



Business Papers 2021

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 21 JULY 2021

SEPARATELY ATTACHED ATTACHMENTS

*A prosperous and progressive
community we proudly call home*



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Our ref: 20356

19 March 2021

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

Dear Sir/Madam,

RE: Proposed Extension of Hours to Mudgee McDonald's to Allow 24-Hour Trading, 7 Days a Week

1 INTRODUCTION

SLR Consulting (SLR) acts on behalf of its client McDonald's Australia Limited (McDonald's) in preparing this supporting Statement of Environmental Effects (SEE) for the proposed extension of trading hours at the existing Mudgee McDonald's operation located at 91 Horatio Street, Mudgee NSW 2850.

This SEE describes the site, its environment, and an assessment of the proposal in terms of the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979).

1.1 MCDONALD'S AUSTRALIA AND THE COMMUNITY

There are approximately 1005 McDonald's operations Australia wide, the vast majority of which are either owned or operated by members of the local business community. McDonald's Australia serves approximately 1.2 million people a day and provides job opportunities for over 100,000 people Australia wide.

Since 2002, McDonald's Australia has implemented a number of alternative healthy eating options and choices. McDonald's Australia is a well-known and respected company across Australia, known for its food product, well trained staff and new and improved designs.

McDonald's Australia not only provides employment opportunities and a high standard of food and service, it also works closely with and supports a number of charities and local groups. This is mainly through major sponsorship, supporting local teams, providing educational, environmental, artistic and sporting programs and charity work (i.e. Ronald McDonald House charity, 'Clean up Australia Day').

1.2 COVID STATEMENT

Throughout the COVID 19 pandemic McDonald's operations around Australia have proven they are able to safely provide an essential service to the community. To meet the community demand McDonald's have utilised the Environmental Planning and Assessment (COVID-19 Development - Extended Operation) Order 2020 at numerous sites around the country. This order was enacted to provide retail premises flexibility to extend their hours of operation to ensure that the needs of the community were met by providing easy access to essential services such as food.



As of October 2nd 2020, **KDC has joined the SLR Consulting team**. To learn more about SLR, and the additional expertise that we can now provide our clients, [take a read here >](#)

Mudgee McDonald's have utilised this Order to trade outside of their current approved hours and have been operating 24 hours 7 days since 7 July 2020. The extended trading period under the COVID order has provided an informal 24/7 operating trial to see firsthand the benefits of extended trade. Throughout this period McDonald's have demonstrated their ability to deliver an essential service to the community in a safe and secure environment, whilst not causing adverse impacts on the surrounding amenity. McDonald's continues to operate in accordance with their council approved Plan of Management, with policies and procedures in place to mitigate potential impacts. Through the adoption of these mitigation measures and good practices the store has received very limited feedback in relation to the extended trading hours and ensured any feedback was actioned appropriately. Furthermore, the extended trade has enabled the operation to employ additional staff, which provides additional economic benefit throughout the community. This application seeks to make these COVID trading hours permanent to enable Mudgee McDonald's to continue to provide an ongoing essential service to the community while continuing to employ local residents.

1.3 CONSULTATION

On the 15 March 2021, informal consultation was held with the Duty Planner of Mid-Western Regional Council. The scope and nature of proposed, including documentation to be submitted to Council were discussed. The applicant stated the proposed documents to accompany the application included a Noise Impact Assessment, Plan of Management, and a Crime Risk Assessment. Council stated that these documents would be sufficient to lodge the application, each of which are appended to this report. The process of the application was also discussed in regard to lodgement requirements, with the Duty Planner stating the application was able to be submitted to Council via the NSW Planning Portal.

1.4 BACKGROUND

The last DA noted for the site DA0182/2020 approved on the 15 June 2020. The DA involved alterations and additions to the McDonald's operation including dual lane drive-thru, awning, new menuboards, and ancillary structures.

2 SITE DETAIL

The site is situated on the corner of Church Street and Horatio Street within the Local Government Area (LGA) of Mid-Western Regional Council. The address of the site is 91 Horatio Street, Mudgee NSW 2850 (refer to Figure 1) and is site legally defined as Lot 109 DP861600.

The site contains a standalone McDonald's operation with a drive-thru, car park areas, landscaping and associated signage. The area is a mix of commercial and residential land uses with commercial operations to the north and south with the Mudgee Fire Station located to the west across Church Street. Residential properties are located to the east of the site.

Access to the site is provided via a combined entry and exit point from Church Street and an additional combined entry and exit point to Horatio Street.



Figure 1 – Site Aerial (Source: Six Maps)



3 PROPOSAL

The proposed development application involves the extension of trading hours. This development application seeks 24 hours 7 days a week operation for the existing use, including the internal operation, drive-thru, and signage.

Reason for the Proposal

Mudgee McDonald's is responding to customer demand and public need. Currently, there is a demand for McDonald's food and drink service 24 hours, 7 days at the site and this application attempts to directly address this demand.

The Mudgee McDonald's is a modern progressive commercial premise, which seeks to adapt in response to customer demand and public needs. With this in mind, the proposed extension of the operating hours is in response to continued customer demand for these services. The purpose of the trading extension is to provide key services to the community during the late night and early morning trade, particularly as there limited take away food and drinks premises within the locality that are currently open to customers within these hours. The proposal will provide a convenient service for local residents and passing traffic to access a food premise during the early morning and late at night.

The proposal, including the adoption of mitigation measures at the site, is expected to cause minimal adverse impacts on the environment or amenity of the surrounding area as detailed in Chapter 5 of this report.

4 LEGISLATION AND PLANNING CONTROLS

The following legislation, Environmental Planning Instruments (EPIs) and Development Control Plan (DCP) are relevant to the proposed application and have been addressed below:

- + Environmental Planning and Assessment Act 1979;
- + Mid-Western Regional Local Environmental Plan 2012; and,
- + Mid-Western Regional Development Control Plan 2013.

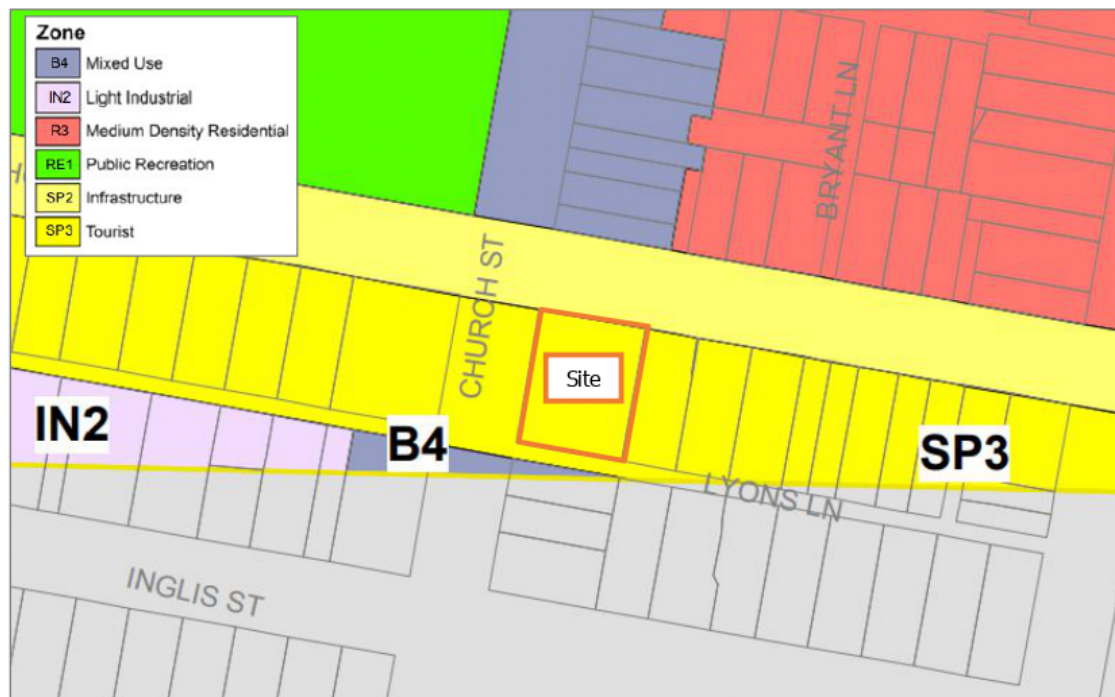
4.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The proposal is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979). Section 4.15 of the EP&A Act 1979 provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribe under Section 4.15 (1), is provided within this SEE.

4.2 MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN (LEP) 2012

Under the provisions of the Mid-Western Regional Local Environmental Plan (LEP) 2012, the site is zoned SP3 Tourist (refer Figure 2).

Figure 2 – Zoning Map Extract from Mid-Western Regional LEP 2012 (LZN_006G)





The proposed extension of trading hours application at the existing McDonald's operation will not alter the approved land use which remains permissible within the SP3 Tourist zone under the LEP 2012. The operation on the site will remain consistent with the objectives of the sites SP3 zoning, contributing to the range of tourist-oriented land uses in the area.

Clause 5.10 Heritage Conservation

The site is mapped within a heritage conservation area however is not identified as a heritage item itself, see Figure 3. The proposed extension of trading hours does not include works to a heritage item and will have no impact on the heritage significance of the area or any proximate heritage items.

Figure 3 – Zoning Map Extract from Mid-Western Regional LEP 2012 (LZN_006G)



4.3 MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN (DCP) 2013

The proposal has been prepared having due regard for the provisions of Mid-Western Regional DCP 2013 and meets all of the relevant controls contained with the DCP. It is noted that the overall building design, including signage, remains unchanged and the arrangements on site in regard to waste management, deliveries, access and car parking also remain unchanged by this application.

5 ASSESSMENT OF PLANNING ISSUES

As discussed in Section 3, the proposed extension of trading hours is in direct response to continued customer demand at the Mudgee McDonald's. The site is located in an area which receives high volumes of traffic throughout the evening and early morning hours. Given that there are limited takeaway food and beverage premises located within the general vicinity of the area offering services both to late night and early morning customers, McDonald's seeks to satisfy demand for this type of service. The proposal, and the ongoing adoption of mitigation measures currently implemented at the site, is expected to result in minimal adverse impacts on the environment and the amenity of the surrounding area. The proposal will provide a convenient service for local residents, visitors and passing traffic to access its services throughout the day and night.

5.1 NOISE

A Noise Impact Assessment (NIA) has been prepared by Muller Acoustic Consultants (MAC) and attached at Appendix A. The results of the NIA demonstrate that noise emissions from the project would satisfy the relevant Project Noise Trigger Levels (PNTLs) at all assessed receivers for the extension of operation hours with the implementation of the recommended noise mitigation measures which include:

- + The exhaust fans on the rooftop of the operation are serviced, repaired or replaced to ensure they are operating at their specified noise level of 71dBA; and
- + Signage is installed in the carpark to discourage antisocial behaviour such as shouting and the car park is regularly patrolled by the shift manager.

Subject to the mitigation measures, sleep disturbance is not anticipated, as emissions from compact noise are predicted to remain below the EPA guideline for maximum noise level screening criteria. Therefore, according to the report, there are no noise relate issues which would prevent Council approved the proposed indoor and outdoor operation. For further information regarding the noise impact refer to Appendix A.

5.2 ODOUR

The proposal will have minimal impact on surrounding premises from the potential night-time odours or air emissions associated with cooking and waste storage in the premises. The McDonald's will continue to operate in accordance with the Food Standards Code and relevant Australian Standards.

5.3 TRAFFIC, PARKING AND ACCESS

The proposed extension to trading hours is not likely to result in any significant impact on traffic movements on the surrounding road network, as it would not be considered a predetermined 'destination' for food during the extended hours due to its centre location.

The proposal is considered to be minor in nature in relation to impacts on traffic flows, circulation, and vehicle movements. The proposal will not impact on the existing centre conditions regarding traffic, parking, and access.

5.4 LIGHTING

The existing external lighting will be utilised during the extended trading hours. The existing lighting will enable clear surveillance and has been designed to prevent concealment and shadowing.

The standard of lighting is designed to not only reduce the fear of crime and limit intrusiveness in accordance with Australia lighting standards, but also serves to provide clear identification of activity using the high technology CCTV cameras.

5.5 SAFETY AND SECURITY

The proposal will have minimal impact on the existing safety and security of the McDonald's operation. McDonald's will ensure the safety and security of the site through the Plan of Management (attached at Appendix B) and the Crime Risk Assessment (attached at Appendix C) which deals with such matters as the amenity of the neighbourhood, lighting, surveillance equipment, vandalism, noise, anti-social behaviour, and security.

A number of measures area already used to ensure the safety and security of the site, including:

- + Surveillance;



- + Control and monitoring of access;
- + Activity and space management; and
- + Training in emergency situations and on cash handling.

By continuing to utilise these measures throughout the extended operation, it is considered that the premises will upkeep the safety of the site. Should any issues arise during the extended hours, the operation will be managed efficiently by the store manager in accordance with the POM.

5.6 THE PUBLIC INTEREST

The proposal is considered to be in the public interest as it will deliver a number of public, social, and economic benefits with minimal adverse impact. The proposal will continue to provide a low cost, convenient fast-food service to serve the needs of neighbouring businesses as well as the local community, with 24/7 trade proposed primarily to service the public.

The McDonald's operation will employ approximately 100 staff, with additional trading hours supporting the hiring of more than 20 new employees over the last 4 months. These new employment opportunities are a direct result of the proposed extended trading hours.

6 CONCLUSION

The proposed extension to trading hours (24/7) will not change the overall design, use or function of the Mudgee McDonald's operation. The proposal will not result in detrimental amenity impacts to surrounding commercial and residential uses. It is considered that the proposed extension to the trading hours of the operation is appropriate given the demand for a late-night/ early morning food and beverage facility in the area and the operators compliance with the relevant legislation and Australian Standards.

It has been established through the Noise Impact Assessment acoustic modelling that the proposal will not result in unacceptable impact to the nearest residential noise receptors and the emissions will comply with the current noise policy with the recommendations implemented.

Furthermore, the proposal will not result in any excess traffic being encountered on the surrounding road network or result in any other traffic issues. Accordingly, there will be no unreasonable social or environmental impacts, and the premise will operate in accordance with the Plan of Management submitted with this application to ensure the safety and security of the site is maintained.

Overall, it is considered that the proposed extension to hours will provide community benefit by responding to the increased demand for convenient access to a food premises. The proposed hours are considered to be appropriate in the context of the site and will bode well from an economic and social perspective through increase employment opportunities.

Given the merit of the proposal and the absence of any significant adverse impacts, the extension of hours is considered to be worthy of Council's support.

Yours sincerely,



Yannis Comino
Project Consultant
SLR Consulting

Appendices

Appendix A – *Noise Assessment*

Appendix B – *Plan of Management*

Appendix C – *Crime Risk Assessment*



APPENDIX A – NOISE ASSESSMENT

Muller Acoustic Consultants (MAC)



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APPENDIX B – PLAN OF MANAGEMENT

McDonald's Australia Limited



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APPENDIX C – CRIME RISK ASSESSMENT

KDC Pty Ltd



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**PLAN OF
MANAGEMENT**

McDonald's Operation

91 Horatio Street, Mudgee NSW 2850

PREPARED FOR MCDONALD'S AUSTRALIA LIMITED | MARCH 2021





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Plan of Management

Final

Prepared for McDonald's Australia Limited, Mudgee Operation | March 2021

Approved by	Martin Bocking
Title	Development Consultant, National Development Group McDonald's Australia Ltd
Date	March 2021



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1 Introduction

1.1 Purpose of Plan of Management

This Plan of Management (PoM) has been prepared for the McDonald's Operation located at 91 Horatio Street, Mudgee NSW 2850 in association with an application to extend trading hours.

McDonald's Australia Limited (McDonald's) recognises the need to ensure the safety and security of customers, staff, workers, residents and the greater community in which the McDonald's operation resides. The safety and security issues have been considered carefully to ensure the utmost safety of staff and patrons.

A Risk Assessment has also been included in this POM to identify, understand, communicate and mitigate security related risks and threats associated with the McDonald's operation and specifically, the late night trading hours proposed.

The PoM is consistent with the principles of Crime Prevention Through Environmental Design (CPTED) as described in the *crime prevention and the assessment of development applications guideline* prepared by the former Department of Urban Affairs and Planning (now Department of Planning, Infrastructure, and Environment).

CPTED aims to create the reality (or perception) that the costs of committing a crime are greater than the likely benefits. This is achieved by creating environmental and social conditions that:

- + Maximise risks to offenders (increasing the likelihood of detection, challenge and apprehension);
- + Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime);
- + Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and
- + Minimise excuse making opportunities (removing conditions that encourage/facilitate rationalisation of inappropriate behaviour).

The policies and procedures outlined in this PoM will make the premises a safe, efficient and pleasant environment in which to work and visit. Additionally, the safety and security issues addressed, and mitigation measures proposed in this PoM have been devised to ensure the amenity of the area is maintained at **all** times during the operation of the premises.

All staff at McDonald's Mudgee will be required to be familiar with this Management Plan.



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2 Risk Assessment

The provision of a safe environment is critical for the long-term success of any operation and presents an essential aspect of the duty of care that must be demonstrated by the various stakeholders.

While identifying and mitigating existing safety issues is important, so too is safety planning, ensuring the systems and processes are in place to identify and deal with safety issues as they arise. Effective safety planning also limits the consequences that can arise from poor safety procedures.

The following sections of this report detail the various threats and security issues associated with the proposal and where necessary, mitigation measures to minimise opportunities for crime and manage crime risk are presented.



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3 Security and Safety

Security and Safety area essential components of creating and maintaining a safe environment for staff, patrons and other key stakeholders, which also encompasses protection of the physical assets and infrastructure.

3.1 Surveillance

3.1.1 CCTV Camera Systems

Management will install CCTV surveillance cameras inside the premises in strategic places including (but not limited to) the cashiers' / service areas and any restricted entry areas. This system has automated recording technology, longer video storage capacity, video motion detection and more advanced camera technology allowing greater video resolution and coverage.

All cameras will operate 24 hours a day. The surveillance tapes / videos will be kept for at least 1 month for viewing by the police as required. The quality of the images filmed will satisfy police requirements. All Managers will be trained to view and burn CCTV at the request of police.

TV monitors are located within the premises and allow staff to monitor the activities on the camera.

Management will ensure the system is maintained in good working order. Management will also ensure that the coverage will be operated with due regard to the privacy and civil liberties of all persons within the development. If it is discovered at any time that the equipment is not in full operating order all reasonable steps must be taken to repair the system as soon as practicable. Where the system will not be functioning in full operating order for a period of longer than 24 hours the manager/licensee is to notify the relevant Local Area Commander of the NSW Police.

McDonald's employees will be encouraged to assist with passive surveillance of all areas of the development and in particular into the development's courtyard, by providing efficient reporting systems for any security or safety concerns on a 24-hour basis.

3.1.2 Intruder Alarm Systems

McDonald's will install an extensive intruder alarm system including perimeter protection, movement detection and access control. This system achieves an added sense of crime prevention and security. The system will allow monitoring of who is accessing what areas, better response to alarms and audit breaches of security in a timely and efficient manner.

3.1.3 Lighting

Perimeter lighting will be provided around the premises to enable clear vision and will be designed in such a manner so as to prevent concealment and shadowing. The standard of lighting will not only reduce the fear of crime in accordance with Australian lighting standards, but also serves to provide clear identification of activity using the high technology CCTV cameras proposed.

