their roles require delegated authority to perform their duties. The policy also extends to council appointed committees who have delegated authority from the Council from time to time.

This Policy is to be read in conjunction with all applicable legislation, and Council's Procedure documents relating to delegations.

11.6 Draft Flirtation Hill Mudgee Masterplan for Public Exhibition

REPORT BY THE MANAGER - RECREATION SERVICES

TO 19 MAY 2021 ORDINARY MEETING

GOV400088, F0650008

RECOMMENDATION

That Council:

- 1. receive the report by the Manager - Recreation Services on the Draft Flirtation Hill Mudgee Masterplan for Public Exhibition;**
- 2. note the content and recommendations within the draft Flirtation Hill Mudgee masterplan;**
- 3. place the draft Flirtation Hill Mudgee masterplan on public exhibition for 28 days to receive public feedback; and**
- 4. endorse the Draft Flirtation Hill Mudgee masterplan if no public submissions are received.**

Executive summary

In September 2020, Council endorsed the development of a masterplan for the Flirtation Hill Mudgee public reserve. The primary objective of the masterplan is to develop the strategic framework for meeting public expectations and future developments for the reserve.

This report recommends that the attached draft Flirtation Hill Mudgee masterplan be placed on public exhibition for a period of 28 days.

Disclosure of Interest

Nil.

Detailed report

In December 2020 Council commenced work on preparing a draft Master Plan for Flirtation Hill, a Council managed reserve located on south-west of the Mudgee CBD. As a component of the planning process Council advertised and initiated a community consultation process to engage with all interested parties and seek input and take direction in developing the future plans for Flirtation Hill. A working group was established that included interested Councillors and community members.

The activities undertaken by the working group included:

- analysing the current character and functionality of the reserve
- identifying and emerging issues, expectations and desires for the reserve
- providing preliminary recommendations and priority actions on the future of the reserve

Following the contributions of the working group, a draft masterplan document has been finalised to enable review and discussion on the reserves future developments. It is recommended that this draft masterplan be placed on public exhibition for a 28 day period to obtain feedback from the Midwestern community.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan
Recreation Strategy

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

There is no current budget allocation for this project as it is in the draft masterplan stage. Any construction and maintenance costs are to be determined upon finalisation of the masterplan.

It is proposed that this projects be considered in future capital programs and future grant opportunities.

Associated Risks

Not applicable

PETER RAINES
MANAGER - RECREATION SERVICES

SIMON JONES
DIRECTOR COMMUNITY

5 May 2021

Attachments: 1. Draft Flirtation Hill Mudgee Masterplan. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.7 Acceptance of Grant Funding for the Mudgee Showground

REPORT BY THE MANAGER - RECREATION SERVICES

TO 19 MAY 2021 ORDINARY MEETING

GOV400088, F0650007

RECOMMENDATION

That Council:

1. **receive the report by the Manager - Recreation Services on the Acceptance of Grant Funding for the Mudgee Showground;**
2. **accept \$47,360 in grant funding from the NSW Government Crown Reserve Improvement fund 2020- 21;**
3. **amend the 2021/22 budget to include \$47,360 for Mudgee Showground Equipment, to be funded from grant funding; and**
4. **authorise the General Manager to finalise and sign the funding agreement with the NSW Government**

Executive summary

The Mudgee Show Society, on behalf of Council, submitted a grant application for the 2020-21 Crown Reserve Improvement Fund (CRIF). The application was successful in acquiring rodeo chutes and portable cattle yards for the Mudgee showground.

The purpose of this report is to authorise the General Manager to accept the funding and sign the agreement.

Disclosure of Interest

Nil.

Detailed report

The Mudgee Show Society has a successful and long-standing history of operating major events at the Mudgee Showground. To support the future growth and development of these events, Council supported the Mudgee Show Society request to lodge an application for the Crown Reserve Improvement Fund grant to acquire additional rodeo chutes and portable cattle yards. The NSW Government approved the grant application.

These items were identified as critical infrastructure to support the continual growth of major events, including increasing the capacity of the cattle yard area through portable yards and allowing for greater functionality and safety rodeo chutes.

It is recommended that Council authorise the General Manager to accept the grant and sign the funding agreement.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Not applicable.

Legislation

Not applicable.

Financial implications

The allocated grant funding supports the financial commitment for the project. A budget amendment has been recommended for the 2021/22 year.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2020/21	-	-	-
Future Years	-	X	X

Associated Risks

Not applicable.

PETER RAINES
MANAGER - RECREATION SERVICES

SIMON JONES
DIRECTOR COMMUNITY

5 May 2021

Attachments: 1. CRIF Funding Mudgee Showground.

APPROVED FOR SUBMISSION:

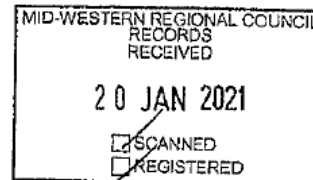
BRAD CAM
GENERAL MANAGER



The Honourable Melinda Pavey MP
Minister for Water, Property and Housing

Ref: 20/06805
Your ref: A200724/F622019

Mr Brad Cam
General Manager
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850



Dear Mr Cam

Thank you for your application to the Crown Reserves Improvement Fund (CRIF).

I am pleased to advise that I have approved a grant of \$47,360 from the NSW Government's 2020-21 CRIF to Mid-Western Regional Council towards the construction of rodeo chutes and additional portable cattle yards on the Mudgee Showground.

Thank you for your efforts in improving our Crown reserve assets to benefit the community and contribute to New South Wales's cultural, sporting and recreational life.

This financial assistance is offered on the terms set out in Annexure A.

The NSW Government has provided \$40 million in additional CRIF funding to support the economy and employment in local communities as part of its stimulus measures. It is important that your project commences as soon as possible, and the funds are spent to support jobs and your local community. In accepting this offer you will also need to provide regular updates as to the projects progress.

The funds will be paid electronically following your indication of acceptance and advice of banking details as set out in Annexure B. Offers that are not accepted within two months of the date of this letter will be considered as lapsed and be withdrawn.

If you require additional information or wish to discuss this matter further, please contact the Funding Team on 1300 886 235 (option 4).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Melinda Pavey', written over a light blue horizontal line.