Broken light fixtures and bulbs within the premises will be replaced within 24 hours.

3.1.4 Clear Sight Lines

The McDonald's operation has been designed to take into account the need to maximise clear sight lines. The building incorporates the maximum use of natural surveillance and minimises potential obstructions such as physical barriers to ensure these clear sight lines.

Good visibility to the interior of the premises is provided and will be maintained. No blinds, curtains, signage, displays, or internal fittings will obscure the front windows and doors of the premises.

3.2 Access Control

The McDonald's operation utilises an intruder alarm, access control and CCTV systems to monitor access



3.2.1 High Risk Areas

The McDonald's operation has been designed so as not to create a hostile environment. Access to the tenancy is via the entrance only and nominated "secure areas" such as the kitchen / back of house areas will be restricted access only. This will be achieved by the installation of movement detectors and security hardware (locks, etc.).

3.2.2 Signage

Clearly identifiable signage will be installed in and around the building to indicate which areas are open to customers and members of the public and which areas are restricted.

Signage and clear sight lines will assist with the anticipated pedestrian flows within McDonald's.

Warning signs, at strategic locations are to be placed around the perimeter of the premises, at entry / exits to warn people of existing security measures.

A sign at the entry of the premises advising residents to forward any complaints regarding the operation of the premises to the Duty Manager will be provided. The sign will include a phone number and state that complaints can be made 24 hours a day / 7 days per week. All reasonable endeavours are to be used to answer the telephone. The telephone will also include a message bank.

3.2.3 Security

High quality door and window locks are fitted to all openings. The locks comply with the BCA.

No fewer than three (3) staff members will be working at the premises at any one time.

3.3 Space Management

3.3.1 Seating Design

The McDonald's operation takes into account the need to provide seating and other comforts for persons visiting without interfering or disrupting pedestrian flows. This philosophy is designed to encourage increased use of the common areas to reduce the potential for security breaches by natural surveillance.

3.3.2 Toilets

Toilet facilities are provided on site servicing the McDonalds operation. McDonald's employees will be aware of the location of these facilities to be able to provide information to visitors of the store.

3.4 Ejection of Patrons

The following procedure will apply to all staff that are involved in the removal of a person from the premises who is intoxicated, drunk or disorderly:

- + Verbal communication with the customer(s) will occur;
- + The Duty Manager will be instructed to contact Police for assistance in removing any customer who exhibits anti-social or violent behaviour; and
- + An Incident Report will be completed following an altercation and/or disturbance stating all the relevant information for reference purposes.

3.5 Hold Up Procedure

3.5.1 In the Event of an Armed Robbery

The primary advice to staff is to remain as calm as possible. Other advice is as follows:



- + Activate alarm devices as soon as safe to do so;
- + Try to remain calm and assess the situation;
- + Unless otherwise ordered, "continually observe the bandit making a mental note of the bandit's appearance";
- + Pay particular attention to scars, tattoos, firearm or weapon, plus any unusual or prominent features;
- + Note his / her conversations including any indecent language, accent, nicknames or speech peculiarities;
- + Look to see if a motor vehicle is being used and note any occupants;
- + Obey the instructions of the bandit, do not be over co-operative;
- + Move slowly. Only do this with safety. Advise of any sudden movements you have to make;
- + Do not put up a fight;
- + Do not discuss the incident with anyone other than the Police and Senior Management; and
- + Observe the direction taken after the bandit leaves the premises.

3.6 Money Handling

An independent security company will be employed to undertake all movement of cash to and from the premises. There will be no cash movements from the premises by the staff at any stage. There will be no movement of monies from the premises by security personnel at night. All appropriate safety alarms will be installed at the building including back to base security which involves the Intruder Alarm System being linked to the security company.

3.7 Theft

In the event that theft occurs involving a customer, every effort must be made to assist the customer in any way possible, i.e. forms, police report, telephone calls. All personal information must be recorded on the Incident Report Form in case any items are recovered at a future time.

Incidents involving staff members must also be documented on the Incident Report Form and any necessary policy reports must be completed. A list of all items missing must be recorded.

The theft of any property on the premises must be reported to the police for insurance purposes. All thefts must be documented clearly and concisely on an Incident Report Form.

3.8 Weapons

Weapons of any type, i.e. knives, firearms, etc., will not be permitted at any time, unless in the hands of authorised security personnel or Police.



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4 Operational Procedures

4.1 Communication and Training

Staff training days will be held on a regular basis to reinforce safety and security procedures for the operation. Employees will be encouraged to report any suspicious activity or persons in and around the area to the Duty Manager and / or local police.

Staff working during the night time period will be trained to respond to intoxicated and aggressive behaviour via our internal training programs delivered by our Registered Training Organisation.

4.2 Incident Report

McDonald's uses Donesafe, an online Incident and Hazard Log Reporting system, to record details of incidents that occur in the operation. Shift managers have been trained in its usage and are trained to "take control" when an incident occurs. The Shift Manager will ensure that an Incident Report is to be completed for all incidents that necessitate action by emergency services such as, police, ambulance or fire brigade.

All incidents including vandalism and graffiti will be photographed and recorded, together with the response time taken to repair or remove the property affected or offending material. The frequency of incidents together with the respective response will be included in the regular site performance reviews to ensure the maintenance of acceptable standards.

Managers have been trained to call "000" immediately to report a serious crime or incident occurring in the McDonald's that requires an immediate response from Police and other Emergency Services.

The NSW Police Assistance Line (131 444) will be used to report minor incidents of crime

4.2.1 Acts of Violence

Immediately after the duty manager becomes aware of an incident involving an act of violence causing an injury to a person on the premises they will:

- + Take all practical steps to preserve and keep intact the area where the act of violence occurred, retain all material and implements associated with the act of violence in accordance with the Crime Scene Preservation Guidelines issued by the NSW Police;
- + Make direct and personal contact with the Local Area Police and advise the commander of the incident;
- + Comply with any directions given by the Commander to preserve or keep intact the area where the violence occurred; and
- + Secure and produce a copy of all CCTV footage upon request of any Police Officer.

4.3 Telephones

Telephones are to be pre-programmed with the emergency number '000'. Telephone lines are to be secured with an approved lock to avoid unlawful tampering.

4.4 Public Transport Awareness

Staff members that are working in the store during its operation are to be aware and be able to provide information to visitors of the store, of the public transport facilities that are within the area, at all times of the day or night.

4.5 Registering of Complaints

Any complaints received will be documented in a register and followed up by the Duty Manager. The register will include details of the complainant's name, the date the problem occurred, the nature of the complaint and outcome of the complaint.



4.6 Unloading/Loading of Service and Delivery Vehicles

The loading and unloading of service and delivery vehicles will occur within the designated loading bay. No change to the existing delivery schedule is proposed.

4.7 Noise Management

The Duty Manager will closely monitor the following noise management procedures:

- + The premises will comply with the relevant acoustics recommendations including acoustic fencing and location of plant;
- + The Duty Manager will ensure that customers keep noise to an appropriate level upon entering and leaving the premises. The Duty Manager will ask customers making any noise to leave quietly and quickly and ask any customers loitering to move on; and
- + Signs will be placed at the points of exit requesting customers leave quietly and in a prompt manner so as not to cause any disturbance to the surrounding neighbourhood.

Reports of all noise complaints received by the Duty Manager will be documented in a register.

4.8 Cleaning of Surrounding Public Domain

The Duty Manager will ensure that the footpath, gutter, tenancy entry and surrounds are clear of litter at all times.

Bins are located through-out the premises. This will help mitigate the potential litter impact upon the surrounding environment.

At a minimum, McDonald's staff will perform litter patrols at the following times:

- + After Sunrise
- + After the breakfast period (approximately 11am)
- + After the lunch period (approximately 3pm)
- + Before Sunset

Additional litter patrols will be carried out on Saturday and Sunday mornings and peak period as required.

With staff safety of paramount concern, McDonald's policy does not allow for litter patrol after dark, beyond the immediate surrounds. In this regard, between sunset and sunrise the patrol area will be limited to the path directly outside the tenancy and will occur every 30 minutes to manage litter. At first light, a full sweep of the litter patrol area (as detailed in Figure 2) will be undertaken each day.

Vandalism and graffiti will be removed (where possible) within 24 hours.

4.9 Waste Management

Waste generated on site primarily consists of general waste (food wastes and miscellaneous customer waste) and paper and cardboard. Waste will be regularly disposed of at the designated retail waste room provided by the base build waste management plan and collected regularly via a private contractor.



5 Consultation and Assessment

McDonald's are committed to ongoing consultation with police, Council and other relevant parties to ensure the safety and security issues associated with extended trading hours are relevant and up to date with current standards.



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Noise Assessment

Proposed Modification to Operating Hours
McDonald's Operation
91 Horatio Street
Mudgee, NSW.



Prepared for: SLR Consulting Australia Pty Ltd
March 2021
MAC211282-01RP1

Document Information

Noise Assessment

Proposed Modification to Operating Hours



McDonald's Operation

91 Horatio Street

Mudgee, NSW

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DOCUMENT ID	STATUS	DATE	PREPARED	SIGNED	REVIEWED	SIGNED
MAC211282-01RP1	Final	12 March 2021	Robin Heaton		Oliver Muller	

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APPENDIX A – GLOSSARY OF TERMS

APPENDIX B – NOISE MONITORING CHARTS

1 Introduction

Muller Acoustic Consulting Pty Ltd (MAC) has been commissioned by SLR Consulting Australia Pty Ltd (SLR) to prepare a Noise Assessment (NA) to quantify emissions from the proposed McDonald's 24 hour operation of the existing McDonald's Operation (the 'operation') located at 91 Horatio Street, Mudgee, NSW.

The NA has quantified potential operational and sleep disturbance noise emissions from the operation and recommends reasonable and feasible noise controls where required.

The assessment has been undertaken in accordance with the following documents:

- NSW Environment Protection Authority (EPA), Noise Policy for Industry (NPI) 2017;
- Australian Standard AS 1055:2018 - Acoustics - Description and measurement of environmental noise - General Procedures; and
- International Standard ISO 9613:1993 - Acoustics - Attenuation of sound during propagation outdoors.

A glossary of terms, definitions and abbreviations used in this report is provided in **Appendix A**.

1.1 Proposal

The NA has quantified potential operational noise emissions pertaining to customer vehicles using the drive-thru and car park, the customer ordering displays (CODs) and mechanical plant to surrounding residential receivers during the night assessment period. It is understood current trading hours are during the day and evening assessment period.

Truck movements associated with consumable / stock deliveries and waste collection are not anticipated to change as a result of this application.

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2 Project Description

2.1 General

The operation is located at 91 Horatio Street, Mudgee, NSW. This locality comprises primarily commercial and residential land uses. It is noted that commercial receivers are not anticipated to be affected as a result of the operation as they will be unoccupied during the night assessment period.

2.2 Proposed Activities

There are several key activities associated with the operation that have the potential to generate acoustic impacts on nearby receivers. **Table 1** provides a summary of operation noise sources and the assessment period in which they propose to occur.

Table 1 Noise Generating Activities		
Activity/Source	Period ¹	Operational
Customer light vehicles (customers)	Night	✓
Drive-Thru and COD Operations	Night	✓
Mechanical Plant	Night	✓

Note 1: Day - the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening - the period from 6pm to 10pm; Night - the remaining periods

2.3 Receiver Review

A review of the receivers in close proximity to the operation has been completed and are summarised in **Table 2**. **Figure 1** provides a locality plan showing the indicative position of these receivers in relation to the operation. All receiver heights were set to 1.5m above relative ground level for ground floor receivers.

Table 2 Receiver Locations				
Receiver	MGA55 Coordinates		Receiver Height	Receiver Type
	Easting, m	Northing, m		
R1	742866	6390187	1.5m	Residential
R2	742881	6390186	1.5m	Residential
R3	742864	6390123	1.5m	Residential
R4	742846	6390137	1.5m	Residential
R5	742841	6390083	1.5m	Residential
R6	742823	6390102	1.5m	Residential



FIGURE 1
LOCALITY PLAN

REF: MAC211282



KEY	
	RECEIVER LOCATION
	ATTENDED MONITORING LOCATION
	SITE LOCATION



3 Noise Policy and Guidelines

3.1 Noise Policy for Industry

The EPA released the Noise Policy for Industry (NPI) in October 2017 which provides a process for establishing noise criteria for consents and licenses enabling the EPA to regulate noise emissions from scheduled premises under the Protection of the Environment Operations Act 1997.

The objectives of the NPI are to:

- provide noise criteria that is used to assess the change in both short term and long term noise levels;
- provide a clear and consistent framework for assessing environmental noise impacts from industrial premises and industrial development proposals;
- promote the use of best-practice noise mitigation measures that are feasible and reasonable where potential impacts have been identified; and
- support a process to guide the determination of achievable noise limits for planning approvals and/or licences, considering the matters that must be considered under the relevant legislation (such as the economic and social benefits and impacts of industrial development).

The policy sets out a process for industrial noise management involving the following key steps:

1. Determine the Project Noise Trigger Levels (PNTLs) (ie criteria) for a development. These are the levels (criteria), above which noise management measures are required to be considered. They are derived by considering two factors: shorter-term intrusiveness due to changes in the noise environment; and maintaining the noise amenity of an area.
2. Predict or measure the noise levels produced by the development with regard to the presence of annoying noise characteristics and meteorological effects such as temperature inversions and wind.
3. Compare the predicted or measured noise level with the PNTL, assessing impacts and the need for noise mitigation and management measures.
4. Consider residual noise impacts - that is, where noise levels exceed the PNTLs after the application of feasible and reasonable noise mitigation measures. This may involve balancing economic, social and environmental costs and benefits from the proposed development against the noise impacts, including consultation with the affected community where impacts are expected to be significant.

5. Set statutory compliance levels that reflect the best achievable and agreed noise limits for the development.
6. Monitor and report environmental noise levels from the development.

3.1.1 Project Noise Trigger Levels (PNTL)

The policy sets out the procedure to determine the PNTLs relevant to an industrial development. The PNTL is the lower (ie, the more stringent) of the **Project Intrusiveness Noise Level (PINL)** and **Project Amenity Noise Level (PANL)** determined in accordance with Section 2.3 and Section 2.4 of the NPI.

3.1.2 Project Intrusiveness Noise Level (PINL)

The PINL ($L_{Aeq}(15min)$) is the RBL + 5dB and seeks to limit the degree of change a new noise source introduces to an existing environment. Hence, when assessing intrusiveness, background noise levels need to be measured.

Background noise levels need to be determined before intrusive noise can be assessed. The NPI states that background noise levels to be measured are those that are present at the time of the noise assessment and without the subject development operating. For the assessment of modifications to existing premises, the noise from the existing premises should be excluded from background noise measurements. It is noted that the exception is where the premises has been operating for a significant period of time and is considered a normal part of the acoustic environment; it may be included in the background noise assessment under the following circumstances:

- the development must have been operating for a period in excess of 10 years in the assessment period/s being considered and is considered a normal part of the acoustic environment; and,
- the development must be operating in accordance with noise limits and requirements imposed in a consent or licence and/or be applying best practice.

Where a project intrusiveness noise level has been derived in this way, the derived level applies for a period of 10 years to avoid continuous incremental increases in intrusiveness noise levels. This approach is consistent with the purpose of the intrusiveness noise level to limit significant change in the acoustic environment. The purpose of the project amenity noise level is to moderate against background noise creep.

3.1.3 Project Amenity Noise Level (PANL)

The PANL is relevant to a specific land use or locality. To limit continuing increases in intrusiveness levels, the ambient noise level within an area from all combined industrial sources should remain below the recommended amenity noise levels specified in Table 2.2 (of the NPI). The NPI defines two categories of amenity noise levels:

- **Amenity Noise Levels (ANL)** – are determined considering all current and future industrial noise within a receiver area; and
- **Project Amenity Noise Level (PANL)** – is the recommended level for a receiver area, specifically focusing the project being assessed.

Additionally, Section 2.4 of the NPI states: “to ensure that industrial noise levels (existing plus new) remain within the recommended amenity noise levels for an area, a project amenity noise level applies for each new source of industrial noise as follows”:

PANL for new industrial developments = recommended **ANL** minus 5dBA.

The following exceptions apply when deriving the PANL:

- areas with high traffic noise levels;
- proposed developments in major industrial clusters;
- existing industrial noise and cumulative industrial noise effects; and
- greenfield sites.

The NPI states with respect to high traffic noise areas:

The level of transport noise, road traffic noise in particular, may be high enough to make noise from an industrial source effectively inaudible, even though the LAeq noise level from that industrial noise source may exceed the project amenity noise level. In such cases the project amenity noise level may be derived from the LAeq, period(traffic) minus 15 dB(A).

Where relevant this assessment has considered influences of traffic with respect to amenity noise levels (ie areas where existing traffic noise levels are 10dB greater than the recommended amenity noise level).

The recommended amenity noise levels as per Table 2.2 of the NPI are reproduced in **Table 3**.

Table 3 Amenity Criteria

Receiver Type	Noise Amenity Area	Time of day	Recommended amenity noise level dB LAeq(period)
Residential	Rural	Day	50
		Evening	45
		Night	40
	Suburban	Day	55
		Evening	45
		Night	40
	Urban	Day	60
		Evening	50
		Night	45
Hotels, motels, caretakers' quarters, holiday accommodation, permanent resident caravan parks.	See column 4	See column 4	5dB above the recommended amenity noise level for a residence for the relevant noise amenity area and time of day
School Classroom	All	Noisiest 1-hour period when in use	35 (internal) 45 (external)
Hospital ward			
- internal	All	Noisiest 1-hour	35
- external	All	Noisiest 1-hour	50
Place of worship			
- internal	All	When in use	40
Passive Recreation	All	When in use	50
Active Recreation	All	When in use	55
Commercial premises	All	When in use	65
Industrial	All	When in use	70

Notes: The recommended amenity noise levels refer only to noise from industrial noise sources. However, they refer to noise from all such sources at the receiver location, and not only noise due to a specific project under consideration. The levels represent outdoor levels except where otherwise stated.

Types of receivers are defined as rural residential; suburban residential; urban residential; industrial interface; commercial; industrial – see Table 2.3 and Section 2.7 of the NPI.

Note: Day - the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening - the period from 6pm to 10pm; Night - the remaining periods.

3.1.4 Maximum Noise Level Assessment

3.1.4.1 Residential Receivers

The potential for sleep disturbance from maximum noise level events from a project during the night-time period needs to be considered. The NPI considers sleep disturbance to be both awakenings and disturbance to sleep stages.

Where night-time noise levels from a development/premises at a residential location exceed the following criteria, a detailed maximum noise level event assessment should be undertaken:

- $L_{Aeq}(15min)$ 40dB or the prevailing RBL plus 5dBA, whichever is the greater, and/or
- L_{Amax} 52dB or the prevailing RBL plus 15dBA, whichever is the greater.

A detailed assessment should cover the maximum noise level, the extent to which the maximum noise level exceeds the rating background noise level, and the number of times this happens during the night-time period.

Other factors that may be important in assessing the impacts on sleep disturbance include:

- how often the events would occur;
- the distribution of likely events across the night-time period and the existing ambient maximum events in the absence of the development;
- whether there are times of day when there is a clear change in the noise environment (such as during early morning shoulder periods); and
- current understanding of effects of maximum noise level events at night.