Melinda Pavey MP
Minister for Water, Property and Housing

ANNEXURE A

1. The following persons are authorised to accept/decline this offer (at Annexure B) on behalf of the Crown land manager (CLM) – at least one of:
 - Non-council manager – Chair, Secretary, Treasurer, President, CEO, CFO or General Manager
 - Council managed CLM – General Manager or Director
 - Other – Appointed Administrator, Crown Lands Director or Area Manager
 2. Payment of funds will be made to the CLM's official account.
 3. Payment of funds is made GST inclusive. Grant recipients registered for GST must agree to the issuance by DPIE - Crown Lands of a Recipient Created Tax Invoice (RCTI) in respect to this payment (Annexure D).
 4. The CLM is responsible for ensuring funds are only used for the purpose(s) in the application and specified in the letter of offer from the Minister. Funds may not be used for any other purpose without the prior written approval of Crown Lands.
 5. The CLM is responsible for ensuring all approvals (environmental, council etc.) required under legislation is received prior to commencement of the project. Refer to the *Reserve Manager website* for more information in respect to approvals and assessments - <https://reservemanager.crownland.nsw.gov.au/>
 6. Procurement must be undertaken in accordance with the *CRIFP Procurement Guidelines*. Project activities totalling \$150,000 or over must be procured via public tender.
 7. Projects must be completed as soon as is practical as the funding is stimulus in nature and be completed no later than 12 months from the date the funds are paid into the CLM's official account. The CLM is responsible for seeking prior written approval from Crown Lands if an extension is required.
 8. Monthly project updates – Crown Lands will contact a representative of the CRIF project via email to seek a monthly update on the status of project activity. Contact details for the appropriate representative are to be provided at Annexure B.
 9. A final project report (see Annexure C) must be submitted by the CLM to Crown Lands to demonstrate that the works have been satisfactorily completed and the funds fully expended or surplus funds returned.
 - The report is due within two months of the project's completion. Failure to submit this report will render the CLM ineligible for future funding.
 - Documentation in the form of before and after photos (wherever relevant) and proof of expenditure must be submitted with the report.
 - All remaining CRIFP funds at the completion of the project must be returned to Crown Lands with a cover letter that includes the CLM's name and the following reference: F622019.
 10. Receipt of the funding must be acknowledged by the CLM in its next annual report.
 11. This project may be the subject of an onsite audit following its completion. Project documentation (e.g. receipts, procurement documentation) must be collected and retained by the CLM for a minimum of seven years.
 12. All official correspondence with DPIE - Crown Lands in relation to this offer and the project must be undertaken through the Funding Team, as follows:
 - Email: reservefunding@crownland.nsw.gov.au
 - Post: PO Box 2185, Dangar, NSW 2309
 - Phone: 1300 886 235 (option 4)
-

ANNEXURE B

Ref: F622019/ A200724

ADVICE OF ACCEPTANCE OF GRANT

This is to certify that Mid-Western Regional Council has resolved to *[mark one as appropriate]*:

- Decline the offer of a grant, or
- Accept the grant of \$47,360 on the following conditions

Funding Acceptance Conditions

Mid-Western Regional Council agrees to:

1. comply with all the Terms detailed at Annexure A, and
2. accept a Recipient Created Tax Invoice (RCTI) issued by the NSW Department of Planning, Industry and Environment and comply with its terms*.

I/We (the undersigned) request that the funds be paid to the Crown land manager's official account as follows:

Account Name:

BSB:

Account Number:

Crown Land Manager ABN:

Contact details for monthly project updates

Please provide the following contact details so Crown Lands can obtain monthly updates on CRIF project activity.

Contact Name:

Contact role:

Contact email:

Contact phone:

Signed on behalf and with the authority of the Crown land manager (refer Term 1 of Annexure A for authorised persons):

1.	2.
Signature	Signature
Date	Date
Printed Name	Printed Name
Position	Position

* Please contact the Funding Team for further information if necessary

ANNEXURE C

To accept or decline this funding offer please complete, scan and email Annexure B above to:

Email – reservefunding@crowmland.nsw.gov.au; or

Mail – Crown Reserves Improvement Fund
Department of Planning, Industry and Environment – Crown Lands
PO Box 2185
DANGAR NSW 2309

Final Project Report Submission

For submission of a final project report please submit your completed report and attachments to the Funding Team via one of the following options:

Online form: www.bit.ly/crif_final_report

Email: reservefunding@crowmland.nsw.gov.au;

Mail: Crown Reserves Improvement Fund
Department of Planning, Industry and Environment – Crown Lands
PO Box 2185
DANGAR NSW 2309

If the final report submission is made by email or mail, the report template will need to be downloaded from the Reserve Manager website. This is available under the funding section at:
www.reservemanager.crowmland.nsw.gov.au/administration/templates

Assistance

If you need assistance with completing your report, please call the Funding Team on 1300 886 235 (option 4) or email reservefunding@crowmland.nsw.gov.au. Further information is also available on the webpage - <https://reservemanager.crowmland.nsw.gov.au>



Planning,
Industry &
Environment

ANNEXURE D

RECIPIENT

NSW Department of Planning, Industry & Environment
PO Box 2185
Dangar NSW 2309

ABN: 20 770 707 468

SUPPLIER

Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850

ABN: 96149391332

RCTI Number 2020-157

Amount \$47,360

Date of Issue 21/1/2021

Account reference F622019

ENQUIRIES P | 1300 886 235 (Option 4)

E | reservefunding@crowland.nsw.gov.au

W | www.industry.nsw.gov.au/lands

RECIPIENT CREATED TAX INVOICE

SUPPLIES MADE BY SUPPLIER TO RECIPIENT

Description of taxable supplies	Value	GST	Price
construction of rodeo chutes and additional portable cattle yards on the Mudgee Showground	\$43,055	\$4,305	\$47,360
Amount deposited to your bank account			\$47,360

The GST shown will form part of the total GST payable by the supplier on the business activity statement (BAS) for the relevant tax period.

The recipient and the supplier declare that this agreement applies to supplies to which this tax invoice relates. The recipient can issue tax invoices in respect of these supplies. The supplier will not issue tax invoices in respect of these supplies. The supplier acknowledges that it is registered for GST and that it will notify the recipient if it ceases to be registered. The recipient acknowledges that it is registered for GST and that it will notify the supplier if it ceases to be registered. Acceptance of this RCTI constitutes acceptance of the terms of this written agreement. Both parties to this supply agree that they are parties to this RCTI agreement. The supplier agrees to notify the recipient if the supplier does not wish to accept the proposed agreement within 21 days of receiving this document

11.8 Request for repairs to Blackmans Vault

REPORT BY THE MANAGER - RECREATION SERVICES

TO 19 MAY 2021 ORDINARY MEETING
GOV400088, PAR300623

RECOMMENDATION

That Council:

1. **receive the report by the Manager - Recreation Services on the Request for repairs to Blackmans Vault;**
2. **note the content and recommendations within the National Trust's letter requesting repairs to Blackmans Vault; and**
3. **accept the request for repairs to Blackmans Vault as a submission to the draft Operational Plan 2021/22.**

Executive summary

The Gulgong Mudgee Rylstone Branch National Trust of Australia (NSW) is seeking Councils support to undertake repairs to Blackmans Vault located within Blackmans Park Mudgee.

This report recommends that Council consider the National Trusts request and allocate \$20,000 to undertake restoration work on the monument.

Disclosure of Interest

Nil.

Detailed report

Council received a letter from the Gulgong Mudgee Rylstone Branch National Trust of Australia (NSW) seeking Councils commitment to undertake repairs to Blackmans vault. Blackmans vault is located within Blackman Park, Mudgee.

Having consulted with local stonemasons it has been determined that replacement of the existing sandstone is the only viable option to aesthetically and safely restore the monument. Costs to undertake these works are estimate to be a value of up to \$20,000.

Councils Cemeteries Policy states that holder or the holder's personal representative shall be responsible for the maintenance, repair or removal of damaged or deteriorated memorial work. It also states that upon notification of a memorial to be maintained, if the holder fails to effect such work within 30 days the Council shall do so in default and recover the costs from the holder.

Given the historic and heritage value of Blackmans Vault, Council may consider the monument to be an outlier when compared to traditional monument responsibilities. This may also include acknowledging that the area was the site of Mudgee's first cemetery.

It is recommended that Council acknowledge the request from the Gulgong Mudgee Rylstone Branch National Trust and consider allocating funds to undertake necessary repairs to the monument.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Cemeteries Policy

Legislation

Not applicable

Financial implications

To undertake restoration work to the vault Council would be required to allocate \$20,000 to the project. It is recommended that this work be considered in line with other submissions to the draft Operational Plan 2021/22, for appropriate prioritisation.

Associated Risks

Not applicable.

PETER RAINES
MANAGER - RECREATION SERVICES

SIMON JONES
DIRECTOR COMMUNITY

5 May 2021

Attachments: 1. Request for repairs to Blackmans Vault, Blackman Park- National Trust.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Gulgong Mudgee Rylstone Branch National Trust of Australia (NSW)

Mr Brad Cam
General Manager
Mid-Western Regional Council
PO Box 156 MUDGEES NSW 2850

REQUEST FOR REPAIRS TO BLACKMAN'S VAULT, BLACKMAN PARK

Dear Mr Cam

At the last meeting of the above Branch, the present condition of Blackman's Vault was discussed, and it was unanimously resolved to seek Council's commitment to effect repairs as soon as practicable.

As can be seen, the images below of sections of damage show it is more than moderate. Serious consideration to sympathetic early repairs would be more than advisable.

The historical and heritage value of this remarkable artefact cannot be overestimated – the remains not only of the first European to walk on our local lands are entombed on this site, but so are members of his immediate family, descendants of who still live in our region. Further, of course, this area was the site of Mudgee's first cemetery.



The Gulgong Mudgee Rylstone Branch of the National Trust looks forward to early attention to and sympathetic repairs and protection of this invaluable piece of our European history.

Yours sincerely



John Bentley
Chair
Gulgong Mudgee Rylstone Branch
National Trust of Australia (NSW)
30 January 2021

Item 12: Reports from Committees

12.1 Gulgong Sports Council Meeting Minutes 9 March 2021

REPORT BY THE MANAGER - RECREATION SERVICES
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, A0360003

RECOMMENDATION

That Council:

1. receive the report by the Manager - Recreation Services on the Gulgong Sports Council Meeting Minutes 9 March 2021; and
2. note the minutes for the Sports Council Meeting held 9 March 2021.

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Sports Council Meeting held 9 March 2021.

Disclosure of Interest

Nil

Detailed report

The Gulgong Sports Council receives an updated Works Request & Matters in Progress report together with updated financial details each month prior to meetings.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

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

Financial implications

Nil

Associated Risks

Nil

PETER RAINES
MANAGER - RECREATION SERVICES

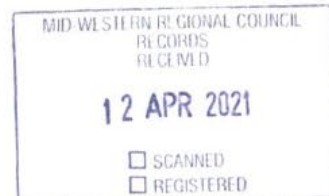
SIMON JONES
DIRECTOR COMMUNITY

16 April 2021

Attachments: 1. Gulgong Sports Council Meeting Minutes 9 March 2021.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



GULGONG SPORTS COUNCIL
Monthly Meeting
Monday 9th March, 2021 @ Gulgong Bowling Club.

Meeting Opened; 6.00pm

Apologies; B& C.Rae, S.Palmer, P.Doran, S.Ellis, T.Papworth.

Moved; M.Freestone 2nd C.Forrester Carried

Present; B.Gudgeon GDCA, C.Holden Sports Council, M.Freestone Touch Football, Peter Raines MWRC, C. Forrester Gulgong Dogs, P Thompson MWRC, D.Thompson, M.Gaudry Tennis, T.Bromley Soccer.

Minutes; Minutes from December, 2020 Meeting to be accepted.

Moved B. Gudgeon 2nd M.Freestone Carried

Council Business;

1. Gulgong Sports Council donating \$1000.00 towards the purchase of new seating at the Gulgong Tennis courts. Moved P.Thompson 2nd C.Forrester Carried.
2. Water is entering the storage facilities at Victoria Park Gulgong, Works Request to be raised.

Finance;

Expenditure; Brian Gudgeon \$324.50 Reimbursement Sports Council Christmas Dinner

Balance; \$5991.98

Motion that Finance Report be accepted also expenditure to be paid.

Moved C.Holden 2nd P.Thompson Carried

General Business;

1. Craig Holden has introduced a new sports council spreadsheet for works to be carried out at Gulgong Sporting Fields, this will contain works required present and in the future including repairs, construction, grants and works added to management plans. This plan will also show updates when works can be carried out and also completed. It will also show stages and updates of works that have been approved and when they will commence. This works sheet will be updated and presented to Council and the Sports Council Committee at each meeting also Peter Raines will be in control of this program. (please refer to spread sheet).
2. The Gulgong Tennis Club has previewed a new stage in sport, new fields of sport could be introduced to replace a couple of the tennis courts into synthetic hockey fields and other sports to be played at night and during the day. This project is in early stages and more work has to be carried out before this comes to reality.
3. Brian Gudgeon to be reimbursed for Sports Council Christmas Party \$324.50.

Moved C.Holden 2nd P.Thompson Carried.

Next Meeting; 13th April, 2021 Gulgong Bowling Club.

President Craig Holden.

12.2 Gulgong Memorial Hall Committee 9 February 2021 & 9 March 2021

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, A0100024

RECOMMENDATION

That Council:

1. receive the report by the Manager, Customer Services & Governance on the Gulgong Memorial Hall Committee; and
2. note the minutes from the Gulgong Memorial Hall Committee meetings held on 9 February 2021 and 9 March 2021.

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee meetings held on 9 February 2021 and 9 March 2021.

Disclosure of Interest

Nil.

Detailed report

The Gulgong Memorial Hall Committee met on 10 November 2020 as part of their ongoing monthly meetings. Note the minutes for current actions and updates provided by the committee.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

The Gulgong Memorial Hall Committee is operating under Section 355 of the Local Government Act 1993, which allows it to exercise a function of Council.

Financial implications

Not applicable.

Associated Risks

Not applicable.

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES &
GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

5 May 2021

Attachments: 1. Gulgong Memorial Hall Committee Minutes February 2021.
2. Gulgong Memorial Hall Committee Minutes March 2021.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Gulgong Memorial Hall Meeting 9/2/2021

Opened: 1600

Present: Charles Vassel, Bill Clifford, Pauline & Chris Hannaford, Richard Cushway (MWRC), Cheryl Vassel, Toni Morrison, Percy Thompson.