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4 Noise Criteria

4.1 Background Noise Environment

4.1.1 Unattended Noise Monitoring

To quantify the existing background noise environment of the area, unattended noise monitoring was conducted at an offsite location at the corner of Horatio Street and Lewis Street, Mudgee, NSW. The selected monitoring location is considered representative of surrounding receivers as per Fact Sheet B1.1 of the NPI and is located away from the site to ensure the operation does not influence the ambient noise levels.

The unattended noise survey was conducted in general accordance with the procedures described in Australian Standard AS 1055:2018, "Acoustics - Description and Measurement of Environmental Noise".

The measurements were carried out using a Svantek 977 noise analyser from Tuesday 2 February 2021 to Wednesday 10 February 2021. Observations on-site identified the surrounding locality was typical of a suburban environment, with passing traffic and domestic audible in the area. Calibration of all instrumentation was checked prior to and following measurements. Drift in calibration did not exceed ± 0.5 dBA. All equipment carried appropriate and current NATA (or manufacturer) calibration certificates.

Data affected by adverse meteorological conditions have been excluded from the results in accordance with methodologies provided in Fact Sheet A4 of the NPI. Residential receptors situated in surrounding area have been classified under the EPA's suburban amenity category. This criterion is used in conjunction with the intrusiveness criteria to determine the limiting criteria. A summary of measured background noise levels and derived intrusive criteria are summarised in **Table 4** and plotted in graph format along with wind speed and rainfall for the monitoring period in **Appendix B**. Calibration certificates of the sound level meters used for this project are available on request.

Table 4 Background Noise Monitoring Summary

Location	Measured background noise level, dB RBL			Measured, dB LAeq		
	Day	Evening	Night	Day	Evening	Night
	7am to 6pm	6pm to 10pm	10pm to 7am	7am to 6pm	6pm to 10pm	10pm to 7am
L1	46	39	36	61	52	50

Note: Excludes periods of wind or rain affected data. Meteorological data obtained from the Bureau of Meteorology station Mudgee Airport AWS 32.56° S 149.61° E 471m AMSL.

Note 1: Day - the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening - the period from 6pm to 10pm; Night - the remaining periods.

4.2 Operational Noise Criteria

4.2.1 Project Intrusiveness Noise Levels

The Project Intrusiveness Noise Levels (PINLs) for the project are presented in **Table 5** and have been determined based on the RBL +5dBA and applies to residential receivers only.

Table 5 Intrusiveness Noise Levels

Receiver Type	Period ¹	Measured RBL dB LA90	PINL dB LAeq(15min)
Residential	Night	36	41

Note: As per Section 2.1 of the NPI, Intrusiveness Noise Levels only apply to residences.

Note 1: Day - the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening - the period from 6pm to 10pm; Night - the remaining periods.

4.2.2 Project Amenity Noise Levels

The Project Amenity Noise Levels (PANLs) for residential receivers potentially affected by the project are presented in **Table 6**.

Table 6 Amenity Noise Levels and Project Amenity Noise Levels

Receiver Type	Noise Amenity Area	Assessment Period ¹	Recommended ANL dB LAeq(period) ²	PANL dB LAeq(period)	PANL LAeq(15min) ³
Residential	Suburban	Night	40	40	43

Note 1: Day - the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening - the period from 6pm to 10pm; Night - the remaining periods.

Note 2: Recommended amenity noise levels as per Table 2.2 of the NPI.

Note 3: Includes a +3dB adjustment to the amenity period level to convert to a 15-minute assessment period as per Section 2.2 of the NPI.

4.2.3 Project Noise Trigger Levels

The Project Noise Trigger Levels (PNTLs) are the lower of either the PINL or the PANL. **Table 7** presents the derivation of the PNTLs in accordance with the methodologies outlined in the NPI.

Table 7 Project Noise Trigger Levels

Receiver Type	Period ¹	PINL dB LAeq(15min)	PANL dB LAeq(15min)	PNTL dB LAeq(15min)
Residential	Night	41	43	41

Note 1: Day - the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening - the period from 6pm to 10pm; Night - the remaining periods.

4.3 Maximum Noise Assessment Trigger Levels

The maximum noise trigger levels shown in **Table 8** are based on night time RBLs and trigger levels as per Section 2.5 of the NPI. The trigger levels will be applied to transient noise events that have the potential to cause sleep disturbance.

Table 8 Maximum Noise Assessment Trigger Levels			
Residential Receivers			
LAeq(15min)		L_{Amax}	
40dB LAeq(15min) or RBL + 5dB		52dB L _{Amax} or RBL + 15dB	
Trigger	40	Trigger	52
RBL 36+5dB	41	RBL 36+15dB	51
Highest	41	Highest	52

Note: Monday to Saturday: Night 10pm to 7am. On Sundays and Public Holidays: Night 10pm to 8pm.

Note: As per Section 2.5 of the NPI, the highest of the two criteria are adopted as the trigger level.

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5 Noise Assessment Methodology

A computer model was developed to quantify project noise emissions to neighbouring receivers. DGMR (iNoise, Version 2021.0) noise modelling software was used to quantify noise emissions from typical operations. iNoise is a new intuitive and quality assured software for industrial noise calculations in the environment. 3D noise modelling is considered industry best practice for assessing noise emissions from projects.

The model incorporated a three-dimensional digital terrain map giving all relevant topographic information used in the modelling process. Additionally, the model uses relevant noise source data, ground type, attenuation from barrier or buildings and atmospheric information to predict noise levels at the nearest potentially affected receivers.

The model calculation method used to predict noise levels was in accordance with ISO 9613-1 'Acoustics – Attenuation of sound during propagation outdoors. Part 1: Calculation of the absorption of sound by the atmosphere' and ISO 9613-2 'Acoustics – Attenuation of sound during propagation outdoors. Part 2: General method of calculation' including corrections for meteorological conditions using CONCAWE¹. The ISO 9613 standard from 1996 is the most used noise prediction method worldwide. Many countries refer to ISO 9613 in their noise legislation. However, the ISO 9613 standard does not contain guidelines for quality assured software implementation, which leads to differences between applications in calculated results. In 2015 this changed with the release of ISO/TR 17534-3. This quality standard gives clear recommendations for interpreting the ISO 9613 method. iNoise fully supports these recommendations. The models and results for the 19 test cases are included in the software.

5.1 Operational Noise Modelling Parameters

The model incorporated three-dimensional digitised ground contours for the fixed plant and surrounding area, as derived from proposed site plans superimposed onto the surrounding land base topography. Where relevant, modifying factors in accordance with Fact Sheet C of the NPI have been applied to calculations.

¹ Report no. 4/18, 'the propagation of noise from petroleum and petrochemical complexes to neighbouring communities', Prepared by C.J. Manning, M.Sc., M.I.O.A. Acoustic Technology Limited (Ref.AT 931), CONCAWE, Den Haag May 1981

5.2 Sound Power Levels

Table 9 presents the sound power level for each noise source modelled in this assessment. It is noted that sound power levels were sourced from manufacturer’s specifications or from in-field measurements at similar project sites. The sound power levels have been adjusted to account for duration over a 15-minute period.

Table 9 Acoustically Significant Sources - Sound Power Levels (re 10⁻¹² Watts)			
Item and number modelled per 15 minutes	Individual Sound Power Level, dB LAeq(15min)	Total Source Sound Power Level, dB LAeq(15min)	Source Height ¹
Operation			
Roof Top Fans (x2)	81	84	0.5m
AC Plant Daikin RKY250KU (x4)	72	78	1.4m
AC Plant PCG203 (x2)	71	74	1.2m
Customer Ordering Displays (x1)	75	75	1.0m
Car idle, and drive off (x7)	81 ²	81	0.5m
Customer Vehicles through Drive-Thru (15 movements per 15min)	81 ²	85	0.5m
Very Loud Patrons (x1)	78	78	0.5m
Sleep disturbance assessment (LAmax), Night-time periods (10pm to 7am)			
Customer Shouting (x2)		92	1.8m
Car Door Slam		85	0.5m

Note 1: Height above the relative ground or building below source.

Note 2: Includes a duration adjustment assuming vehicles operate for a duration of three (3) minutes continuously within a period of 15 minutes.

5.3 Noise Attenuation Assumptions and Recommendations

The noise model incorporated the following controls which are recommended for the operation:

- the mechanical cooling plant is located in the refuse coral of the operation and is blocked to surrounding receivers by the coral wall which extends a height of 2.5m above relative ground level;
- the existing 2.0m boundary fences are retained;
- the operation extractor fans are located on the rooftop of the operation and are shielded by the deck parapet which extends 300mm above the top of the highest plant; and
- the COD’s are assumed to be set at the lowest volume setting.

6 Noise Assessment Results

This assessment has quantified operational noise levels at the nearest residential receivers combining the simultaneous occurrence of all the following sources:

- customer vehicle noise (driving around site, through the drive-thru or parking);
- COD's operation; and
- mechanical cooling and ventilation plant.

It is noted that the potential for maximum noise level events to occur simultaneously is unlikely for this operation as the majority of vehicles in any 15-minute period would be parked and not operational. Additionally, 15 cars passing through the drive-thru in 15 minutes is considered a peak sales performance for the operation.

6.1 Operational Noise Results

Noise predictions from all sources have been quantified at surrounding residential receivers to the operation and are presented in **Table 10**. The coincidence of all plant occurring onsite simultaneously for an entire 15-minute period is unlikely.

However, it is probable that several plant may operate simultaneously on occasion for a limited duration. To account for this, modelling has adopted the LAeq(15min) contribution of sources which were derived from in-field measurements of operation sources or activities. Noise levels from combined activities are predicted to satisfy the relevant NPI criteria at all assessed receivers.

Table 10 Combined Noise Predictions

Receiver	Period ¹	Predicted Noise Level	PNTL	Compliant
		dB LAeq(15min)	dB LAeq(15min)	
R1	Night	37	41	✓
R2	Night	<35	41	✓
R3	Night	36	41	✓
R4	Night	41	41	✓
R5	Night	<35	41	✓
R6	Night	43	41	X

Note 1: Day - the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening - the period from 6pm to 10pm; Night - the remaining periods.

6.2 Maximum Noise Levels Assessment Results

In assessing maximum noise events, typical L_{Amax} noise levels from transient events were assessed to the nearest residential receivers. For the maximum noise assessment, a sound power level of 92dBA for customer shouting noise are adopted for this assessment with the night-time operational scenario adopted for the awakenings assessment. The noise shouting noise was assessed at the COD point, near the operation entry and in the main operation carpark.

Predicted noise levels from L_{Amax} events for assessed receivers are presented in **Table 11**. Results identify that the maximum noise events trigger levels will be satisfied for all assessed receivers.

Table 11 Maximum Noise Levels Assessment (Night)¹

Receiver	Predicted Noise Level			Trigger Level	Compliant
	dB L _{Amax}			dB L _{Amax}	
	Shouting near COD	Shouting near Entry	Shouting near Car Park Entry		
R1	<35	43	47	52	✓
R2	<35	41	45	52	✓
R3	44	41	<35	52	✓
R4	47	47	48	52	✓
R5	35	<35	<35	52	✓
R6	41	<35	<35	52	✓

Note 1: Day - the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening - the period from 6pm to 10pm; Night- the remaining periods.

7 Noise Model Validation Measurements

7.1 Validation Measurement Results

To validate the results of the predictive modelling, operator attended noise monitoring was undertaken during the temporary extension of trading hours at the nearest residential receivers to the operation. The temporary extension of trading hours was permitted as part of the COVID Health Directive and were undertaken during night time operation activities.

Attended measurements were undertaken at two locations surrounding the operation, with each location representative of adjacent surrounding receivers. The validation measurement locations are shown in **Figure 1**.

Attended noise surveys were conducted in general accordance with the procedures described in Australian Standard AS 1055:2018, "Acoustics - Description and Measurement of Environmental Noise". Measurements were carried out using Svantek Type 1, 971 noise analysers on Tuesday 2 February 2021. The acoustic instrumentation used carries current NATA calibration and complies with AS IEC 61672.1-2019-Electroacoustics - Sound level meters - Specifications. Calibration of all instrumentation was checked prior to and following measurements. Drift in calibration did not exceed ± 0.5 dBA.

Noise measurements were of 15-minutes in duration and where possible, throughout each survey the operator quantified the contribution of each significant noise source. Two measurements were conducted at each monitoring location during the night time operational period.

Extraneous noise sources were excluded from the analysis to calculate the $L_{Aeq}(15min)$ operation noise contribution for comparison against the relevant criteria. The results of the attended validation noise monitoring are presented in **Table 12** along with the applicable noise criteria. Where the operation is inaudible, the contribution is estimated to be at least 10dBA below the ambient noise level.

Table 12 Operator-Attended Validation Noise Survey Results

Location	Date / Time (hrs)	Descriptor (dBA re 20 µPa)			Meteorology	Description and SPL, dBA											
		L _{Amax}	L _{Aeq}	L _{A90}													
ATT1	02/02/21 22:25	63	50	43	WD: SW WS: <0.5m/s Rain: Nil	Passing Traffic 40-63											
						Insects 40-51											
						Operation Mechanical Plant 35-40											
ATT1	02/02/21 22:59	78	55	42	WD: S WS: 2.0m/s Rain: Nil	Passing Traffic 36-78											
						Insect 39-45											
						Wind Turbulence 36-57											
ATT2	02/02/21 22:07	80	54	47	WD: SW WS: <0.5m/s Rain: Nil	Passing Traffic 40-80											
						Insects 42-45											
						Operation Exhaust Fan 43-44											
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Criteria	41	52															
Compliant	✓	X															
<table border="1"> <thead> <tr> <th>Metric</th> <th>dB LAeq</th> <th>dB LAmax</th> </tr> </thead> <tbody> <tr> <td>Operation Contribution</td> <td>47</td> <td>50</td> </tr> <tr> <td>Criteria</td> <td>41</td> <td>52</td> </tr> <tr> <td>Compliant</td> <td>X</td> <td>✓</td> </tr> </tbody> </table>						Metric	dB LAeq	dB LAmax	Operation Contribution	47	50	Criteria	41	52	Compliant	X	✓
Metric	dB LAeq	dB LAmax															
Operation Contribution	47	50															
Criteria	41	52															
Compliant	X	✓															

Table 12 Operator-Attended Validation Noise Survey Results

Location	Date / Time (hrs)	Descriptor (dBA re 20 µPa)			Meteorology	Description and SPL, dBA
		L _{Amax}	L _{Aeq}	L _{A90}		
ATT2	02/02/21 22:41	92	62	47	WD: SW WS: <0.5m/s Rain: Nil	Passing Traffic 40-92
						Insects 40-45
						Operation Exhaust Fan 43-44
						Operation Onsite Vehicle 39-44 (200 secs)
						Operation Door Slam 43-44
						Operation Drive-Thru 40-46
						Patrons in Operation Carpark 44-56
						Operation Car in Drive-Thru <44-48
Metric		dB L _{Aeq}			dB L _{Amax}	
Operation Contribution		47			56	
Criteria		41			52	
Compliant		X			X	

7.2 Discussion of Validation Attended Monitoring

The results of the validation attended noise monitoring should be considered worst case as they are closer to the operation than the surrounding noise sensitive receiver and do not take into account any intervening boundary fences.

7.2.1 Location ATT1

It is noted that the dwelling at this location (Receiver R4) is currently unoccupied and derelict, with monitoring conducted at the front of the dwelling due to the lack of access to the rear of the property. The results at monitoring location ATT1 demonstrates that the noise emissions associated with the operation are audible at this location. This is consistent with the results of the predictive noise modelling results presented in **Table 10**. Audible onsite noise emissions include the noise of patrons in the car park, onsite vehicles and continuous hum of mechanical plant. The noise from patrons onsite was above the applicable PNTLs and maximum trigger levels at this location, however it is reiterated that the dwelling at this location is currently unoccupied and derelict.

It is also noted that several instances where patron noise was above the maximum trigger levels were attributed to individuals who were in the operation car park however did not enter the operation.

7.2.2 Location ATT2

The results of the noise monitoring during the monitoring at ATT2 demonstrated that rooftop mechanical plant at the operation are dominating the noise environment. The fans were inspected following the attended noise monitoring and were identified to be Fantach CDG54 units which have a manufacturer specified sound power of 71dBA. Noise measurements were undertaken to establish the fans current operating sound power levels and identified the current operating power of each of the units is closer to 81dBA. It is recommended that the fans be serviced to identify the cause of the additional noise and the fans should be repaired or replaced as needed. Noise from cars within the drive-thru was also intermittently audible at this monitoring location.

Due to the dominant noise from the rooftop extractor fan noise, noise emissions associated with the operation were above the applicable PNTLs at this monitoring location.

8 Mitigation Measures

Additional predictive noise modelling has been undertaken to ascertain amelioration measures which could be introduced to the operation to achieve the applicable PNTLs and maximum noise trigger levels.

8.1 Noise Attenuation Recommendations

In addition to the existing onsite noise mitigation measures, noise control options have been assessed and are recommended for incorporation to the operation.

- The exhaust fans on the rooftop of the operation are serviced, repaired or replaced to ensure they are operating at their specified noise level of 71dBA; and
- Signage is installed in the carpark to discourage antisocial behaviour such as shouting and the car park is regularly patrolled by the shift manager.

8.2 Mitigated Operational Noise Results

Noise predictions from all sources have been quantified at surrounding residential receivers to the operation with the inclusion of the additional mitigation measures and recommendations shown in **Section 8.1**. Results of the predictive modelling are presented in **Table 13** and identify that the PNTLs will be satisfied at all receivers once the additional mitigation measures are adopted.

Table 13 Combined Noise Predictions including Noise Mitigation Measures				
Receiver	Period ¹	Predicted Noise Level	PNTL	Compliant
		dB LAeq(15min)	dB LAeq(15min)	
R1	Night	<35	41	✓
R2	Night	<35	41	✓
R3	Night	<35	41	✓
R4	Night	39	41	✓
R5	Night	<35	41	✓
R6	Night	36	41	✓

Note 1: Day – the period from 7am to 6pm Monday to Saturday or 8am to 6pm on Sundays and public holidays; Evening – the period from 6pm to 10pm; Night – the remaining periods.

8.3 Mitigated Maximum Noise Trigger Levels

Antisocial behaviour such as shouting patrons was the key source identified to exceed the applicable LA_{max} trigger levels. With the inclusion of onsite management measures such as appropriate signage and with the additional staff training, it is anticipated that this source would be eliminated and the operation would satisfy the maximum noise level triggers

9 Conclusion

Muller Acoustic Consulting Pty Ltd (MAC) has completed a Noise Assessment to quantify emissions from the proposed McDonald's 24hour operation of the existing McDonald's Operation, located at 91 Horatio Street, Mudgee, NSW.

Attended noise monitoring was completed during the temporary extension of trading hours under the COVID-19 Health Directive. The results of the attended noise monitoring demonstrated that the night time operation noise emission were above the applicable noise criteria at the monitoring locations. This is consistent with the results of the predictive noise modelling with the site predicted to be audible at several surrounding receivers and also predicted to be above the noise criteria at one receiver.

To ameliorate the noise emissions further predictive modelling was undertaken incorporating two additional noise mitigation measures as outlined in **Section 8.1** of this report.

The results of the additional noise modelling demonstrate that emissions from the operation with the incorporation of the proposed mitigation measures and with additional staff training, would satisfy the relevant PNTLs at all assessed receivers for the proposed extension of operational hours based on the recommended noise measures outlined in **Section 5.3** of this report.

Furthermore, sleep disturbance is not anticipated, as emissions from impact noise are anticipated to remain below the EPA Guideline for maximum noise events trigger levels with the incorporation of proposed mitigation measures.

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Appendix A – Glossary of Terms

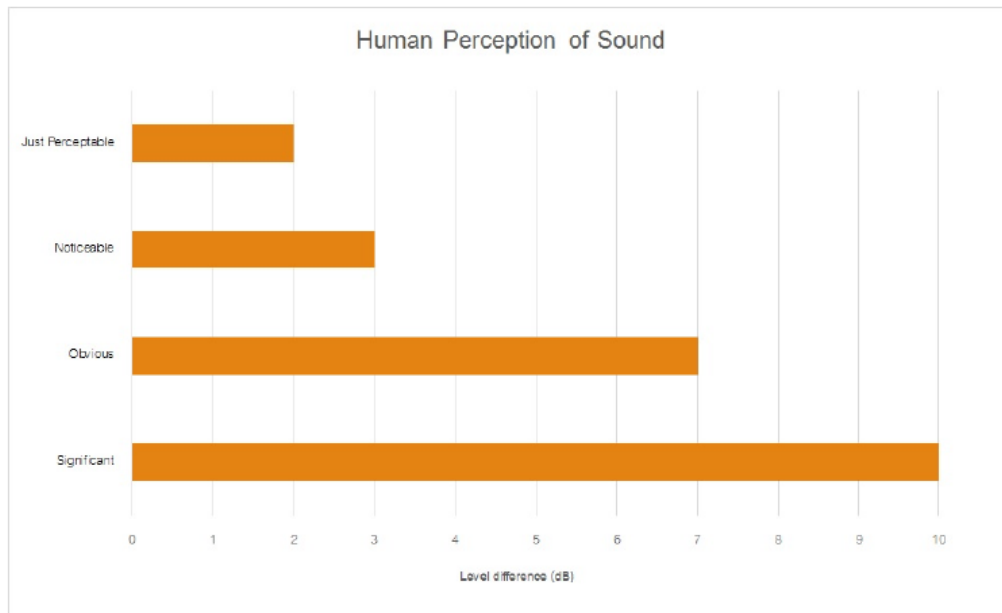
A number of technical terms have been used in this report and are explained in **Table A1**.

Table A1 Glossary of Terms	
Term	Description
1/3 Octave	Single octave bands divided into three parts
Octave	A division of the frequency range into bands, the upper frequency limit of each band being twice the lower frequency limit.
ABL	Assessment Background Level (ABL) is defined in the NPI as a single figure background level for each assessment period (day, evening and night). It is the tenth percentile of the measured LA90 statistical noise levels.
Ambient Noise	The noise associated with a given environment. Typically a composite of sounds from many sources located both near and far where no particular sound is dominant.
Extraneous Noise	Noise resulting from activities that are not typical of the area. Atypical activities include sources such as construction and holiday period traffic.
A Weighting	A standard weighting of the audible frequencies designed to reflect the response of the human ear to noise.
dBA	Noise is measured in units called decibels (dB). There are several scales for describing noise, the most common being the 'A-weighted' scale. This attempts to closely approximate the frequency response of the human ear.
dB(Z), dB(L)	Decibels Linear or decibels Z-weighted.
Hertz (Hz)	The measure of frequency of sound wave oscillations per second - 1 oscillation per second equals 1 hertz.
LA10	A noise level which is exceeded 10 % of the time. It is approximately equivalent to the average of maximum noise levels.
LA90	Commonly referred to as the background noise, this is the level exceeded 90 % of the time.
LAeq	The summation of noise over a selected period of time. It is the energy average noise from a source, and is the equivalent continuous sound pressure level over a given period.
LAmx	The maximum root mean squared (rms) sound pressure level received at the microphone during a measuring interval.
RBL	The Rating Background Level (RBL) is an overall single figure background level representing each assessment period over the whole monitoring period. The RBL is used to determine the intrusiveness criteria for noise assessment purposes and is the median of the ABL's.
Sound power level (LW)	This is a measure of the total power radiated by a source. The sound power of a source is a fundamental location of the source and is independent of the surrounding environment. Or a measure of the energy emitted from a source as sound and is given by : $= 10 \cdot \log_{10} (W/W_0)$ Where: W is the sound power in watts and W_0 is the sound reference power at 10-12 watts.

Table A2 provides a list of common noise sources and their typical sound level.

Table A2 Common Noise Sources and Their Typical Sound Pressure Levels (SPL), dBA	
Source	Typical Sound Level
Threshold of pain	140
Jet engine	130
Hydraulic hammer	120
Chainsaw	110
Industrial workshop	100
Lawn-mower (operator position)	90
Heavy traffic (footpath)	80
Elevated speech	70
Typical conversation	60
Ambient suburban environment	40
Ambient rural environment	30
Bedroom (night with windows closed)	20
Threshold of hearing	0

Figure A1 – Human Perception of Sound



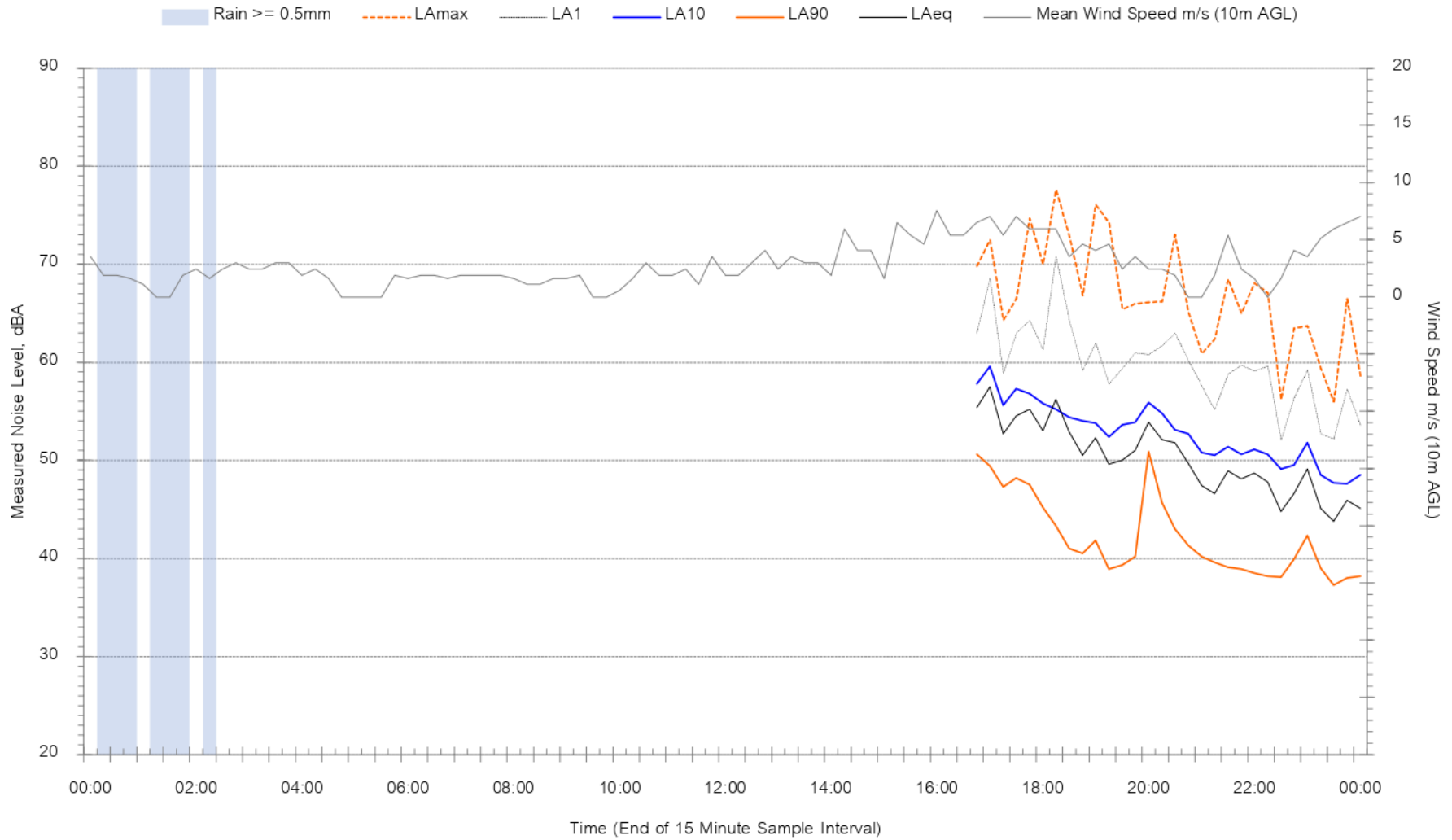
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Appendix B – Noise Monitoring Charts



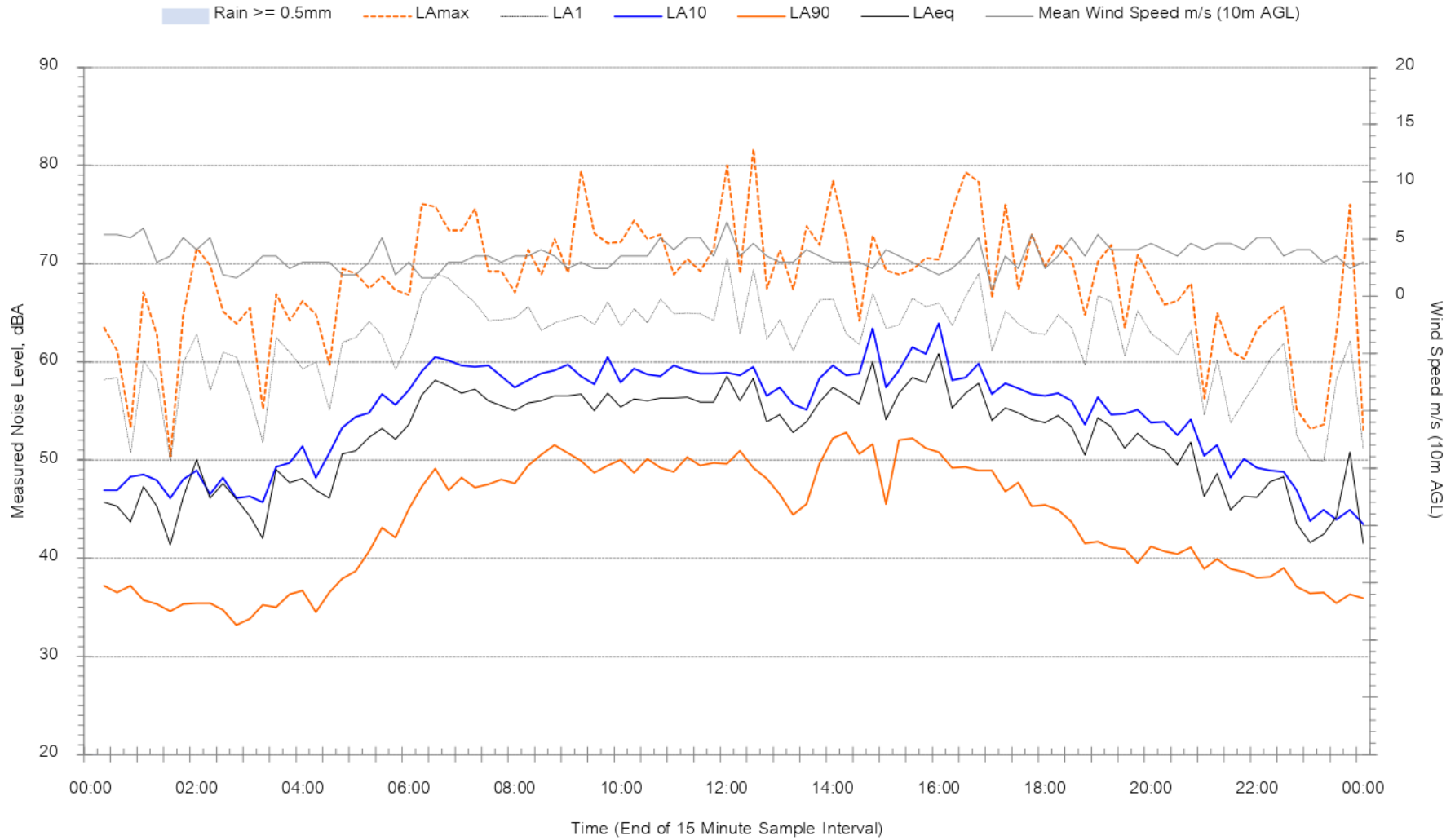
Background Noise Levels

Mudgee McDonalds - Tuesday 2 February 2021





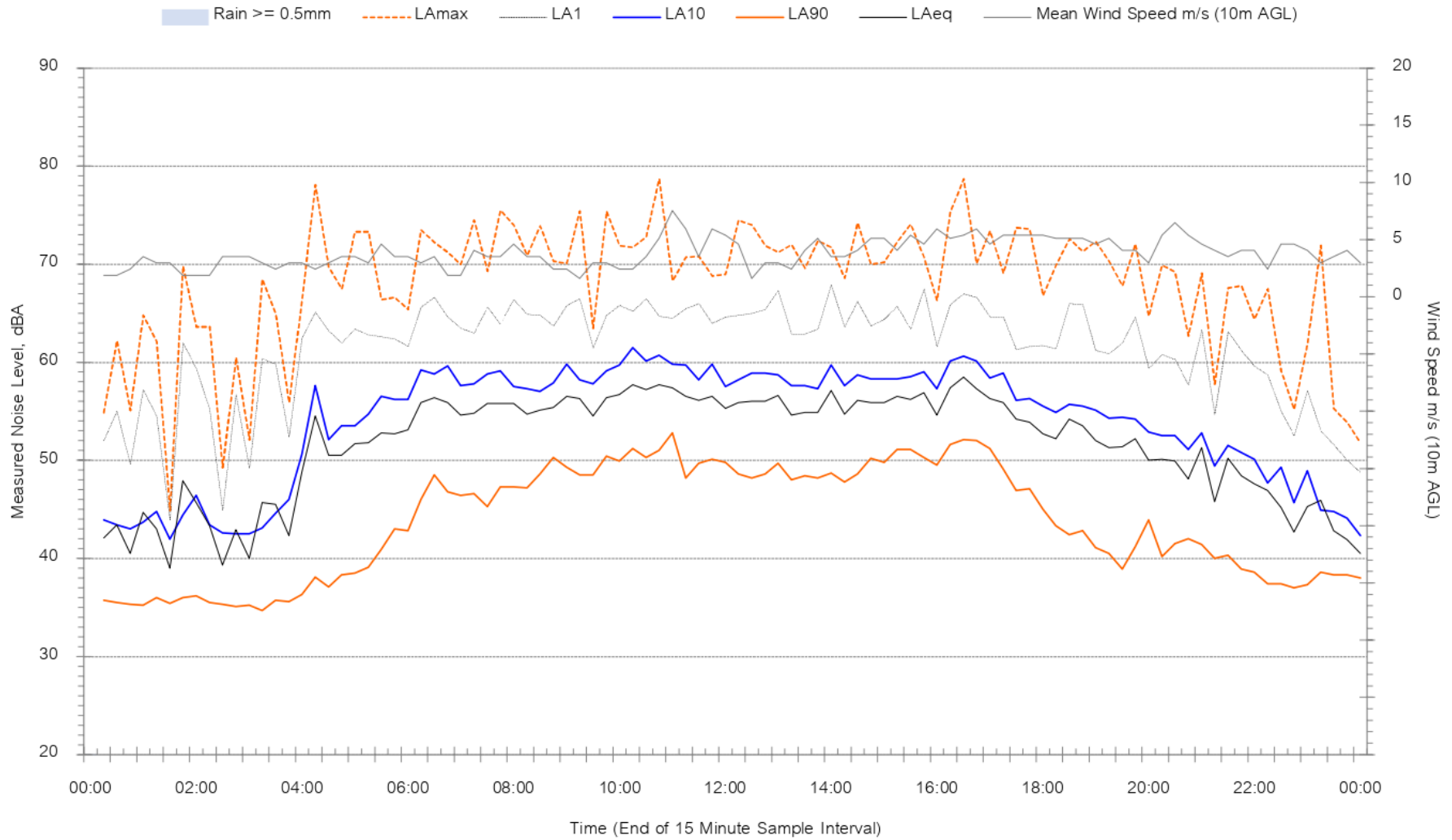
Background Noise Levels Mudgee McDonalds - Wednesday 3 February 2021