Guest: Karli Anshaw (MWRC)

Minutes of last meeting: Chris and Pauline sent card and message to Maureen and Ray.

Richard and Karli spoke to painters re painting over door locks and windows.

Message sent to Gossip re Christmas in July.

Shane Holz is happy to act as Santa.

Pauline and Chris have spoken to a number of people in town, and a lot of organisations will step up and help with Christmas in July. With COVID restriction being relaxed slightly, and any celebration is likely to be inside, the capacity for the number of people in the Memorial Hall is almost back to normal, but a COVID safe plan will need to be submitted. 224 people is the current capacity

The new roof is good, however the same size guttering was put on as was on previously, and when it rains heavily the gutters overflow and can cause a problem outside building.

Bird droppings still need removing.

Door to lapidary room. Now that the concrete apron has been put in, door will not open properly – Karli is happy to get door replaced or fixed.

Pauline contacted Alina Azar, and submitted the CPP. Quote came in two parts, for wall to be demolished, removed and installed & clad to match, as well as wheelchair access - \$9900; Supply tools & equipment to construct a concrete path to meet disabled access standards - \$5240, total is \$15140. Toni also put in a CPP for the wall and for more power points in the Hall. There are about six people in the district who have also put these in.

There was no communication from Council about meetings resuming.

Chris and Karli looked at the partitions in Hall. (see later comment)

Compensation for closure period re Men's Shed – letter has been submitted to Council. Dates are required re impact to Men's Shed when works were being done to Hall, the new roof as well as the new path outside. Pauline will send a new letter to Council with the updated dates that the Men's Shed was unable to be used. The compensation will be in the form of a credit for a portion of next year's rent.

General Business:

Karli – there is some funding to put towards updating the Hall. Funding to rectify plumbing issues was overestimated, so funds are now available and can be used for works that can be completed by June 30th.

Proposed works could be –

- floor sanding and polishing,
- Men's Shed door refurbishing,
- dressing room floor update,
- bathroom dressing room repainting,
- stage updates – Tarkett can be polished, carefully, then duct-tape replaced,
- roller blinds in kitchen,
- replace oven and stove top,
- additional guttering and downpipes,
- hand driers in all toilets.
- Carpet removed from dressing rooms, so the floor can be scrubbed.

- Good quality duct tape for the Tarkett

If someone wants to use the stage for a piano, the Tarkett must be taken up and stored, so it is not damaged.

Floor - last time sanded and oiled 10 years ago. Orana Floors from Dubbo put in a quote about 8 years ago. Tap shoes cause a problem with oiled floors, so ? Polyurethane.

Ovens – Harvey Norman 1.5m wide - commercial 4 ovens - \$6800.

Wall Replacement - Putting in application for wall replacement. May be able to get a Grant, perhaps through the Mines?

If there is a Grant, will Council go halves in a total amount, how does this work?

Need to have large downpipes, especially in storms.

How many projects out of ones suggested can be achieved? It depends on quotes, but most hopefully.

The most important items on the list are guttering, partitions, and the floor. Guttering operational issue, so different funding.

The things that do not get done this year will be rolled over until they can be completed, if not next year, then the following year.

Driveway – the footpath – Council staff did not notify anyone that the work was to commence, so when something went wrong, Chris was rung to help solve the problem. The phone cable was dug up and broken, and was unable to be replaced. No consultation happened. The childcare centre has the same problem. Why is there no Consultation happening when works are to commence? The contractors thought Council was contacting the groups concerned.

When Richard was alerted by Karli, Richard notified Roads department, who were supposed to notify houses and businesses in the immediate area. This did not happen. Why?

Christmas in July – Toni has sent several suggestions – (see attached), more will be appreciated. Need to keep planning.

Chris will approach the Schools and Kindergartens with Toni’s suggestions and see which ones they would like to do.

Chocolate wheel – maybe turkey? Maybe vouchers only, no meat.

Unless stopped by COVID. Need application to Council for funding, the previous application for the Christmas Celebration will be kept for the next Christmas Celebration. Letter to Council re Christmas in July - food will be similar, maybe \$3,000. Pay for drinks and chocolate wheel only. Need to hire jumping castle.

Meeting closed 1712. Next meeting 9/3/21 1600

Action Plan

Person Responsible	Action	Result
Chris	Contact Schools etc re Christmas in July	
Cheryl	Contact Council and Gossip re putting event into Calendars	Done

ACTIVITY SUGGESTIONS FOR CHRISTMAS IN JULY

Santa photo booth	Prepare a photo booth for children/families to have photos taken with cardboard cut-outs of Santa's beard/eyebrows/hat etc. Have photographer take photos
Santa limbo	Participants put a pillow under their shirt and attempt the limbo
Bean bag toss	Participants throw a small bean bag onto a large piece of cardboard on the floor which has a Christmas drawing on it with scores from 5 to 20
Don't ring the bell	A hula hoop with 2 Christmas bells attached. Participants try to climb through the hula hoop without ringing the bells
Inflatable jumping castle	Hire from the usual person
Jungle bell toss	A timber board about 40cm wide and 60cm long attach red plastic cups in the shape of a Christmas tree. Board is placed on an angle against the wall and participants throw ping pong balls into as many cups as they can
Pin the nose on the reindeer	Cardboard sheet with a reindeer drawn on it. Participants then take a red cardboard nose, are then blindfolded, then attempt to stick the nose in correct place on the reindeer
Unscramble the reindeer names	Prepare sheets with scrambled reindeer names. Participants need to unscramble the reindeer names
Blindfold Christmas drawing	Participants hold a paper plate on their head and with a texter pen they attempt to draw a snowman?
Tatoos	
Barbaque	
Drinks	
Chocolate wheel	
Santa photos	

Gulgong Memorial Hall Meeting 9/3/2021

Opened: 1605

Present: Percy Thompson, Charlie & Cheryl Vassel, Pauline and Chris Hannaford, Richard Cushway

Guest: Diane Thompson

Minutes of last meeting: moved Pauline, 2nd Charlie. Chris is still in the process of contacting the schools. Wendy and staff at the Kindergarten behind the Hall, are quite excited about the event and will help with face-painting, and assist with COVID. Little Athletics staff will have to take it to a meeting, Percy will talk to Mr Papworth re same. There are six men from the Men's Shed to work on the BBQ, need at least another 8 volunteers. Hopefully everyone will have a chance of getting around people, and the people in charge will have a chance to rotate through different games. Thanks to Richard for stepping up over problems with Council Staff re booking the Hall. Chris went to see Netti, then sorted out the problems. It has been confirmed that a 355 Committee that runs the Christmas Celebration and Christmas in July is a Council Committee, so do not need to pay insurance.

Richard will investigate the progress of funding for the Christmas in July Celebration.