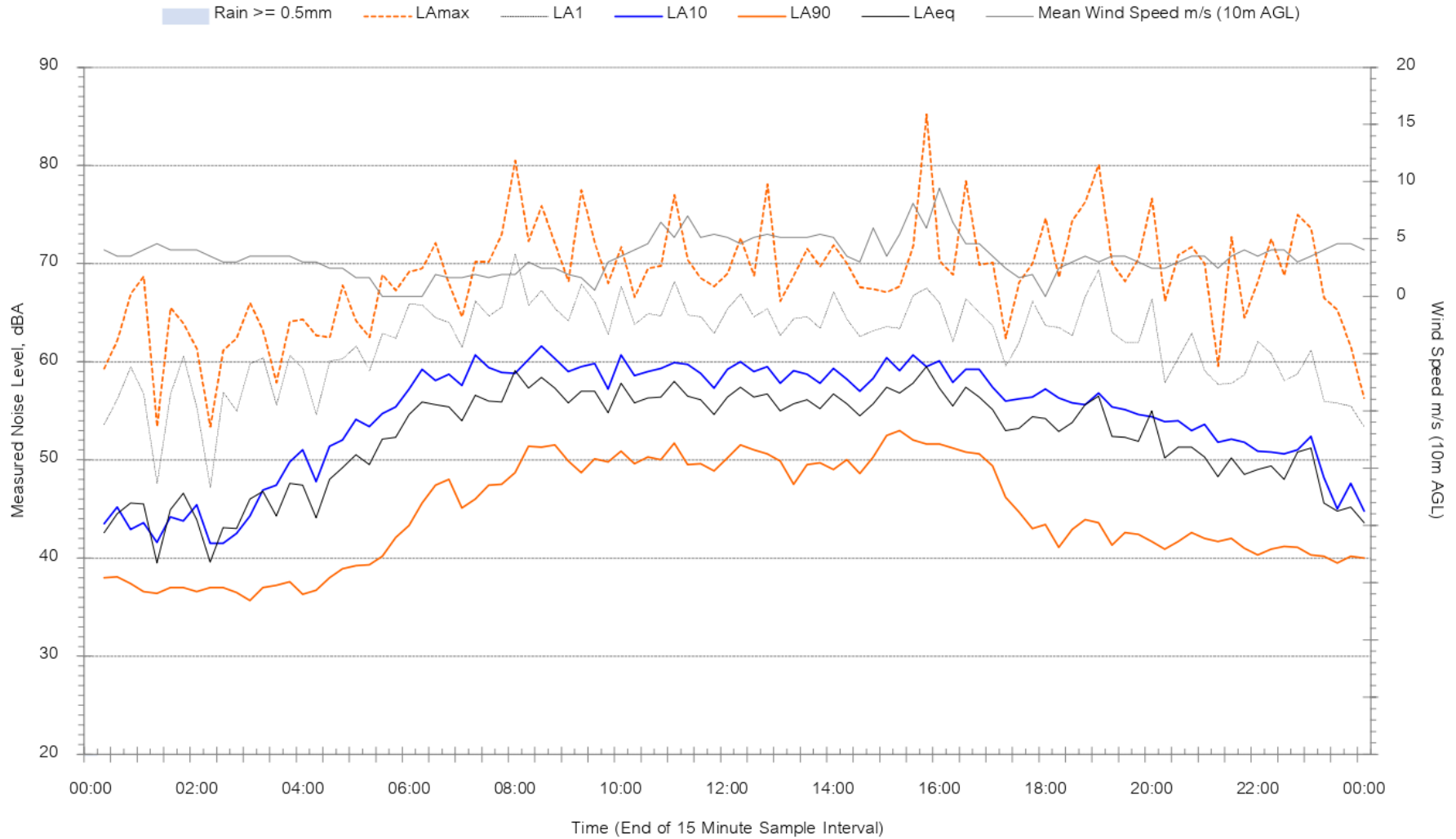
Background Noise Levels

Mudgee McDonalds - Thursday 4 February 2021





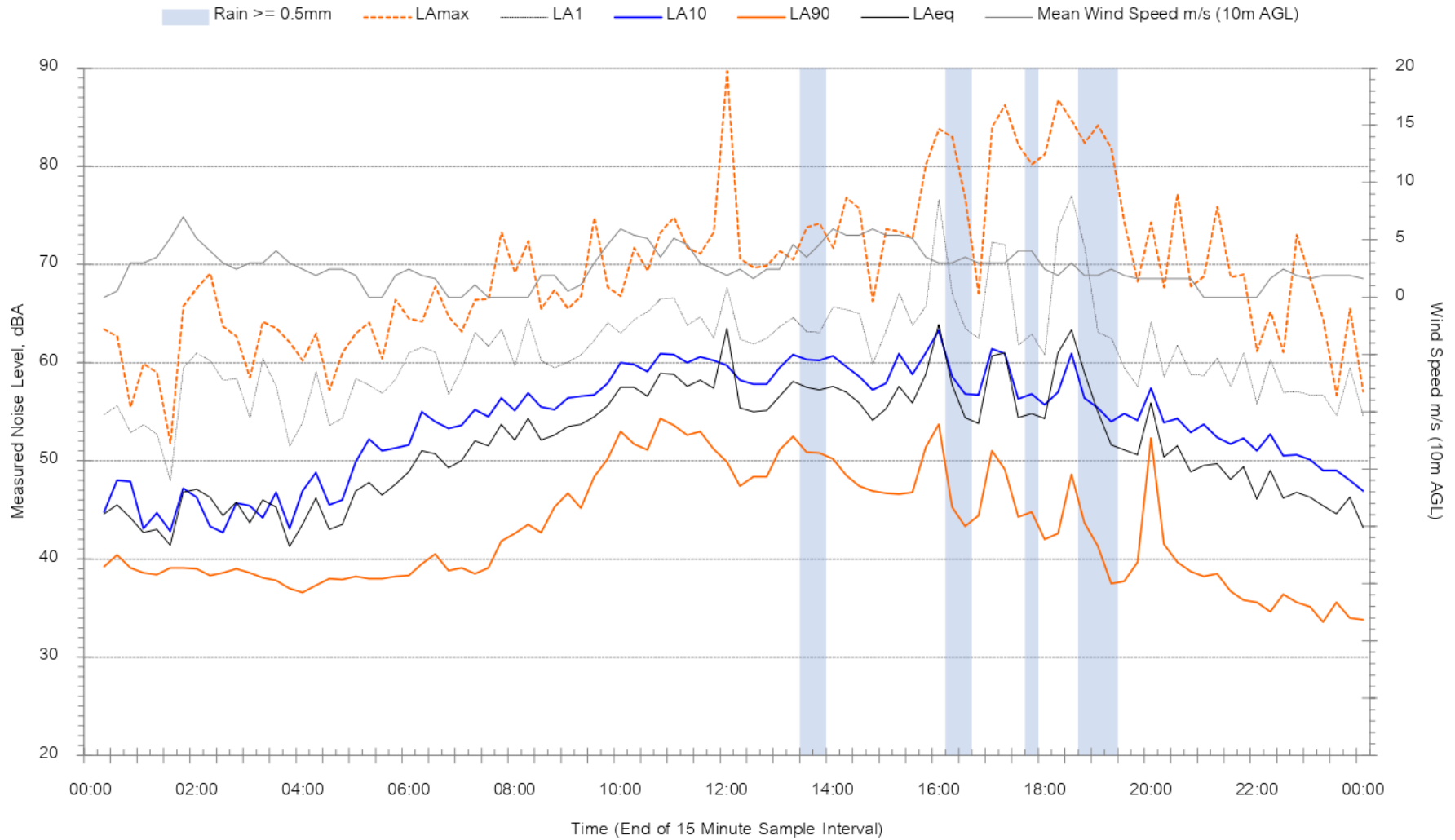
Background Noise Levels Mudgee McDonalds - Friday 5 February 2021





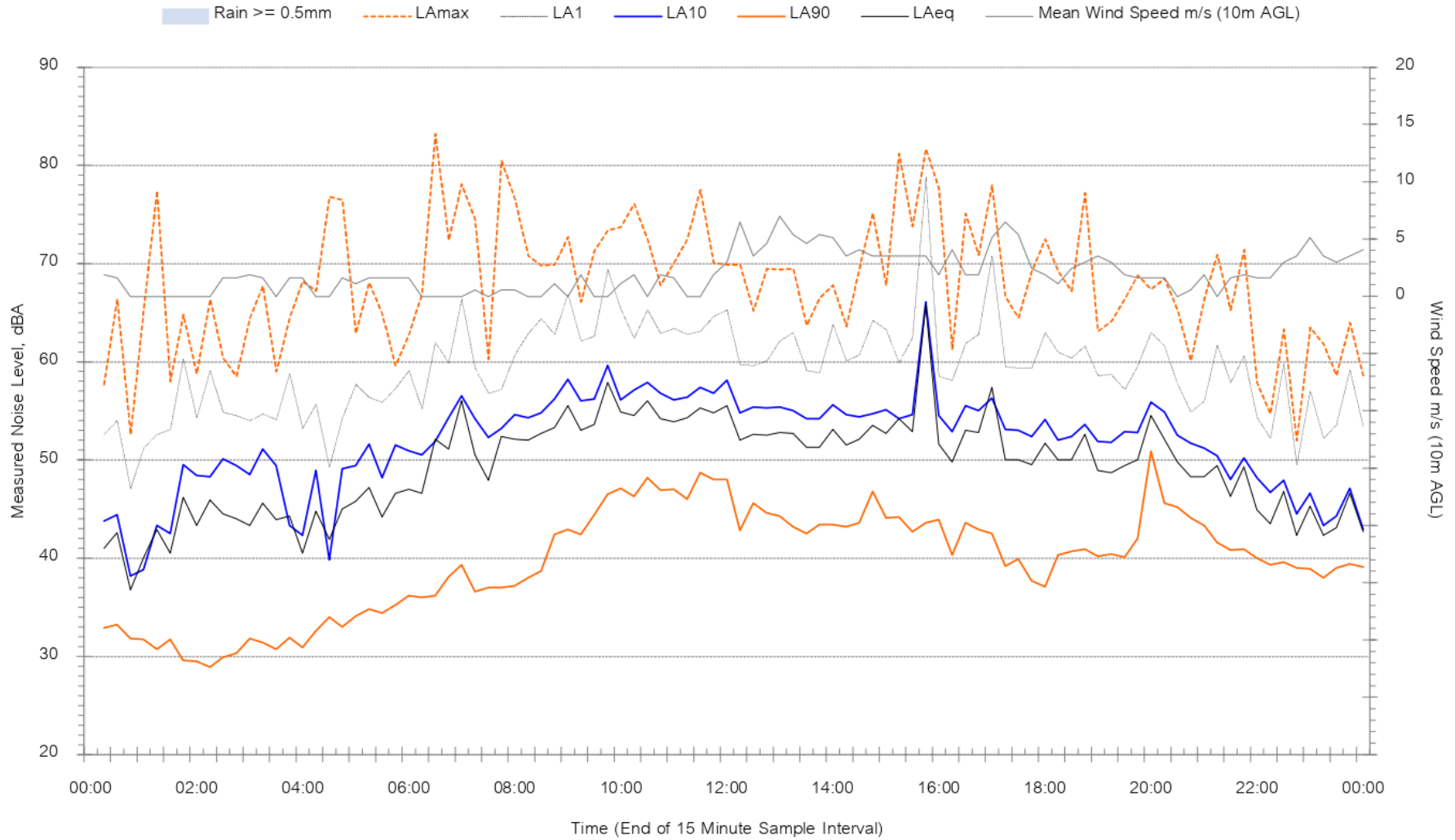
Background Noise Levels

Mudgee McDonalds - Saturday 6 February 2021





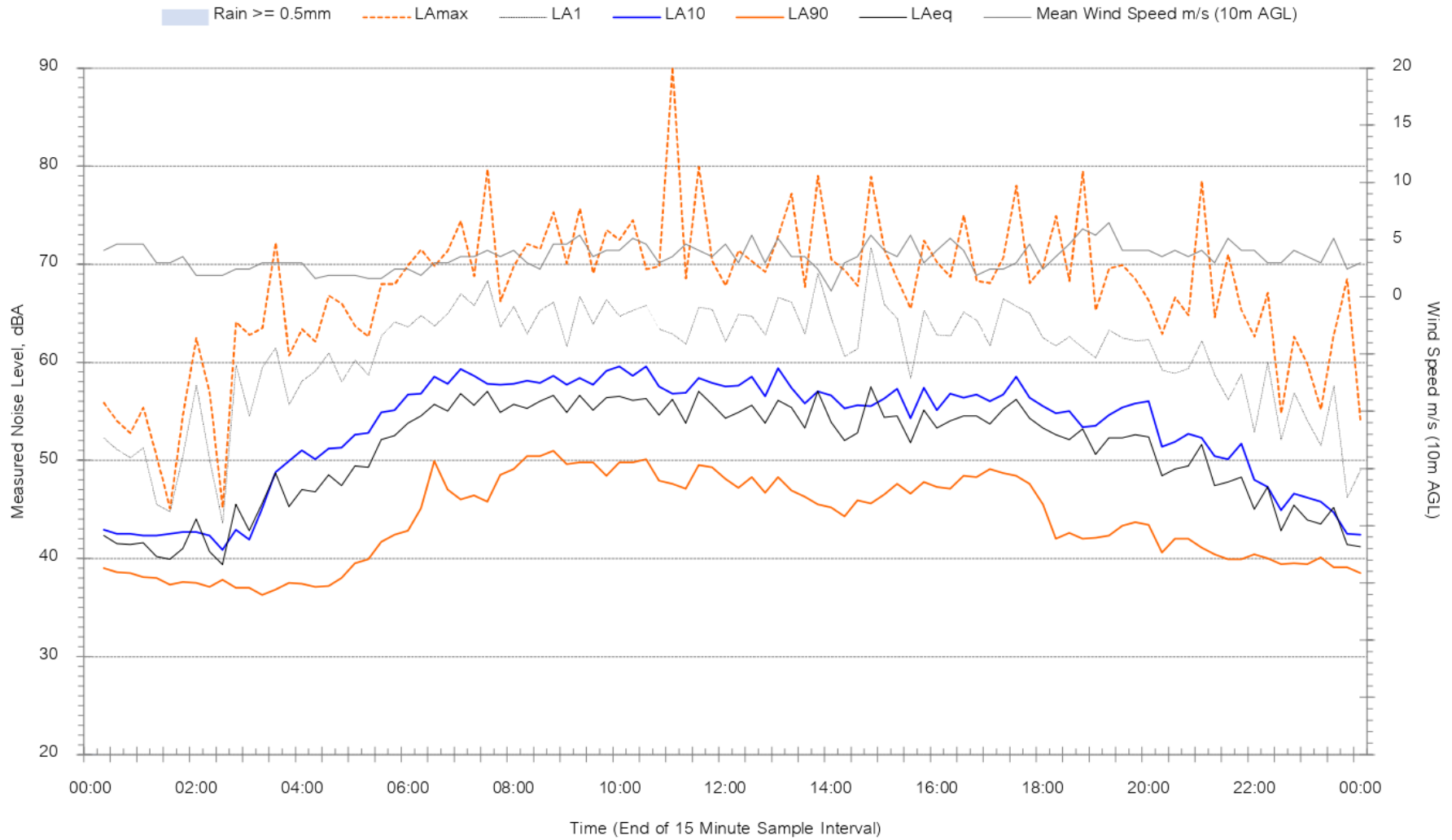
Background Noise Levels Mudgee McDonalds - Sunday 7 February 2021





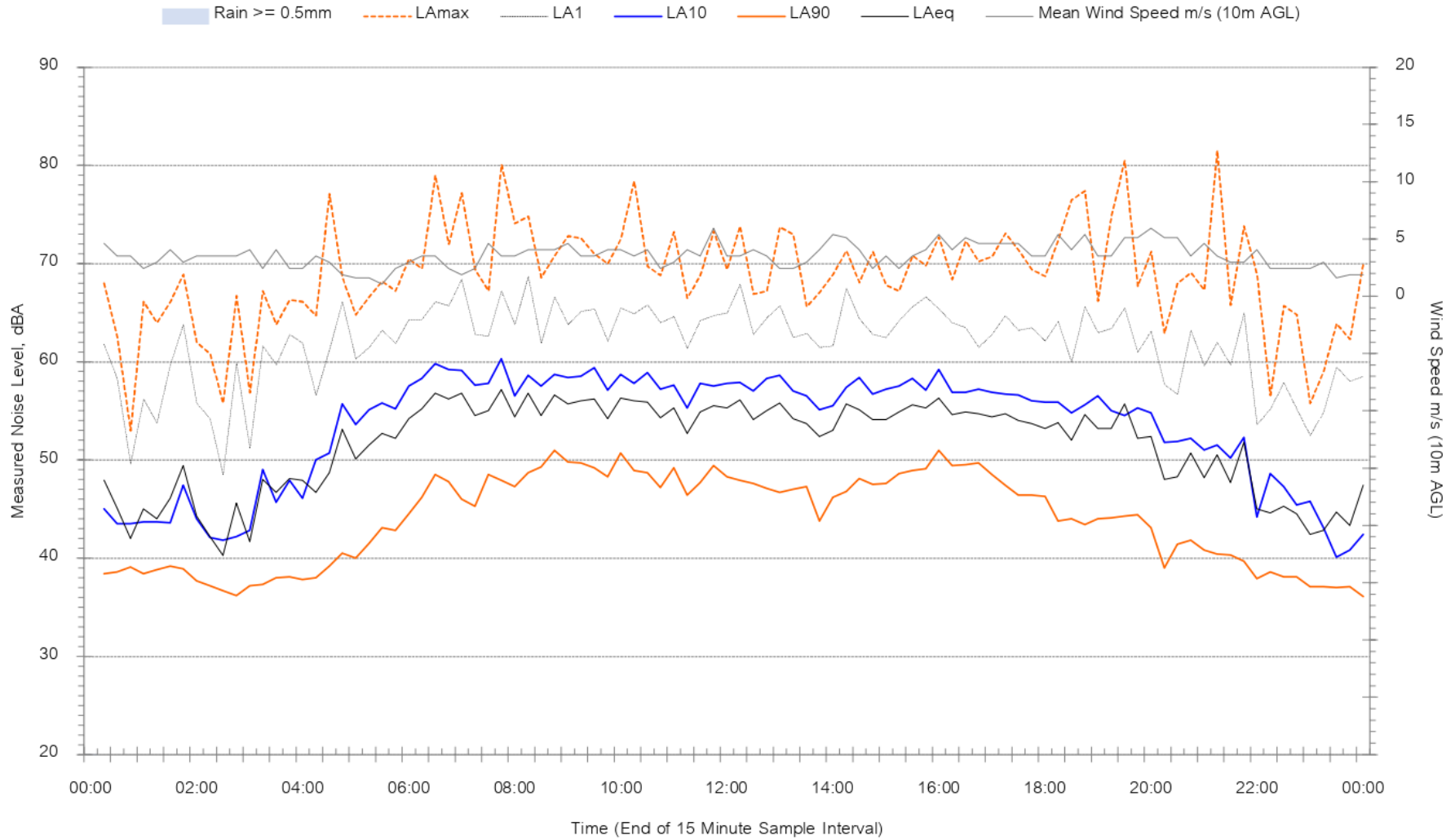
Background Noise Levels

Mudgee McDonalds - Monday 8 February 2021





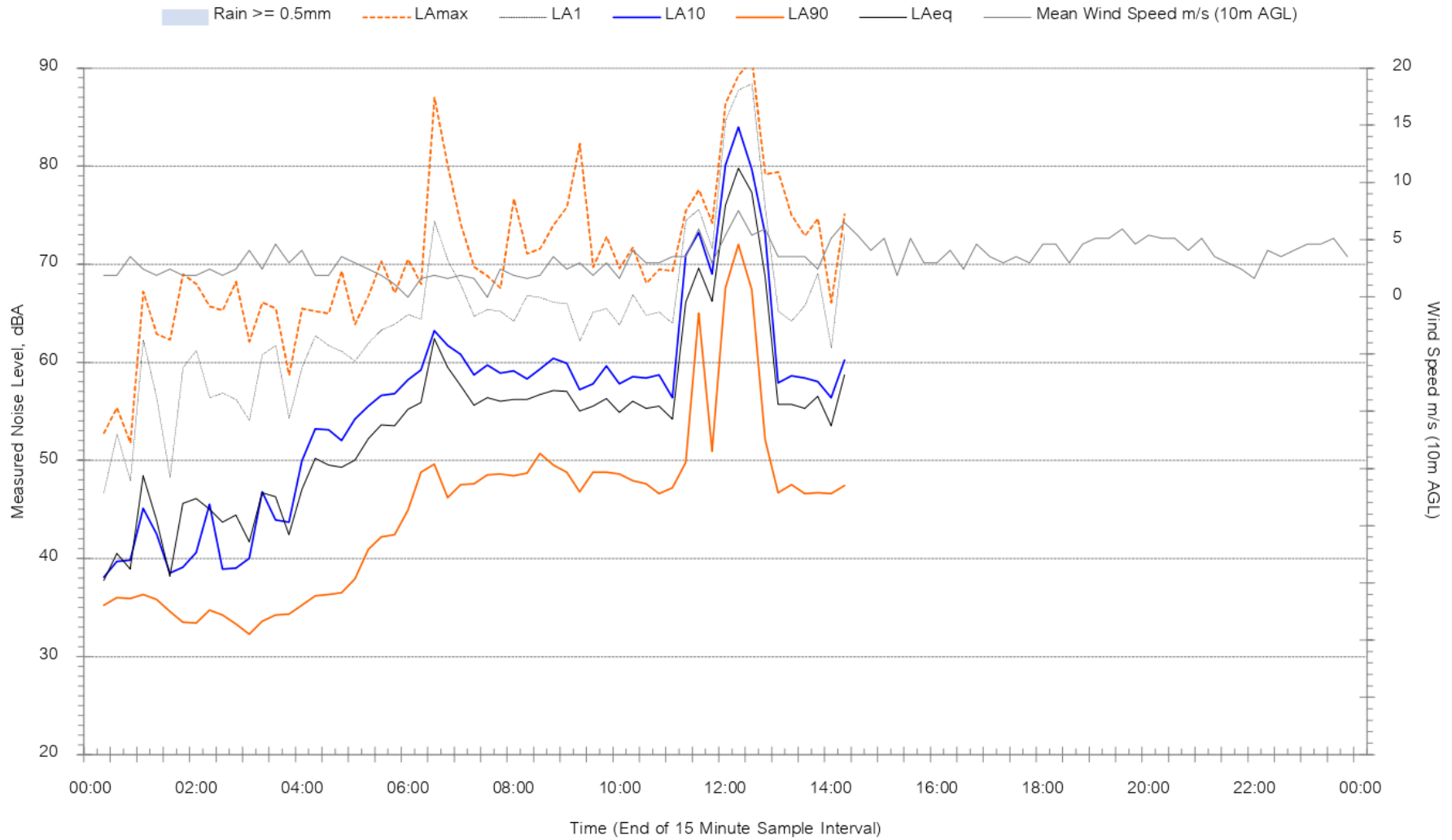
Background Noise Levels Mudgee McDonalds - Tuesday 9 February 2021





Background Noise Levels

Mudgee McDonalds - Wednesday 10 February 2021



Muller Acoustic Consulting Pty Ltd
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ABN: 36 602 225 132
P: +61 2 4920 1833
www.mulleracoustic.com



19 March 2021



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kdc.com.au

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) STATEMENT

INTRODUCTION

The purpose of this statement is to identify and assess crime risk associated with the proposed extension of trading hours at the existing McDonald's operation located 91 Horatio Street, Mudgee NSW 2850; and to identify any design elements of the McDonald's that may contribute to opportunities for crime, so that these may be 'designed out' to maximise safety during operation.

CRIME OPPORTUNITY

Given the proposed operational hours of the McDonald's, there is potential for increased opportunity for crimes or anti-social behaviour (e.g. vandalism, graffiti, litter, excessive noise) at the site, particularly during night time hours.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure of cities and neighbourhoods. It reduces opportunities for crime by using design and place management principles that reduce the likelihood of essential crime ingredients from intersecting in time and space.

CPTED aims to influence the design of buildings and places by:

- + Increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture;
- + Increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended;
- + Reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits'; and
- + Removing conditions that create confusion about required norms of behaviour (Department of Planning and Environment, formerly the Department of Urban Affairs and Planning, 2001).

CPTED employs 4 key strategies. These include surveillance, access control, territorial reinforcement and space/activity management.

In accordance with the 4 key strategies, the principals of Crime Prevention and Public Safety are addressed in relation to the existing store and the proposed extension to trading hours:

1. NATURAL SURVEILLANCE

Natural surveillance limits the opportunity for crime by increasing awareness that people can be seen. Potential offenders therefore feel increased scrutiny and limitations on their escape routes.

Good surveillance is achieved by:

- (a) Clear sightlines between private and public spaces; and
- (b) Effective lighting of public places.



As of October 2nd 2020, **KDC has joined the SLR Consulting team**. To learn more about SLR, and the additional expertise that we can now provide our clients, [take a read here >](#)



The design of the existing McDonald's affords natural surveillance by the strategic placement of physical features and buildings to maximise visibility within the site. The specific design elements include:

- + Clear sight lines between the site and adjoining roads and businesses, allowing maximum visibility and surveillance into the site;
- + The maintenance levels for paths of travel comply with AS1680;
- + Appropriate day and night lighting ensures potential problem areas like corners are well lit; and
- + No 'hidden spots' have been created within the site. Any external areas not visible from the building are captured on closed circuit television (CCTV) and this is advertised.

2. NATURAL ACCESS CONTROL

Natural access control limits the opportunity for crime by taking steps to clearly differentiate between public space and private space.

Good access control for the movement of people is achieved by:

- (a) Physical locations that channel and group pedestrians into target areas;
- (b) Public spaces that attract rather than discourage people from gathering; and
- (c) Restricted access to internal or high risk areas (e.g. car parks).

The site has been designed to limit access and control flow by:

- + The creation of attractive open spaces within the development; and
- + Appropriate lighting and signage for customers.

3. TERRITORIAL REINFORCEMENT (COMMUNITY OWNERSHIP)

Territorial reinforcement promotes social control through increased definition of space and improved proprietary concern, i.e. it makes the normal user feel safe and makes the potential offender aware of a substantial risk of apprehension or scrutiny. By using buildings, fences, pavement, signs, lighting and landscape to express ownership and define public, semi-public and private space, natural territorial reinforcement occurs.

Community ownership (territorial reinforcement) makes people feel comfortable in a place and is achieved by:

- (a) A design that encourages people to gather in public spaces;
- (b) Having a clear transition between boundaries of public and private spaces; and
- (c) Having clear design cues as to who is to use the space and what it is to be used for.

The McDonald's operation has been designed to clearly delineate spaces that are to be used for congregation and areas that are not. This will ensure that any potential intruders or people who are not customers of the store will stand out and be easily identified. Elements of territorial reinforcement included in the original design and ongoing management of the McDonald's include:

- + The premises is maintained such that it communicates an alert and active presence occupying the space;
- + Clearly defined boundaries of the development.; and
- + Provision of directional signage that assists in controlling activities and movements throughout the premises (knowing how and where to enter/exit and find assistance can impact on safety).

4. SPACE MANAGEMENT

Space management strategies such as site maintenance, target hardening and target removal are included in the development.

MAINTENANCE

Management and maintenance are closely linked to a sense of ownership. Good management and maintenance of a place, or property, is often the difference between it seeming safe or unsafe and it being cared for or uncared for. Deterioration indicates less control by the users of a site and indicates a greater tolerance of disorder.

It is in McDonald's self-interest of to maintain the site to a high standard so that customers continue to visit the site both during the day and night periods. Routine maintenance checks and reporting will be carried out to ensure the property is maintained and to reduce the likelihood of crime or vandalism.

Furthermore, robust materials (including graffiti resistant materials) have been used where appropriate. Any vandalism or graffiti is repaired and removed promptly by personnel or contractors.

TARGET HARDENING AND REMOVAL

Target hardening and removal is the use of 'design out crime' strategies to make it harder for a crime to be committed and reduces the gains of crime. While this is the most long-established and traditional approach to crime prevention, it can create a 'fortress mentality' and imagery whereby users of the development withdraw behind physical barriers and the self-policing capacity of the built environment is damaged. This is effectively working against CPTED strategies that rely on surveillance, territoriality and positive image management.

The proposal includes the use of some physical barriers associated with target hardening, however the site allows opportunities for natural surveillance from within the site, with clearly defined boundaries, and allows opportunities for natural access control. The site design has ensured that there is a safe environment for customers and workers within the site.

CONCLUSION

The above mentioned measures that have been designed and constructed into the existing McDonald's operation at the site located at 91 Horatio Street, Mudgee NSW creates an environment that dissuades offenders from committing crimes by manipulating the built environment in which those crimes proceed from or occur.

The proposed extension to trading hours of the McDonald's premises is considered to be consistent with the Department of Planning and Environment (former Department of Urban Affairs and Planning) Crime Prevention and the Assessment of Development Applications, 2001.

Yours sincerely,



Patrick Quinlan (BURP) (NSW Police Safer by Design Course)
Associate
KDC Pty Ltd

From: [REDACTED]
To: [REDACTED]; Council
Cc: [REDACTED]
Subject: RE: DA0309/2021 - PROPOSED RESTAURANT - 24HR TRADING@MCDONALDS 91-93 HORATIO ST MUDGEE [SEC=OFFICIAL]
Date: Thursday, 6 May 2021 12:31:00 PM
Attachments: [REDACTED]

Hi Kim,

As per our phone discussion in regards to the DA for 24hrs trading for the McDonalds Restaurant at 91-93 Horatio Street, Mudgee I have no concerns with the drive through operating 24hrs. I have spoken with the owner of the McDonald Restaurant here in Mudgee were he stated to me that he had no intentions of operating the Restaurant inside the venue 24hrs. However should it be the case that they intend on operating the indoor Restaurant 24hrs I would strongly object due to concerns of Anti-Social violent behaviour, excessive noise resulting in noise complaints from neighbouring residential premises, etc. McDonalds in Mudgee also employ a large number of young person/s who are vulnerable and should they become subject to this behaviour it would have a phycological effect on their future development.

Could you please confirm if this DA for the proposed 24hras trading for the Restaurant inside the venue and if so I will provide a detailed submission to Council.

Regards,



Jason TURNBULL
Licensing Senior Constable
Crime Prevention Unit
Orana Mid Western Police District
Mudgee Police Station
94 Market Street, Mudgee
E: [REDACTED]
P: [REDACTED]

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From: [REDACTED]
To: [REDACTED]
Subject: RE: Proposed 24/7 trading hours @ existing McDonalds Restaurant MUDGEE [SEC=OFFICIAL]
Date: Thursday, 20 May 2021 5:19:58 PM
Attachments: [REDACTED]

Hi Kim,

I have had checked our system for any noise complaints, anti-social behaviour etc, however I was unable to identify any links for McDonalds. I also spoke with the Supervisor here and he also is not aware of any complaints for McDonalds.

Regards,



Jason TURNBULL
Licensing Senior Constable
Crime Prevention Unit
Orana Mid Western Police District
Mudgee Police Station
94 Market Street, Mudgee
E: [REDACTED]
P: [REDACTED]

From: Kim Orth [REDACTED]
Sent: Thursday, 20 May 2021 3:23 PM
To: Jason Turnbull [REDACTED]
Subject: Proposed 24/7 trading hours @ existing McDonalds Restaurant MUDGEE

Hi Jas

Hope you are well? I did try to call, but you were not around.

I am just writing to see if you are able to advise if there have been many complaints from residents about the McDonalds since July 2020. This is when they started operating 24/7 under the ministers order which came about in response to the COVID pandemic.

Mainly with regards to noise created by patrons after they have left the drive-through and parked in the carpark to consume their food, as well as alleged "key banging" in the car park.

I was just curious as to whether any residents have called the police with regards to these matters over the past 9 months.

Should you have any further questions, please do not hesitate to contact Council or myself.

Kind Regards Kim

Kim Orth
Town Planner
Mid-Western Regional Council

t 02 6378 2850 | f 02 6378 2815 |

e [REDACTED]

a 86 Market Street | PO Box 156 Mudgee NSW
2850

w www.midwestern.nsw.gov.au



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4/5/2021

General Manager
Mid-Western Regional Council
86 Market St
Mudgee2850

Dear Sir,

Re Development Application DA309/2021 Proposed 24 HR trading @
McDonalds.

I wish to object to this development on the grounds of lack of maintenance. Sorry to say but every morning on arriving at work I have to pick up rubbish in Inglis St & Church St this has been ongoing ever since McDonalds commenced business at this site & this development would only exacerbate this problem.

As many people live in this area they will be impacted by mainly intoxicated people causing a nuisance with noise from themselves & vehicles.

The parking situation has been out of control in this area for quite some time now & this development would only add to problem.

Lyons Lane would appear to be being used as a smoking & rest room for McDonalds staff. It is absolutely littered with cigarette butts & rubbish.

Yours faithfully
Fay Sheridan

A black rectangular redaction box covering the signature area.

From: [REDACTED]
To: Council
Subject: DA0309/2021 Mcdonalds 24Hr application
Date: Wednesday, 5 May 2021 11:05:21 AM

Dear Sir/Madam,

I live next door to McDonalds at [REDACTED],

I oppose the the proposed Application DA0309/2021 for McDonalds 24/7 operation on the following grounds,

Currently McDonalds is operating 24 Hours on Friday and Saturday's since that has started i have witnessed on weekends some intoxicated people around the area later at night.

There is already quite a lot of Noise coming from the extraction fans mounted on the southern side roof which faces our home directly which i can hear start up at approximately 4am and goes to late in the evening 7 days a week already and runs 24/7 Friday and Saturday currently i had mentioned this concern with the owner he said he would have them relocated to the other side of the building i haven't seen anything happen,my children's bedrooms are on that side of the house so the noise is a concern.

The Odour coming out of these fans on days when the wind is blowing a southerly gets pretty smelly

The parking is limited for the amount of traffic around the area now that Mudgee has grown so much and the traffic that goes through the roundabout on Horatio & church street being the main entrance from Sydney into town is literally non stop.

McDonalds have really outgrown the area they are in and should be on Sydney road away from residential area's.

In the Report KDC states Mcdonald serves 1.2 million customers a day in Australia and unfortunately a by product from that is a lot of litter Australia wide.

The litter from McDonalds is a daily concern in Lyons lane and church and inglis street's and at my work i am picking up empty cups,food wrappers,plastic straws,food waste,etc.

Nothing personal at all,i do get on well with the owner of McDonalds and staff and are in business ourselves,but i feel i have to voice my concerns on this proposal.

Best Regards

Matt Sheridan

LETTER OF OBJECTION TO PROPOSED DEVELOPMENT APPLICATION

Michael Sheridan
[REDACTED]
[REDACTED]

5th May 2021

General Manager
Mid-Western Regional Council
86 Market Street
Mudgee NSW 2850

Dear Sir,

I am writing to express my objection to Development Application DA0309/2021 – Proposed 24Hr Trading @ McDonald's 91-93 Horatio Street Mudgee LOT 109 DP 861600.

I am the owner of the property next door to McDonald's, with the Eastern side of the residence running alongside the McDonald's drive-thru, which runs along the restaurant's Southern side. The address of my residence is [REDACTED].

I have two bedrooms on this side of my residence, and every word that is spoken through the drive-thru attendant's microphone is loudly and clearly heard from these bedrooms.

There is a consistent smell of fat and grease emanating through the windows during McDonald's current operating hours.

The staff utilise Lyons Lane (between my house and McDonald's) as a smoking zone. There are often McDonald's employees sitting on the ground in the laneway, smoking cigarettes. The smoke comes into my house, and the staff members' cigarette butts are left in the laneway. Not only is the laneway littered with cigarette butts, but it is also littered with McDonald's rubbish.

I am about to turn my residence into a B&B. I believe that a 24-hour McDonald's right next door, will result in a lot of unwanted noise, odours, litter, and more than likely drunk people loitering.

I hope that my objection is heard, and that this development is not granted by Council.

Yours Sincerely,

Michael Sheridan

R Bartlett

20 April, 2021.

The General Manager
Mid-Western Regional Council
Mudgee NSW 2850

Dear Sir/Madam,

Reference: Development Application DA0309/2021 Proposed Restaurant – 24hr Trading at McDonalds 91-93 Horatio Street.

I am writing in relation to the above and would like to make a few comments.

Our main concern as a very close resident, is going to be vandalism. There is a laneway that runs behind McDonalds and I fear that at early hours in the morning the only people visiting McDonalds will be youths possible intoxicated with nothing better to do with their time. We have managed to avoid any such vandalism in the laneway to date but I have a feeling this will not be the case for long with 24/7 trading.

Some other issues that are of concern are noise and pollution. During the week we only get reprieve from the traffic etc between the hours of approx. 9:30pm and 5:00am we feel this will be lost also.

Pollution from additional traffic continuing right through the night and also the emissions from the fryers exhausts is also a concern. We currently have a very old large Oak tree in the backyard which I believe is already under pressure from the constant oil in the air not to mention all the other plants in our garden along with our neighbour's trees and plants. We also have heavy deposits on our rooves which I can assume will only increase due to the longer trading hours.

I understand that this business is probably well within their rights to trade 24/7 and I have no problem with that other than it would have been a better option to locate this business on the outskirts of town not in a residential area if they wish to trade these hours.

Yours faithfully
Rebecca Bartlett.



amanda kemp

• nsw • 2850

3 April 2021

The General Manager
Mid Western Regional Council
86 Market Street
MUDGEE NSW 2850

Dear Sir / Madam

DA0309/2021 - Proposed Restaurant - 24hr Trading @ McDonalds 91-93 Horatio Street MUDGEE

Thank you for your letter of 7 April 2021.

As a resident at [REDACTED], with rear access to Lyons Lane, I wish to express my concern about the proposed 24 hour trading of McDonalds. My concerns are current and ongoing and must be taken into increased account with the proposal for future changes to trading.

The rubbish left by staff and patrons in Lyons Lane is unacceptable. I am frequently collecting the rubbish and placing it into my own bin for collection. I have observed that staff from McDonalds use their breaks to smoke and consume food and drink in the lane, returning to work leaving their rubbish behind. This is totally unacceptable.

Bins need to be provided, signage relating to responsible disposal of rubbish, along with a safe space for the staff to sit in Lyons Lane. Crouching whilst smoking and drinking is not safe nor appropriate. Patrons undertake the same behaviour further down Lyons Lane.

Members of McDonalds staff also choose to park in front of my house and surrounds in Inglis Street, and again, consume items from McDonalds, leaving rubbish in the gutter. Designated parking for staff needs to be addressed. McDonalds patrons also choose to carry out this behaviour in Inglis Street every day.

Increased trading hours will increase this behaviour, along with noise and crime activities in the vicinity. Teenagers loitering eating and drinking in a lane late at night during the week is not responsible, nor should it be encouraged. Concern must also be given to the proximity to the Federal Hotel and bottle shop and the combined consumption of food and alcohol in Lyons Lane.

I look forward to receiving your acknowledgement of my letter and consideration given to my concerns.

Yours sincerely,

AMANDA KEMP



Mrs Judith Rowbotham



Monday 3rd May 2021

The General Manager – Mr Brad Cam
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850



Dear Sir

**RE: Proposed Extension of Hours to Mudgee McDonald's to allow
24 Hour Trading , 7 days a Week.
KDC/SLR a co-Joined Consulting Team. (19th March 2021)**

I have examined the Statement of Environmental Effects along with the documents required to accompany this Proposal, specifically a Noise Impact Assessment, Plan of Management, and a Crime Risk Assessment.

*I noted this DA was adopted 7 May 2020 – to be reviewed 7 May 2021.
Also Noted:- all required documentation is dated 19 March 2021.*

My Comments on the McDonalds Mudgee's supporting Statement of Environmental Effects dated 19th March 2021

1. INTRODUCTION

KDC consulting failed to correctly identify property. 91 Horatio Street Mudgee would apply to to the drive-thru section only.

1.1 McDONALDS AUSTRALIA

Generic to Australia – not specifically Mudgee

1.2 COVID STATEMENT

*Obviously generic. However, McDonalds, Mudgee chose **not** to utilise this order from March 31st 2020 until February 2021 when a sign appeared on the southern boundary fence alongside the single lane drive-thru "**that the drive-thru only would be open until 1:00am on Friday and Saturday**".(date stated)
However, McDonaalds did take advantage at the time to construct a **DUAL LANE ORDER BAY** with all the necessary advertising fixtures plus a gantry to support the overhead structure. From this point it **merged into the single lane, 8 designated parking spaces drive-thru**. The **entry to the dual lane order bay** is by way of the **dual entry/exit lanes** off Horatio Street.*

To state they have been operating 24 hours 7 days a week since 7 July 2020 is not

Resident
wants to
ensure that
this is seen
by the appropriate
person
TODAY.
be

I NOTICE THIS
DA WILL BE UP
FOR REVIEW
TO-MORROW
—
1 YEAR FROM THE
ADOPTED DATE?

*correct – To state it is a **DUAL LANE DRIVE -THRU** is a falsehood.*

The statement that they did not cause adverse impacts on the surrounding amenity during this period is guesswork – they did not trade 24/7 during this period so how could this be substantiated. However, the order microphones in the dual lane order bay have become a concern .