Karli has got quotes, Chris is waiting on quotes, but is working on these. Karli has received two quotes for the floor sanding. This will take seven days to do, so hopefully will be done during the next school holiday.

Motion: Percy has put forward that work go forward as soon as possible. 2nd Charlie. All in favour.

Letter has been received from Council re Compensation for time Men's Shed was closed

Hand driers in toilets have been approved. The CPP is from 1/7/21, there is a staff recommendation that this be approved, but it now needs to go to Council meeting. This is for the Hall only, not the Park.

Power points, will leave to the next financial year.

Drive over footpath, this has been fixed.

General business: Chris will fill out COVID plan, in consultation with Richard.

Does Council have a Community bus? No. Glenray the NDIS provider, is leaving Mudgee, so without a bus there 6 members who will no longer be able to attend the Men's Shed. There are several members who volunteer in the area are moving away from the district.

Bill Clifford will be moving soon, so has resigned as a member of the memorial Hall Committee.

Christmas in July, for the chocolate wheel, we usually purchase something – could we purchase \$50 vouchers from IGA, as well as them donating some. As we are probably limited to 224 people, at present, perhaps we should reduce the number of spins, to 8, rather than 10. Charlie will negotiate with IGA. Should put an article in the July issue of the Gossip, so notify people in advance to let them know there will be a limit. By then we should know numbers that are allowed. All agreed, Charlie will contact the Gossip.

Chris – register sheets.

Cheryl – poster

Christmas in July – 25/7, 12 to 4

Richard – check whether event will be put in Council newsletter.

Cheryl – go to Post Office and get event put on screen.

Meeting closed 1645.

Next meeting 13/4/21, 1600, Men’s Shed

Action Plan:

Person Responsible	Action	Result
Charlie	Letter for Gossip	
	Contact IGA	
Chris	COVID Plan & Register Sheets	
	Contact schools etc	
Richard	Check whether event will be put into Council’s newsletter	
	Investigate Council funding	
Cheryl	Poster	
	Get event put onto Post Office screen	



25th July, 12 midday

Come and join in the Fun at the Memorial Hall

With

Games, Photos, Jumping Castle



12.3 Red Hill Committee 11 March 2021

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, A0190002

RECOMMENDATION

That Council:

1. receive the report by the Manager, Customer Services & Governance on the Red Hill Committee 11 March 2021; and
2. note the minutes of the Red Hill Committee meeting held on 11 March 2021.

Executive summary

This report seeks to inform Council on the progress of the Red Hill site following the Red Hill Committee Meeting held on 11 March 2021.

Disclosure of Interest

Nil.

Detailed report

The Gulgong Gold Experience at the Red Hill site has undergone a tourist resurgence in 2021 following the impact of Covid lockdowns early in 2020. Visitation to the site has been strong during the 2nd half of 2020 and has continued into 2021.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan
Red Hill Master Plan

Council Policies

Not Applicable

Legislation

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

Financial implications

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

Associated Risks

Not Applicable

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES &
GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

5 May 2021

- Attachments:*
1. Red Hill Committee Meeting 11 March 2020.
 2. Gulgong Gold Experience 6 Monthly Report July-Dec 2020.
 3. Gulgong Gold Experience Financials July-Dec 2020.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL

PO Box 156, MUDGEE NSW 2850

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

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

E council@midwestern.nsw.gov.au

MINUTES**RED HILL COMMITTEE MEETING**

Meeting commenced at 3.07pm on Thursday 11th March 2021 at Red Hill School Gulgong

Attendees: Councillor Percy Thompson (Chair), Bill Murphy, Joy Harrison, Tony Harrison, David Warner, Richard Cushway (MWRC Staff), Red Hill EEC representative.

1. APOLOGIES

Maurice Gaudry, Chris Pearson, Rebecca Neilsen

Moved: Joy Seconded: Tony Carried unanimously

2. REVIEW OF PREVIOUS MEETING MINUTES

No Comments

Moved: Joy Seconded: David Carried unanimously

3. GULGONG GOLD EXPERIENCE UPDATE

Joy Harrison (GGE Co-ordinator) provided an update on operations and submitted a 6 Monthly report for the committee to review. Joy advised the Xmas Holiday season and since that period has been a very busy time.

Moved: Joy Second: Bill Carried unanimously

4. UPDATE ON ABORIGINAL LAND CLAIM AT RED HILL (2017)

Richard Cushway advised the committee there has been no update on the ALC at Red Hill however a response from Crown Lands is expected over the next month or so.

5. MINER'S COTTAGE REFURBISHMENT (BUILDING BETTER REGIONS GRANT)

No progress on the Miner's Cottage Refurbishment due to the ALC in effect.

6. EOI SUBMISSION – GULGONG GOLD EXPERIENCE WALKWAY

Richard advised that a grant submission has been made to provide 50% in funding towards the upgrade of the walkway between the GGE and the Miner's Cottage (anticipated to cost \$40,000 in full). The remaining 50% to be contributed through Council capital funds (subject

to approval in the budget process). The concept of a new walkway was discussed amongst the committee and further consultation on design and location would be required should the grant be approved.

7. DISCUSS SECURITY FENCING (FROM RED HILL MASTERPLAN)

Joy Harrison tabled the need for improved security at the site and suggested to bring forward the masterplan development of security fencing. This was discussed amongst the committee in detail, and ideas were shared around what type of fence (if installed) would be appropriate. There was no decision reached and so a suggestion was made to defer to matter until the next meeting.

8. RED HILL EEC LANDSCAPING MASTERPLAN UPDATE

It was noted that the rear fencing had been repaired. No other update provided, will defer this until next meeting.

9. GENERAL BUSINESS

None

MEETING CLOSED 4.22PM

NEXT MEETING: 3PM WEDNESDAY 5TH MAY AT RED HILL SCHOOL

ACTIONS – UPDATED 04/05/21

TASK	WHO	PROGRESS
Red Hill Signage Audit	Red Hill Committee	Will determine any action based on landscaping masterplan.
Panning Troughs near cottage to be reinforced with concrete base or pavers	Joy & Tony Harrison	On hold due to possible relocation
Review process of listing Red Hill Site on State Heritage Register	Richard Cushway	On hold due to Aboriginal Land Claim (ALC) in effect
Consult with NSW Dept of Planning re possible funding for Signage	Richard Cushway	On Hold
Extend GGE MOU to include operations of Visitor Information Centre and Tea Room	MWRC	On Hold until Miner's Cottage opens
Installation of Mullock Heaps around Red Hill site	MWRC	On hold due to Aboriginal Land Claim (ALC) in effect
Repair/upgrade of pathway between Cottage and GGE entrance	MWRC	A Community Plan Proposal of \$20k has been lodged and supported by Council. Needs matched funding through approved grant or GGE funds (of \$20k).

GULGONG GOLD EXPERIENCE

2ND HALF YEAR REPORT JULY – DECEMBER 2020

I am pleased to present this report to you after the disappointing first half year report which showed the effects of bush fire smoke, dust storms and extreme heat followed by a two and a half month lockdown.