*During April 2021 a sign went up at the exit of the **DUAL LANE ORDER BAY** stating that McDonalds would be trading 24 hours on Friday and Saturday from 11:00pm to 5:00am. **Drive-Thru only.***

1.3 Consultation - 15th March 2021

Consultation took place with Duty Planner Mid-Western Regional Council. It was advised that a Noise Impact Statement , Plan of Management, Crime Risk Assessment should be attached to the DA. The inference as far as I am concerned is that these three attachments to the Development Application were all that was required to get a green light approval.

1.4 Background

*Approval for DA0182/2020 for a **dual lane drive-thru.** was granted on the **15th June 2020.** This was in fact an approval for a **dual entry order bay that merged into a single lane drive-thru** (which had previously been designated as 8 parking places to meet RTA requirements on this overdeveloped site)*

2.1 SITE DETAIL

*KDC/SLR are still having problems with the integrity of the address of this site. 91 Horatio Street would refer to the **dual lane ordering bay merging into a single lane drive-thru.** However they did manage to identify the site as Lot 109DP861600 correctly.*

Except for 2 corner shops (that have been operating for longer than my lifetime (75 years plus) every building East of McDonalds on the Nth and Sth sides of Horatio Street (except for the Horatio Motel) right down to Burrundulla Avenue are all residential. The same applies to every building West of McDonalds on the Sth side of Horatio Street down to the T-Junction at Douro Street (except for the Fire Station (not commercial) are all residential.

*Referring to **Figure1 – Site Aerial Photo** of the site legally defined as Lot109 DP861600. **This photo is antiquated and belongs in the archives.** It is a visual record of the site more than 20 years ago. The approved development 15 June 2020 involved considerable complex alterations and the enclosure of all the external seating arrangements on this McDonalds site.*

***This is not a dual lane drive-thru.** It is a dual lane ordering bay merging into a single lane drive- thru that has already been designated as 8 parking places. This became necessary because it had been declared an over developed site right from the lodging of the very first Development Application back in the 1990's. As time went by there was insufficient parking spaces for all the refurbishment and enclosure 2/5*

of all the outside seating.

Nothing has changed. KDC/SLR need to update their record of FACTS . I find their credibility questionable.

3. REASON FOR THE PROPOSAL

This proposal has been based on the false premise that this McDonalds site has been operating 24/7 in response to the Minister's Covid -19 Development-Takeaway Food and Beverages) Order 2020. McDonalds claim they are responding to customer demand and public need . It is beyond my comprehension that this claim could be ever be substantiated when a 24/7 operation has never been trialled.

*On the 2 day (**Friday and Saturday only**) trials that have transpired since February 2021 it has been through the **dual ordering bay merging into the single lane drive-thru ONLY.***

To claim their 24/7 proposed trading hours are expected to cause minimal adverse impacts to the environment and amenity of the surrounding area is supposition only not fact.

4. LEGISLATION AND PLANNING CONTROLS

4.2 MID-WESTERN REGIONAL LOCAL ENVIRONMENTAL PLAN (LEP) 2012

*I refer to the Figure 2. Zoning Map extract and the SP3 Zone and the fact that except for the Fire Station which is a Community Service Operation the McDonalds enterprise is the **sole non-residence** and this has been the case for well over 100 years. I would consider the SP3 Tourist Zone to be a High Density Residential.*

4.3 MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN (DCP) 2013

*The residents in the McDonalds neighbourhood need to address the issue of **OFF SITE WASTE MANAGEMENT.***

*McDonalds appear to have **their** on site waste management under control. However, this is not the case when it comes to the **ambience** of the the neighbourhood. The off site McDonalds customers who park in front of our residences leave their waste wrappings in the gutter and on our verges. McDonalds are **failing** to meet their obligation to **a significant condition of approval of their original DA.** To say that O.H&S. prevents staff from crossing the road to pick up the rubbish is not adequate. Council must enforce this **Off Site Condition of Approval.***

5. ASSESSMENT OF PLANNING ISSUES

Re: Section 3 for my pertinent comments.

I am becoming very very stressed as a result of McDonalds ongoing failure to meet their obligations to the amenity of the neighbourhood and to comply with Councils Conditions of Approval plus plus falsehoods stated as facts.

5.1 NOISE

*The 44 page Noise Impact Assessment (NIA) presented by Muller Acoustic Consultants (MAC).was a **"DROP IN THE OCEAN"** survey. It was conducted 3/5*

over 9 days from Tuesday 3 February 2021 to Wednesday 10 February 2021 inclusive, **after the Christmas Vacation and before the Easter/ School Holidays.** This assessment took place at the junction of Horatio and Lewis Street, Mudgee, one block from McDonald.

During those 9 days McDonalds extended their trading hours to 1:00am on 2 days only. Friday 5 and Saturday 6. To justify the extension to 24 hour trading 365 days of the year McDonalds have submitted an assessment based on a total of 4 hours.

5.3 TRAFFIC AND PARKING ACCESS

*I am extremely concerned that once again McDonalds have chosen to address the issue of on site traffic and parking, only.. **Yet again the ramifications of 24/7 traffic and parking off site has not been addressed should the Restaurant remain open 24/7.***

It is of great concern to me that the interstate transport trucks, double decker stock floats, fuel tankers etc. driven by potential McDonalds customers have had no provision made for them to park. Am I to assume that McDonalds consider my home and that of my neighbours to be suitable off site parking. Consider the air braking, 5 minute idling and the excrement splashing onto our verges and gutters by stock relieving them selves once the vehicles have come to rest.

It is my hope that you will take a holistic approach to the restaurant remaining open 24/7 in this high density residential neighbourhood. To date the restaurant has not been opened 24/7. To indicate it has is a falsehood. The McDonalds Restaurant should never be permitted to trade 24/7 on this over developed site.

Appendice

- Appendix A. Noise Assessment - Addressed in my Item 5.1*
- Appendix B. Plan of Management - Generic–Applied to but not Mudgee specific.*
- Appendix C. Crime Risk Assessment– Generic –Applied to but not Mudgee specific*

MY CONCLUSION

*I am an elderly woman living alone. I am deeply distressed that KDC/SLR have presented to Mid-Western Council supporting statements that suggest that this proposal **will not** result in any detrimental amenity impacts to surrounding commercial and residential uses.*

*It is noted that McDonalds gives precedence to **commercial uses**, which are 2 old historic corner shops (N and E of their establishment) flanking their high density residential neighbours who place **second** in the consideration stakes.*

*McDonalds have failed to convince that the extension to trading hours for their **restaurant** operation is appropriate. They have failed to prove the demand for 24/7 **restaurant** opening even exists when it has not been trialled to date even when 4/5*

the opportunity was there for them to do so during the Minister's Covid-19 Order.

*The Noise Impact Assessment acoustic modelling is based on an total of 4 additional trading hours over 2 days in total, through the drive-thru. The whole assessment took place over 9 consecutive days only. This is unacceptable. It is totally inadequate. **Suggesting it represented a 20 month period to date is a falsehood.***

*To say 24/7 restaurant trading will not result in any excess traffic being encountered on the surrounding network or result in other traffic issues is not proven and rather puts the **need for this proposal to extend trading hours, in their own words, into doubt.** It has never been trialled so the claim cannot be substantiated. **The critical issue of off street parking is never mentioned nor has it ever been addressed.***


To state there will be no unreasonable social or environmental impacts 24/7 if this restaurant proposal goes ahead in its entirety is supposition, not fact nor proven. We neighbours have encountered many such issues in the past.

My opinion is this:-** McDonalds are taking advantage of the Covid-19 Minister's Order and time frames to put in place a proposal they have no intention of putting into practise, at this time. They could never guarantee the amenity of the neighbourhood **RE: NOISE – TRAFFIC - PARKING and ANTI-SOCIAL BEHAVIOUR** should the restaurant be opened 24/7. **But once in place heaven help the residents.

Mid-Western Regional Council must not approve 24/7 trading hours for the McDonalds Restaurant on this over- developed site. The statements supporting the proposal fall short of factual and fail to convince. At best they are purely hypothetical. I DO NOT DISAPPROVE OF THE DRIVE -THRU SET UP. CUSTOMERS SHOULD COME AND GO. A NO PARKING IN THE CAR PARK CONDITION SHOULD BE APPLIED TO THIS PROPOSAL IN ORDER TO MITIGATE ANY ANTI-SOCIAL BEHAVIOUR.

Mr Yannis Comino – Project Consultant - SLR Consulting has failed in his efforts to be convincing.

Yours faithfully,


*Judith Rowbotham
A resident neighbour.*

***P.S.** A copy of all my correspondence applicable to this particular development of McDonalds will be sent to the office of The Hon. Mr. Rob Stokes, MP – Minister for Planning and Public Spaces.*

Peter & Louise Windeyer


Mudgee NSW 2850

27 April 2021

**The General Manager
Planning & Development Department
Mid-Western Regional Council
86 Market Street
Mudgee NSW 2850**



Dear Sir


Re: DA0309/2021 – Proposed 24hr trading at McDonalds, 91-93 Horatio Street Mudgee

For an area recently re-zoned residential it is completely inappropriate to increase the trading hours of one of the remaining commercial enterprises – McDonalds.

We are very concerned about late night loitering, particularly in Lyons Lane between Church and Lewis Streets, and an increase in litter which is supposedly collected by McDonald's staff but which is picked up by the residents of the area. The Council requirement that McDonalds litter is collected regularly by their staff is being ignored. Some of their staff sit in Lyons Lane at Church Street smoking and discarding their cigarette butts. It is disgusting. They even walk away from litter there which may not be theirs personally but it is McDonalds litter. A bin at Church Street/Lyons Lane may help.

Also, many of McDonalds patrons (including one staff member) drive around to Inglis Street to the shade there, eat, then leave their containers. Their staff does not collect this litter – we the residents do. Regular inspection of the surrounding streets needs to be carried out by Council.

Yours faithfully


**Peter & Louise Windeyer
Rate Paying Residents**

MID-WESTERN REGIONAL COUNCIL
RECORDS
RECEIVED
21 APR 2021
 SCANNED
 REGISTERED

ATT: Kim Orth
MID-WESTERN REGIONAL COUNCIL
Customer Services
RECEIVED
21 APR 2021
 SCANNED

Mrs Judith Rowbotham

Saturday 18th April 2021

*The General Manager – Mr Brad Cam
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850*

Dear Sir

*Thank you for the opportunity to comment on Development Application
DA 0339/2021 – Proposed Restaurant – 24hr Trading @ MACDONALDS 91-93
Horatio Street Mudgee Lot 109 DP 861600 – Applicant KDC PTY LTD. - dated 7th
April 2021 received in my mail box Thursday 15th April 2021.*

*I am a 75 year old widow living alone on the northern side of Horatio Street. I have
been a permanent resident for over 43 years. I have been impacted to varying
degrees by MACDONALDS since their establishment well over 25 years ago.*

*At the time of the original Development Application the residents of this
neighbourhood objected strongly to this development going ahead on this
overdeveloped site. However, as an economic indicator MACDONALDS was
granted permission to proceed with the strictest of conditions being applied to the
granting of this approval. **The primary condition to be robustly enforced was the
restricted trading hours. The hours were to be 6:00am to 10:00pm seven days a
week.***

*I am still alive and have witnessed a massive amount of restructuring and
refurbishments taking place on this overdeveloped site (without community
consultation) over the years, failing to provide the additional parking places required
to comply with RTA/MTR regulations. I was astonished when it was brought to my
attention, that in order to comply, the DRIVE-THROUGH TAKEAWAY was declared
EIGHT(8) DESIGNATED PARKING PLACES.*

*In recent times the on-site parking has been further reduced to accommodate a dual
carriage entry into the single lane, drive through take away already designated as 8
parking places. This action has reduced the number of locals entering the restaurant.
The staff, however, cannot always keep up with demand and customers must park in
the reduced parking places, on site, to await their orders. The problem is further
EXACERBATED by the vehicles trying to gain entry/exits into the entry/exit lanes of
the black spot roundabout. Our residential frontages are MACDONALD on street
parking for excess customers and a place for them to dispose of their rubbish.*

*Another condition of approval that MACDONALDS has disregarded.
The situation is not satisfactory but we have endeavoured to endure and persevere.*

However I strongly object to the 24hr trading request.

- 1. It contravenes and disregards the conditions placed on the original Development Application which strongly stipulated times of trading were to 6:00am to 10.00pm seven days a week.*
- 2. It will adversely alter the dynamics of the neighbourhood with regard to noise, safety and the possible physical and emotional well being of 5 single woman, who reside in individual homes, some alone, in the immediate neighbourhood.*
- 3. As a ratepayer I need the support of a Council who will protect my needs and not subject me to all the possible associated and undesirable activities that could inevitably take place between the hours of 10:00pm and 6:00am on a daily basis, should this extension of trading hours take place.*

To my profound dismay Council has already granted MACDONALDS permission to extend their trading hours on Friday and Saturday nights to 1:00 am this with out regard for or consultation with the residents. You have stretched the elastic.

I have endeavoured to co-exist with all the outrageous comings and goings of MACDONALDS, the economic indicator on the overdeveloped site, for over 25years without complaint. I have been able to tolerate the situation because the restricted trading hours afforded me a semblance of protection and noise minimisation. I feel you are about to throw my neighbours and me to the wolves.

As a long standing resident and rate payer of the Mid-Western Regional Council I am required to follow the rules, and I do. On this occasion I ask that you consider very carefully the decision you will be required to make and take a holistic overview to the safety and well being of myself and the residents of this neighbourhood and follow your own rules.

MACDONALDS trading hours must comply with the conditions of your approval of their original Development Application. The elastic is about to burst.

Yours faithfully

Judith Rowbotham
[REDACTED]

*P.S. YOU MAY OR MAY NOT BE AWARE OF THE FACT THAT AT LEAST 6 HOUSES WITHIN 1 BLOCK EAST OF MACDONALDS ARE **NOT OWNER OCCUPIED** I am assuming that their comments will not reach your desk by the 21st April 2021.*

Mrs Judith Rowbotham

Wednesday 21 April 2021

The General Manager – Mr Brad Cam
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850

Dear Sir

**DEVELOPEMENT APPLICATION DA0309/2021 – PROPOSED RESTAURANT
TRADING 24 HR @ 91-93 HORATIO STREET MUDGEES LOT 109 DP 861600**

The wording of this Development Application by MACDONALDS needs clarification. Does it apply to a **proposed restaurant** or to the extension of the trading hours of the existing restaurant?

I wish to advise you that I have informed my neighbours, who like myself, are directly impacted by MACDONALDS activities, of this proposed development. My immediate neighbours are not privy to this information. I know it to be my civic duty to share this information.

I have also supplied my neighbours with a copy of the Environmental and Assessment (Covid-19 Development – Takeaway Food and Beverages) Order 2020 – made by the Hon. Rob Stokes, the Minister for Planning and Public Spaces under section 10.17 of the Environmental Planning and Assessment Act 1979. (dated 31st March 2020).

I have referred my neighbours to Section 6 – Part (2) – Item (c) - Provision(g) which states:-

when operating outside the hours of trading or operation of the premises that would apply but for this Order – take steps to ensure that it has no adverse impact on the amenity of the neighbourhood by reason of the emission of noise, smell fumes, or waste product.

I am confident you will enforce this order of the Minister.

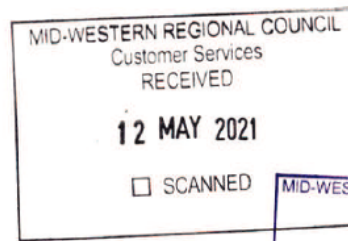
Yours faithfully

Judith Rowbotham

Craig Keenan
[REDACTED]

Tuesday 12th May 2021

The General Manager – Brad Cam
Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850



SUBJECT: MACDONALDS 24 HOUR TRADING - TRAFFIC & NOISE

Mr Cam,

If you live anywhere near Macdonalds you are guaranteed an early Monday morning start as the JR Richards truck arrives and negotiates a narrow single lane pick-up. Gates crash open and skip bins get bashed around to the roar of the truck. Then the reversing beeper kicks into action then more banging as he goes in for another bin. The gears slam into reverse as the truck backs out onto Horatio Street with the beeper sounding his way. This is very very annoying.

Then during the night hours from 11:pm to 2:00am Macdonalds become a free entry Mudgee Summer Nats (a car and burnout show held in Canberra that is in the process of being banned) BUT NOT AT MACDONALDS – MUDGEES. The more noise the better. They have :-

: REV LIMITER CLASS - where you rev your engine until it hits the rev limit. This makes the car sound like it is miss firing.

: Then you have the KEY BANGING CLASS where they turn the key to the off position while loading up the engine with fuel . The key is then turned on to the start position making the car backfire. Flames shoot forth from the exhaust. Sounds like gun shots or another drug deal in town. :

: Next is the DRIFTER CLASS your skill is tested as to how fast you can drift around the roundabout to the applause of the crowd of onlookers, yelling and screaming .

: The DRAG RACING CLASS is very popular. Starting point Macdonalds car park. You exit the car park onto Church Street drift around the black spot roundabout then red line every gear in your car down Horatio Street to Sydney Road.

I have lost count of how many times I have rung the Police. I have the Police listed on speed dial. However, in the hours these misdeeds take place I have come to think there are limited Police available to deal with these disturbances.

YES !! OPENING MACDONALDS 24 HOURS GETS THE BLACK FLAG FROM ME WHICH MEANS GET OFF THE TRACK .

To the hoons - take your cars to a race circuit for track work and let me have a good night's sleep.

The question needs to be asked :- Have these activities appeared in the Acoustic Report? As far as I am concerned this has nothing to do with COVID - it has simply become **acceptable behaviour** in Macdonalds and our neighbourhood.

Where is Macdonalds Duty of Care for Public Safety and the Amenity of their neighbours?

Should 24 hour service go ahead in the drive through then the **CAR PARK MUST BE MADE OUT OF BOUNDS**. It must be secured or the activities I have mentioned will go on, unchecked, all night.

I am not an anti-car man. I own a modified 1964 Holden that was raced by the previous owner. I also race a 58 year old motor cycle. I do this on a legally operated race track **NOT** from Macdonalds pit bay.

Yours faithfully,



Craig Keenan
Sleep Deprived Neighbour

Environmental Planning and Assessment (COVID-19 Development—Extended Operation) Order 2020

I, the Hon. Rob Stokes, MP, the Minister for Planning and Public Spaces, make the following Order under section 10.17 of the *Environmental Planning and Assessment Act 1979*.

I am satisfied this Order is necessary to protect the health, safety and welfare of members of the public during the COVID-19 pandemic.

1 Name of Order

This Order is the *Environmental Planning and Assessment (COVID-19 Development—Extended Operation) Order 2020*

2 Commencement

This Order commences on the day it is published in the Gazette and remains in force for the prescribed period (within the meaning of section 10.17 of the *Environmental Planning and Assessment Act 1979*).

3 Definitions

- (1) A word or expression used in this clause has the same meaning as it has in the Standard Instrument set out in the *Standard Instrument (Local Environmental Plans) Order 2006*.
- (2) Notes included in this Order do not form part of this Order.

4 Development authorised by this Order

- (1) The development specified for this Order may be carried out without the need for any approval under the *Environmental Planning and Assessment Act 1979* if it complies with the standards specified for the development.
- (2) This Order does not authorise anything to be done in contravention of an order under Part 2 the *Public Health Act 2010*, or any other Act or law.