After the NSW Health lifted the COVID -19 Restrictions we were able to re-open on 4th July 2020.

Because the regional areas were also open to the rest of the state we saw an influx of visitors from all over NSW. It was also school holidays this made July a record month for us 1087 visitors.

The following months also saw record numbers through the complex. This been difficult with the COVID restrictions. Because we are a unique complex we set up our own COVID plan and found that all our visitors followed this without any objections.

When looking at the figures you will note that we made more money in this last half year than we made in the entire year last year.

I put this down to the increased number of visitors, the great attitude and passion of our volunteers and our increased promotion of the experience to families.

Because of the increased number of children/adult panning we are finding that we do not have enough troughs to accommodate them all. Some days we had over 50 panning.

In the Master Plan the troughs have to be moved to a different location to allow for an outdoor dining area where the troughs are now so I would like to request two extra troughs to be installed with this move.

With the DA for the cottage now in Council it is only a matter of time before our stage 2 is in progress. This will add another dimension to the complex. At the moment we are focussing on family involvement, when the cottage opens I will be promoting the complex to more bus companies (I had stopped this promotion

because of COVID) and using the cottage and the tea rooms to attract more adults.

I would like to thank Richard Cushway and Council for the faith they have in me and the support given to me.

Joy Harrison

VISITOR NUMBERS

2019		2020	
July	549	July	1087
August	232	August	538
September	487	September	777
October	637	October	1087
November	115	November	631
December	75	December	237

December numbers were down because we closed on 16th December to give the volunteers a Christmas break. As you can see by the numbers they had all worked so hard during the year.

GULGONG GOLD EXPERIENCE

Financials from 30th June 2020 to 31st December 2020

Date: 31st December 2020	Debit	Credit
Carried over from 30th June 2020		\$15,734.08
Income from 1st July to 31st December 2020		\$28,211.31
		<hr/>
	Total	\$43,945.39
 Outgoings 1st July 2020 to 31st December 2020		
Account fees	\$60.00	
Tubes	333.81	
Gems	219.57	
Calico bags	1,430.01	
Printing	302.80	
Cleaning products	202.18	
Coordinators Remuneration	9,000.00	
MRTI	110.00	
Maintenance	1,150.50	
Merchandise	503.56	
Volunteers July lunch/Christmas party	748.08	
Stationery	29.97	
Insurance	401.47	
	<hr/>	
	Total Dr \$14,491.95	Cr \$43,945.39
	Balance	Cr \$29,453.44
Balance in bank as of 31st December 2020	\$29,453.44	

12.4 Local Traffic Committee Meeting Minutes - April 2021

REPORT BY THE ADMINISTRATION OFFICER, OPERATIONS
TO 19 MAY 2021 ORDINARY MEETING
GOV400088, A0100009

RECOMMENDATION

That Council:

1. receive the report by the Administration Officer, Operations on the Local Traffic Committee Meeting Minutes - April 2021; and
 2. approve the event – “Mudgee Running Festival 2021” Sunday 22 August 2021 – be classified as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.5” and proceed with the following conditions:
 - a. Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event;
 - b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
 - c. Controlling noise as required by the *Protection of the Environment Operations (Noise Control) Regulation 2000*;
 - d. Reimbursing Council for the cost of damage repairs;
 - e. Complying with Council's Law Enforcement Officers' reasonable directives;
 - f. Maintain and return areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
 - g. A Traffic Control Plan (TCP) certified by a person with a ‘Select & Modify’ or a ‘Design & Audit’ certificate be included in the TMP;
 - h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
 - i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and the Transport for NSW are indemnified against any possible action as the result of the event;
 - j. The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
 - k. Maintain a four-metre wide emergency vehicle lane;
 - l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date; and
 - m. Traffic Control plan to be in accordance with Roads and Maritime Services Traffic Control at Worksites Manual
 - n. The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.
-

Additional Conditions

- o. Send concurrency request to Transport for NSW to use shoulder of Castlereagh Hwy(Market Street**
- 3. approve the event – “Mudgee Small Farm Field Days” Friday and Saturday, 8th & 9th July 2021 – and classify as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceed with the following conditions:**
- a) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;**
 - b) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;**
 - c) Controlling noise as required by the Protection Of The Environment Operations (Noise Control) Regulation 2000;**
 - d) Reimbursing Council for the cost of damage repairs;**
 - e) Complying with any of Council’s Law Enforcement Officers’ reasonable directives;**
 - f) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;**
 - g) the qualification of the person creating the Traffic Control Plan must be a holder of the Prepare a Work Zone Traffic Management Plan or superseded Select and Modify Certificate or the Design and Audit Certificate which has not expired;**
 - h) Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;**
 - i) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to list Council, RMS and NSW Police as Interested Parties;**
 - j) The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;**
 - k) Maintain a four-metre wide emergency vehicle lane;**
 - l) Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;**
 - m) The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.**
 - n) Traffic Control plans prepared in accordance with Roads and Maritime Services Traffic Control at Worksites Manual.**

Additional Conditions

o) Traffic Control plans to be updated as per notes below.

- Traffic controller signage need to be closer to the traffic controllers.**
 - TCP- VMs signs should not be used for advertising, instead should say traffic condition changed.**
 - Pg. 60 of LTC agenda; spread coming into Mudgee speed signs should be**
-

40km/h to 60km/h, not 40km/p to 40km/h in TCP.

- **The temporary speed signage on page 60 to be in accordance with the Traffic Control at Worksite Manual and therefore be changed to Road Work Speed Limit (sign number r4-212n) signage.**
- **TCP- Moggs Lane speed 60km/h not 40km/h.**

4. **endorse the design for link road between Putta Bucca Road and Glen Willow Sporting precinct in principle.**
5. **approve the design for disabled parking for the Art Galley**
6. **investigate safety concerns of Rocky Waterhole Road causeway.**

Executive summary

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

Disclosure of Interest

Nil

Detailed report

The Local Traffic Committee meeting was held on Friday 16 April 2021

Two event reports were considered:

- Mudgee Running Festival
- Small Farms Field Days
-

Three traffic reports were considered:

- Preliminary Design for Link Road between Putta Bucca Road and the Glen Willow Sports Precinct
- Disabled Parking – Mudgee Art Gallery
- Concerns about the river causeway on Rocky Waterhole Road

General Business items included

- National Road Safety Week
- Federal Funding for Road Safety Infrastructure around NSW Schools
- Request for Southern Bus Zone sign on Market Street be changed
- Woolworths pick up area on Mortimer Street
- Pedestrian Crossings on Pitts Lane
- Free Cuppa for the Driver scheme

Correspondence items included

- Concerns about the intersection of Henry Lawson Drive and Ulan Road

Full discussion notes are included in the attached report.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Not applicable.

Financial implications

Not applicable

MICHELLE NEILSON
ADMINISTRATION OFFICER, OPERATIONS

GARRY HEMSWORTH
DIRECTOR OPERATIONS

6 May 2021

Attachments: 1. Minutes of Local Traffic Committee - 21 April 2021.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Minutes of the Local Traffic Committee

Held at the Council Chambers, 86 Market Street, Mudgee
on 16 April 2021.

Present	Garry Hemsworth (MWRC), Phil Blackman, Deanne Freeman (RMS), Mark Fehon (NSW Police)
Apologies	Samantha Cecchini, Don Cottee, Garry McGovern, Cr Alex Karavas
Secretary	Emma Broadfield (MWRC)

The LTC meeting commenced at 9:30am.

MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the previous Local Traffic Committee held on 19 March 2021 be taken as read and confirmed.

2

MATTERS IN PROGRESS

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
Mudgee Town Pedestrian Crossings	20 Jan LTC Meeting	Council conduct an audit on all crossings, place counts on Market and Church Street and provide a report to the committee with findings and suggestions for improvements	It is looking likely that the power will need to go underground. Currently looking for quotations for this to be done. Works need to be completed prior to 1 July 2021.
Perry Street Parking Issues	15 June 2018	To monitor the parking issues that surround Mudgee High School	The Funds for this project are in the draft budget for next financial year.
Traffic Management Review for Gulgong	Feb 2021		This is to be parked for the moment. Will wait until the new Infrastructure Planning team are established before starting to review Gulgong.
Mudgee CBD High Pedestrian Area	November 2018	Council in support of 40km CBD zone investigation.	There appears to be a small issue on Market Street behind the post office. Will need to move it back further towards the Council Chambers.
St Matthews Traffic Flow	February 2019	Organise meeting onsite Prue Britt, the safety around schools officer with Council, NSW Police and Principal to discuss options	Letter sent to School in August 2020 requesting ongoing education of the arrangement.
CBD Parking line marking	May 2019	If not address in parking study, prepare report for line marking to be extended to Market street between Church and Lewis and Mortimer Street between Church and Lewis	TfNSW asked if the section of Market St, east of Church St, will be able to place edge lines for traffic calming purposes. NSWPolice mentioned there is poor lighting at that local.
Denison Street and Church Street Intersection	August 2020		Manual traffic counts are being done week ending 19 March 2021.
Henry Bayly Drive	September 2020	Council requests for traffic counts to be installed at the section of road.	Put down traffic counters at the intersection of Henry Bayly Drive
Ulan Rd and Buckaroo Rd Intersection	December 2020	Further investigation to take place at this intersection	Traffic Counters are place at intersection
Loading Zone at Gulgong Post Office	December 2020	Further investigate into this	Don reviewed the site. There is currently a Loading Zone signage there for the afternoon.
Library carpark request	February 2021	Investigate/review the access for trucks in the carpark behind the library.	

PAST EVENT DEBRIEF

EVENT	
NRL Charity Shield Game 27/2/2021	<ul style="list-style-type: none"> • Debrief given by Mark Fehon. Tickets sales were capped around 6000. Crowds were well behaved. • The next NRL game is on 17 April 2021 which is the end of the school holidays. It is an afternoon match between Manly and Titans. • Garry Hemsworth commented that the QR COVID check caused some delays getting into the ground.

CALENDAR OF EVENTS

2021		
JANUARY	DATE	COMMENTS
Kandos Street Machine and Hot Rod Show	21-24 th January 2021	Approved – Did not go ahead
FEBRUARY	DATE	COMMENTS
NRL Charity Shield	27 Feb 2020	Approved
MARCH	DATE	COMMENTS
Fementa	13 March 2021	Approved
Can Cruises	20 March 202	For LTC information only
APRIL	DATE	COMMENTS
NRL Event – Manly vs Titans	17 April 2021	Approved
Wings, Wine and Wheels Air show	18 April 2021	For LTC information only
ANZAC Day Services Mudgee	25 April 2021	Approved
ANZAC Day Services Gulgong	25 April 2021	Report forms part of this agenda
MAY	DATE	COMMENTS
Mudgee Classic	2 May 2021	
Mudgee Endurance Ride	15 th & 16 th May 2021	Report forms part of this agenda
JUNE	DATE	COMMENTS
JULY	DATE	COMMENTS
Small Farm Field Days	2 nd – 4 th July 2021	Report forms part of this agenda
AUGUST	DATE	COMMENTS
Outback Classic	2 August 2021	
Mudgee Running Festival	22 August 2021	Report forms part of this agenda.
SEPTEMBER	DATE	COMMENTS
Flavours Of Mudgee	27 September 2021	
OCTOBER	DATE	COMMENTS

4

NOVEMBER	DATE	COMMENTS
DECEMBER	DATE	COMMENTS

Red = Unapproved
 Green = Approved

21/015 MUDGEES RUNNING FESTIVAL

RECOMMENDATION

That the event – “Mudgee Running Festival 2021” Sunday 22 August 2021 – be classified as a Class 2 event under the “Guide to Traffic and Transport Management for Special Events Version 3.5” and proceed with the following conditions:

- a. Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event;
- b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- c. Controlling noise as required by the *Protection of the Environment Operations (Noise Control) Regulation 2000*;
- d. Reimbursing Council for the cost of damage repairs;
- e. Complying with Council's Law Enforcement Officers' reasonable directives;
- f. Maintain and return areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- g. A Traffic Control Plan (TCP) certified by a person with a ‘Select & Modify’ or a ‘Design & Audit’ certificate be included in the TMP;
- h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
- i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and the Transport for NSW are indemnified against any possible action as the result of the event;
- j. The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
- k. Maintain a four-metre wide emergency vehicle lane;
- l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date; and
- m. Traffic Control plan to be in accordance with Roads and Maritime Services Traffic Control at Worksites Manual
- n. The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.

Additional Conditions**o. Send concurrency request to Transport for NSW to use shoulder of Castlereagh Hwy(Market Street)**

Committee Comments

TCP need to be updated to 2021; including spread out signs and caution when runners are crossing the road.

Intersection at Henry Lawson Drive and Eurunderee Road, requires extra warning and sign to be spread out so cars have time to slow down. The signs need to be on both sides of the road.

MOTION CARRIED: NSW Police Mark Fehon / Deanne Freeman

The motion was carried with Councillors voting unanimously.

MOTION:

That the above recommendation be accepted and approved.

21/016 SMALL FARM FIELD DAYS

RECOMMENDATION**That Council**

Committee Comment

Traffic controller signage need to be closer to the traffic controllers.

TCP- VMs signs should not be used for advertising, instead should say traffic condition changed.

Pg. 60 of LTC agenda; spread coming into Mudgee speed signs should be 40km/h to 60km/h, not 40km/p to 40km/h in TCP.

The temporary speed signage on page 60 to be in accordance with the Traffic Control at Worksite Manual and therefore be changed to Road Work Speed Limit (sign number r4-212n) signage.

TCP- Moggs Lane speed 60km/h not 40km/h.

TCP changes need to be explained to Cassandra AREC via written and discussion.

MOTION CARRIED: NSW Police Mark Fehon / Deanne Freeman

The motion was carried with Councillors voting unanimously.

MOTION:

That the above recommendation be accepted and approved.

21/017 PRELIMIARY DESIGN FOR LINK ROAD BETWEEN PUTTA BUCCA ROAD AND GLEN WILLOW SPORTING PRECINCT

RECOMMENDATION

6

MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 23 APRIL 2021

That Council endorse the design for link road between Putta Bucca Road and Glen Willow Sporting precinct in principle.

Committee Comments

Traffic speed counts on Putta Bucca Road near proposed round about location.

High pedestrian area including cycling and shared crossing pathways to be addressed when designing.

Investigate possible impacts on turning onto Castlereagh Highway.

MOTION: NSW Police Mark Fehon / Deanne Freeman

The motion was carried with Councillors voting unanimously.

MOTION:

That the above recommendation be Council further investigate the design and usage for the link road between Putta Bucca Road and Glen Willow Sporting precinct.

21/018 MUDGEES ART GALLERY - DISABLED PARKING

RECOMMENDATION

That Council approve the design for disabled parking for the Art Gallery

Committee Comments

Shared zones as per IPWEA Roads & Transport Directorate discussion.

MOTION CARRIED: NSW Police Mark Fehon / Deanne Freeman

The motion was carried with Councillors voting unanimously.

MOTION:

That the above recommendation be accepted and approved.

21/019 CONCERNS ABOUT THE RIVER CAUSEWAY ON ROCKY WATERHOLE ROAD

RECOMMENDATION

That Council investigate safety concerns of Rocky Waterhole Road causeway.

MOTION CARRIED: Transport for NSW Deanne Freeman / Inspector Mark Fehon

The motion was carried with Councillors voting unanimously.

MOTION:

That the above recommendation be accepted and approved.

21/020 ENDURANCE RIDERS CLUB

MOTION CARRIED: Transport for NSW Deanne Freeman / Inspector Mark Fehon

The motion was carried with Councillors voting unanimously.

RECOMMENDATION

That the event – ‘Mudgee Endurance Ride’ 15th and 16th May 2021 – be classified as a Class 3 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.5” and proceeds with the following conditions:

- a) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event;
- b) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- c) Controlling noise as required by the Protection of The Environment Operations (Noise Control) Regulation 2000;
- d) Reimbursing Council for the cost of damage repairs;
- e) Complying with Council's Law Enforcement Officers' directives;
- f) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- g) Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- h) The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
- i) Maintain a four-metre wide emergency vehicle lane;
- j) Notifying affected residents and businesses in writing at least two weeks prior to event commencement;
- k) The organiser is to notify NSW Fire and Rescue and the NSW Ambulance Service of the event.
- l) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, the Transport for NSW and NSW Police Force are indemnified against any possible action as the result of the event; and
- m) The organiser is debrief with Council and Police with all traffic control documentation and controls tabled for review.

Committee Comments

Doesn't need to come through LTC.

Item was moved to General Business.

MOTION CARRIED: NSW Police Mark Fehon / Deanne Freeman

The motion was carried with Councillors voting unanimously.

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MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 23 APRIL 2021

MOTION:

That the above recommendation be accepted and approved.

21/021 GENERAL BUSINESS

NATIONAL ROAD SAFETY WEEK – MAY 2021

Samantha Cecchni is seeking ideas to go to general local media interested in a Yellow Ribbon car relay across NSW which will conclude in Sydney where the Sydney Harbour Bridge will be lit yellow on 16 May 2021.

FEDERAL FUNDING FOR ROAD SAFETY INFRASTRUCTURE AROUND NSW SCHOOL

Calling for interest in improving infrastructure around schools, typically for pedestrian infrastructure in school zones or on walking routes to school. Including (but not limited to):

- Conversion of existing pedestrian crossing to wombat crossings
- Installation of pedestrian refuges, kerb ramps and kerb blisters
- Pedestrian fencing
- Intersection works to improve pedestrian safety

REQUEST FOR SOUTHERN BUS ZONE SIGN TO BE CHANGED

A request has come through from the Mudgee Fine Foods market that is held the 3rd Saturday of every month. They have requested that it have an addition of Loading Zone between 6.30am – 8.30am Saturday and 12.30pm – 1.30pm Sat. There is one bus use of this stop at 12.17pm on Saturdays. Monitor this area and see if a loading zone is needed.

WOOLWORTHS PICK UP AREA- MORTIMER STREET

Two spots to be created out the front of Woolworths for Shopping Pick Up on Mortimer Street. No Parking- Possibility put forward by Transport for NSW although no advertising because it is on a Public road. NSW Police not in support of specialised parking for businesses on Public Roads

PEDESTRIAN CROSSING ON PITTS LANE

Deanne Freeman noted no pedestrian signage on Pitts Lane, Mudgee although there are two pedestrian crossings.

THE FREE CUPPA FOR THE DRIVER SCHEME

Driver fatigue is one of the three biggest killers on NSW roads. Local businesses have put up their hands by offering free cuppas to tired drivers.

ENDURANCE RIDERS CLUB

A usual yearly class 4 event. Does not need to come to LTC.

21/022 CORRESPONDANCE

CONCERNS ABOUT THE INTERSECTION OF HENRY LAWSON DRIVE AND ULAN ROAD

A customer has emailed Council in regards to her concerns about the intersection of Ulan Road and Henry Lawson Drive. Her concerns are around the speed heading to the intersection east up Henry Lawson Drive. She would like to see a speed reduction towards Ulan Road, warnings of a large intersection ahead and proper lighting at the intersection.

The last traffic counts Council has at that intersection is from 2011.

Committee Comments
Further investigation.

CLOSURE

There being no further business the meeting concluded at 12:00pm.

Item 13: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

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

GIVING NOTICE OF BUSINESS

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

BUSINESS WITHOUT NOTICE

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

Item 14: Confidential Session

LOCAL GOVERNMENT ACT, 1993

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

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

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

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

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DISCLOSURE AND MISUSE OF INFORMATION

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

Maximum penalty: 50 penalty units

MOTION

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

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

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

CHAIRMAN

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

14.1 Update JLTA Class Action NSW Supreme Court

The reason for dealing with this report confidentially is that it relates to advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege in accordance with Section 10A(2)(g) of the Local Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of The reason for dealing with this report confidentially is that it relates to advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege in accordance with Section 10A(2)(g) of the Local Government Act, 1993..

14.2 FlyPelican Regional Service Subsidy

The reason for dealing with this report confidentially is that it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of FlyPelican's business operations and financial position.

The Chairman will then ask the General Manager if there are any written representations from the public on the proposed closure of the meeting.

The General Manager will read out any written representations received.

The Chairman will ask if anyone in the gallery would like to make verbal representations in regard to the matters now to be considered in Confidential Session.

The Chairman will then put the motion "to close the meeting" to the vote.