Note. Orders under Part 2 the *Public Health Act 2010* provide that certain non-essential venues must be closed to members of the public except in limited circumstances.

- (3) Nothing in this Order affects the times at which liquor may be sold.

5 Retail premises trading and operating hours

- (1) The use of retail premises at any time, including the removal of waste from those premises, is development specified for this Order.
- (2) The standards specified for the development are that the development—
 - (a) must be for the operation of premises that are the subject of a development consent, and

- (b) must comply with all conditions of the consent for the use of the premises other than any condition that restricts the hours of trading or operation of the premises, and
- (c) when operating outside the hours of trading or operation of the premises that would apply but for this Order, must have taken steps to reduce noise.

6 Home businesses and home industries operating hours

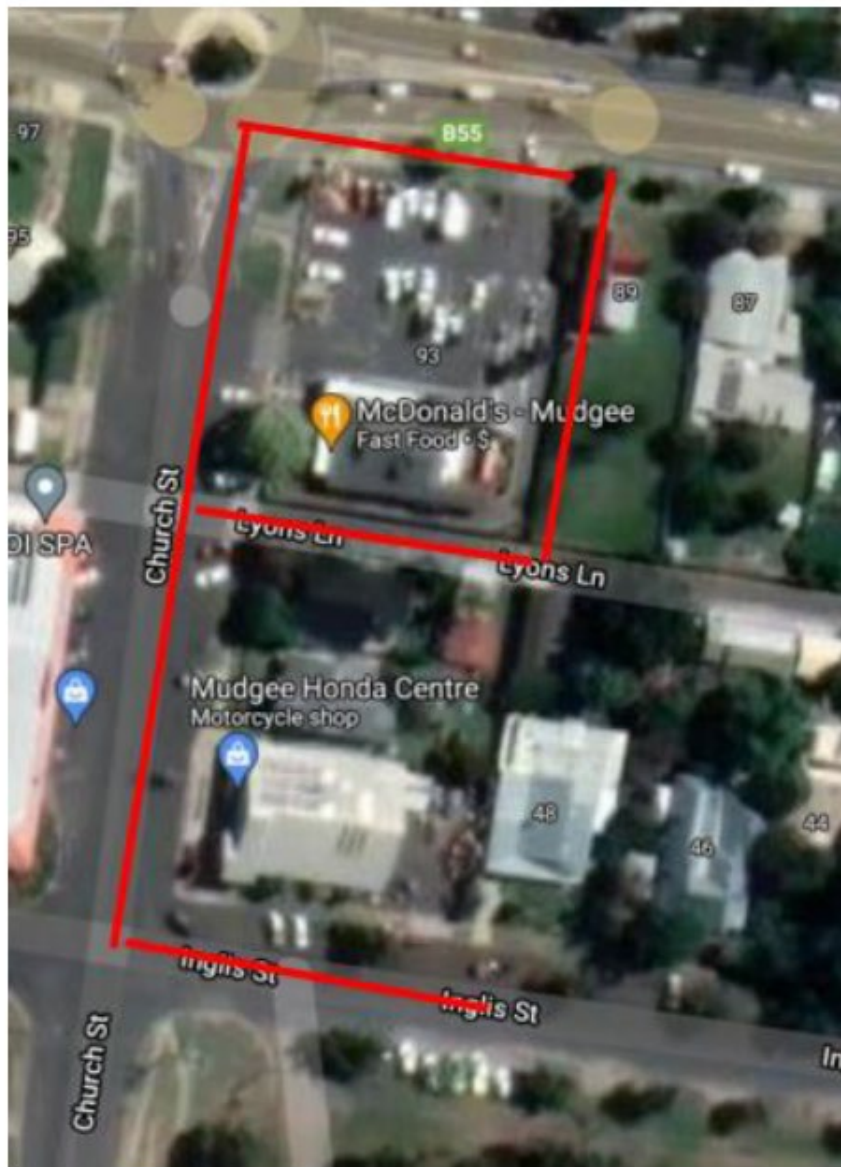
- (1) The carrying out of a home business or home industry at any time is development specified for this Order.
- (2) The standards specified for the development are that the development—
 - (a) must be for the operation of premises that are the subject of a development consent or may be carried out without development consent, or
 - (b) may involve the employment of more than 2 persons other than the permanent residents of the dwelling, but not more than 5 persons, and
 - (c) in the case of development the subject of a development consent, must comply with all conditions of the consent for the use of the premises other than any condition that restricts—
 - (i) the hours of operation of the premises, and
 - (ii) the number of employed by the business or industry, and
 - (d) in the case of development that may be carried out without development consent, must comply with the provisions of any environmental planning instrument applying to the development other than any provision which restricts—
 - (i) the hours of operation of the premises, and
 - (ii) the number of employed by the business or industry, and
 - (e) when operating outside the hours of operation of the premises that would apply but for this Order, must have taken steps to ensure that it has no adverse impact on the amenity of the neighbourhood by reason of the emission of noise, smell, fumes or waste products.



The Hon. Rob Stokes, MP
Minister for Planning and Public Spaces

25th March, 2020..

Figure 2 - Litter Patrol Path



5 July 2021

NOVATION DEED

PHILLIP MARTEN ORR AND VICKY ORR

and

MUDGE SECURITIES PTY LTD ACN 639 929 678

and

MID-WESTERN REGIONAL COUNCIL



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PARTIES

BETWEEN	THE PARTY DESCRIBED AS THE LANDOWNER IN ITEM 1 OF SCHEDULE 1	LANDOWNER
AND	THE PARTY DESCRIBED AS THE COUNCIL IN ITEM 2 OF SCHEDULE 1	COUNCIL
AND	THE PARTY DESCRIBED AS THE TRANSFEREE IN ITEM 3 OF SCHEDULE 1	TRANSFEREE

BACKGROUND

- A. Council and the Landowner are parties to the Original Agreement.
- B. The Original Agreement relates to the whole of the Land.
- C. The parties to this Deed have agreed to the novation of all of the Landowner(s) obligations under the Original Agreement to the Transferee.

1. OPERATIVE PROVISIONS

1.1. Definitions

In the interpretation of this Deed the following definitions shall apply:

Deed means this Deed, including any of its schedules and annexures and any document that varies or supplements it.

Effective Date means the date the Transferee becomes the registered proprietor of the land.

Land has the meaning given to that term in the Original Agreement.

Original Agreement means the voluntary planning agreement dated **25 October 2012** and made between the Council and the Landowner, annexed to this Deed in Annexure 1.

Required Obligations means whole or part of the terms of the Original Agreement as is required to suit the circumstances.

1.2. Interpretation

In this Deed unless the contrary intention appears:

- 1.2.1. a reference to this Deed or another instrument includes any variation or replacement of them;
- 1.2.2. replacements of any of them;
- 1.2.3. the singular includes the plural and vice versa;
- 1.2.4. the word person includes a firm, body corporate, an unincorporated association or an authority;
- 1.2.5. a reference to a person includes a reference to the person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and assigns;
- 1.2.6. an agreement, representation or warranty on the part of or in favour of two or more persons binds or is for the benefit of them severally
- 1.2.7. a reference to anything (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of persons is a reference to anyone or more of them;
- 1.2.8. 'include' in any form when introducing a list of items does not limit the meaning of the words to which the list relates to those items or to items of a similar nature; and
- 1.2.9. capitalised terms which are used in this Deed but are not otherwise defined have the meaning given to them in the Original Agreement.

1.3. Headings

Headings are inserted for convenience and do not affect the interpretation of this Deed.

2. NOVATION

2.1. Original Agreement

Subject to clause 2.4 and with effect from the Effective Date:

- 2.1.1. the Transferee is substituted for the Landowner as a party to the Original Agreement insofar as the Original Agreement relates to the Required Obligations, and agrees to perform the Required Obligations;
- 2.1.2. the Transferee will be bound by the Original Agreement, and will be entitled to the benefit of the Original Agreement, as if the Transferee was a party to the Original Agreement instead of the Landowner insofar as the Original Agreement relates to the Required Obligations; and
- 2.1.3. the Landowner is released and discharged from all obligations and liabilities, and from all claims (whether for costs, legal costs, damages, fees or otherwise), arising under the Original Agreement insofar as the Original Agreement relates to the Required Obligations.

2.2. Performance By Transferee

- 2.2.1. The Transferee must perform all of the Required Obligations under the Original Agreement required to be provided on and from the Effective Date, as if named as the Landowner including, but not limited to the delivery of all the contributions to Council.

2.3. Liability Before Effective Date

- 2.3.1. Notwithstanding clause 2.1, the Landowner is not released, relieved or discharged from liability under the Original Agreement before the Effective Date, or any breach of any provision of the Original Agreement by the Landowner occurring before the Effective Date (to the extent that it is not remedied by the Effective Date) in so far as the Original Agreement relates to the Required Obligations.

2.4. Indemnities

On and from the Effective Date, the Transferee indemnifies the Landowner against all costs, expenses, liabilities, claims, loss or damages suffered or incurred by the Landowner in connection with:

- 2.4.1. the Original Agreement in so far as the Original Agreement relates to the Required Obligations; and
- 2.4.2. any failure by the Transferee to comply with its obligations under this Deed.

3. AFFIRMATION OF THE ORIGINAL AGREEMENT

The Original Agreement will be read and construed subject to this Deed, and in all other respects the provisions of the Original Agreement are ratified and confirmed, and, subject to the variation and novation contained in this Deed, the Original Agreement will continue in full force and effect.

4. GST

4.1. Definitions and Interpretation

In this clause 4:

- 4.1.1. words or expressions which are defined in the GST Law have the same meaning, except where the context suggests otherwise;
- 4.1.2. **GST Law** has the meaning given to that term in the A New Tax System (Goods and Services Tax Act) 1999 (Cwlth);
- 4.1.3. any part of a supply which is treated as a separate supply for GST purposes (including attributing GST payable to tax periods) is treated as a separate supply;
- 4.1.4. references to GST payable and to input tax credit entitlement include GST payable by, and input tax credit entitlement of, the representative member for a GST group of which the entity is a member; and
- 4.1.5. references to something done (including a supply made) by a Party includes something done by any entity through which that Party acts.

All consideration for a supply made under or in connection with this Deed is exclusive of GST, unless specified to be GST inclusive. Any consideration that is specified to be inclusive of GST must not be taken into account in calculating the GST payable in relation to a supply for the purpose of this clause 4.

4.2. Passing-on provision

If GST is payable in relation to a supply made under or in connection with this Deed, then any party (**Recipient**) that is required to provide consideration to another party (**Supplier**) for that supply must pay an additional amount to the Supplier equal to the amount of that GST at the same time as any other consideration is to be first provided for that supply.

4.3. GST Invoice

- 4.3.1. The Supplier must deliver a tax invoice to the Recipient of the supply no later than the time at which the Recipient is required to provide the consideration for the taxable supply.

4.4. Variation

- 4.4.1. Where there is a variation to the consideration provided in relation to a taxable supply for which a GST Amount was paid under clause 4.2:
 - 4.4.1.1. the Supplier will recalculate the amount of the GST Amount properly payable and will provide a corresponding refund or credit to, or will be entitled to receive the amount of the variation of the GST Amount from, the Recipient. The amount paid, refunded or credited is taken to form part of the GST Amount should a subsequent adjustment event occur; and
 - 4.4.1.2. where the variation is an adjustment event the Supplier must deliver an adjustment note to the Recipient as soon as reasonably practicable after the Supplier becomes aware of the adjustment event.

- 4.4.2. Any payment or reimbursement required to be made under this Deed that is calculated by reference to a cost, expense, or other amount paid or incurred will be limited to the total cost, expense or amount less the amount of any input tax credit to which an entity is entitled for the acquisition to which the cost, expense or amount relates.

5. GENERAL

5.1. Representations And Warranties

- 5.1.1. Each Party individually represents and warrants that:
- 5.1.1.1. it has power to enter into this Deed and comply with its obligations under the deed;
 - 5.1.1.2. this Deed does not contravene its constituent documents (if any) or any law or obligation by which it is bound or to which any of its assets are subject, or cause a limitation on its powers or the powers of its officers to be exceeded;
 - 5.1.1.3. it has in full force and effect the authorisations necessary for it to enter into this Deed, to comply with its obligations and exercise its rights under this Deed and to allow this Deed to be enforced;
 - 5.1.1.4. its obligations under this Deed are valid and binding and are enforceable against it in accordance with the terms of the deed;
 - 5.1.1.5. it does not have immunity from the jurisdiction of a court or from legal process; and
 - 5.1.1.6. it benefits by entering into this Deed to which it is a party.
- 5.1.2. Each party acknowledges that each other party has entered into this Deed in reliance on the representations and warranties in this clause 5.

5.2. Stamp Duty And Costs

- 5.2.1. The Landowner is liable for Council's Legal Costs of and incidental to the negotiation, preparation and execution of this Deed, and must reimburse Council for such Legal Costs promptly on demand.
- 5.2.2. The Transferee will pay all stamp duty arising directly or indirectly from this Deed.

5.3. Further Acts

- 5.3.1. Each party will take all steps, execute all deeds and do everything reasonably required by any other party to give effect to any of the actions contemplated by this Deed.
- 5.3.2. This Deed binds each party which signs it even if other parties do not, or if the execution by other parties is defective, void or voidable.

5.4. **Governing Law**

5.4.1. This Deed is governed by the law in force in the place specified in the New South Wales and the parties submit to the non-exclusive jurisdiction of the courts of that place.

5.5. **Counterparts**

5.5.1. This Deed may consist of a number of counterparts and, if so, the counterparts taken together constitute one and the same instrument.

5.5.2. This Deed is not binding on any party unless one or more counterparts have been duly executed by, or on behalf of, each person named as a party to this Deed and those counterparts have been exchanged.

5.5.3. A copy of a counterpart sent by facsimile machine or emailed as a PDF:

5.5.3.1. must be treated as an original counterpart;

5.5.3.2. is sufficient evidence of the execution of the original; and

may be produced in evidence for all purposes in place of the original.

5.6. **Attorneys**

Where this Deed is executed on behalf of a party by an attorney, that attorney by executing this Deed declares and warrants that he or she:

5.6.1. has been duly appointed; and

5.6.2. has no notice of the under the authority of which he or she executes the agreement having been revoked.

SCHEDULE 1 PARTICULARS

ITEM 1. LANDOWNER	Name	PHILIP MARTEN ORR & VICKY ORR
	ACN	Not Applicable
	ABN	Not Applicable
	Address	C/- Begum Advisory Lawyers
	Email	C/- Begum Advisory Lawyers
	Vendor's Solicitor	Begum Advisory Lawyers Ms Shaireen Robina Begum Suite 403, Level 4, 49 Queens Road, Five Dock NSW 2046 begum@begumadvisorylawyers.com
ITEM 2. COUNCIL	Name	MID-WESTERN REGIONAL COUNCIL
	Address	86 Market Street, Mudgee NSW 2850
	Email	
	Solicitor	
ITEM 3. TRANSFEREE	Name	MUDGEES SECURITIES PTY LTD
	ACN	639 929 678
	Address	344 Wilbetree Road, Menah NSW 2850
	Email	C/- Hannaford Cox Connellan and McFarland Solicitors
	Purchaser's Solicitor	Hannaford Cox Connellan and McFarland Solicitors Mr Peter Orr 62 Market Street, Mudgee NSW 2850 peter.orr@hccm.com.au

SIGNATURE PAGE

LANDOWNER

SIGNED SEALED AND DELIVERED by **PHILLIP MARTEN ORR** in the presence of:

Signature of Witness

Signature of **PHILLIP MARTEN ORR**

Print Name of Witness

Address of Witness

Date of Signature

SIGNED SEALED AND DELIVERED by **VICKY ORR** in the presence of:

Signature of Witness

Signature of **VICKY ORR**

Print Name of Witness

Address of Witness

Date of Signature

COUNCIL

ON BEHALF of MID-WESTERN REGIONAL COUNCIL by
its duly authorised representative:

Signature of Witness

Signature of **Authorised Representative**

Print Name of Witness

Name of **Authorised Representative**

Address of Witness

Date of Signature

TRANSFeree

EXECUTED by MUDGEe SECURITIES PTY LTD ACN 639
929 678 in accordance with section 127 of the Corporations
Act 2001 (CwIth) by:

DAVID CARTER

Signature of Director

MATHEW JAMES BRYANT

Signature of Director

Print Name of Director

Print Name of Director

Date of Signature

Date of Signature

ANNEXURE 1 VOLUNTARY PLANNING AGREEMENT

Please see following pages 1 to 10.

Proposed Planning Agreement

Mid-Western Regional Council, Phillip & Vicki Orr

Explanatory Note

1. Introduction

The purpose of this explanatory note is to provide a plain English summary to support the notification of the proposed planning agreement (the "**Planning Agreement**") prepared under Subdivision 2 of Division 6 of Part 4 of the *Environmental Planning and Assessment Act 1979* (the "Act").

This explanatory note has been prepared jointly by the parties as required by clause 25E of the Environmental Planning and Assessment Regulation 2000 (the "Regulation").

2. Parties

The parties to the Planning Agreement are Phillip Marten Orr and Vicki Vaso Orr (the "**Developer**"), and Mid-Western Regional Council. The Developer has made an offer to enter into the Planning Agreement in connection with the development consent (DA0009/2010) granted by the Council for a residential subdivision at Mudgee.

3. Description of Subject Land

The Planning Agreement applies to Lot 2 DP 1059016, known as 40 Norman Road Mudgee (the "**Land**").

4. Description of Development

The Developer has been granted development consent by the Council for a 14 lot subdivision on the land ("the **Development**").

5. Summary of Objectives, Nature and Effect of the Draft Planning Agreement

The Planning Agreement provides that the Developer will make a monetary contribution of \$65,000 + GST (subject to CPI adjustment), being \$5,000 for each of the 13 lots making up the Development, to be used towards the costs of construction of the drainage improvements detailed in the Report on the Integrated Drainage Solutions for Catchment A as adopted by Council on 7 December 2011.

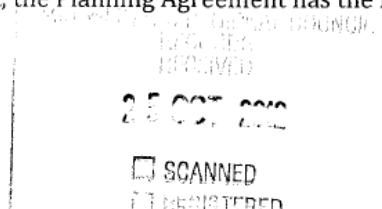
The Development Contribution is to be paid upon the lodgement of the linen plan for each stage of the subdivision with the Council, as follows:

Stage 1 (3 lots)	\$15,000
Stage 2 (9 lots)	\$45,000
Stage 3 (1 lot)	\$5, 000
Total	\$65,000

The objective of the Planning Agreement is to facilitate the delivery of the Developers contribution for increased demand on storm water management drainage systems.

6. Assessment of the Merits of the Draft Planning Agreement

In accordance with section 93F(2) of the Act, the Planning Agreement has the following public purposes:



- the provision of (or the recoupment of the cost of providing) public amenities or public services.

The Parties have assessed the Planning Agreement and hold the view that the provisions of the Planning Agreement provide a reasonable means of achieving the public purposes set out above. This is because it will ensure that contributions for drainage infrastructure are paid in connection with the Development on the Land.

a. The Planning Purposes Served by the Draft Planning Agreement

The planning purposes that are served by the Planning Agreement are the provision of infrastructure. The Parties consider that the Planning Agreement provides an effective means of achieving these planning purposes in relation to the Land.

b. How the Draft Planning Agreement Promotes the Objects of the Environmental Planning and Assessment Act 1979

The Planning Agreement promotes the following objects of the Act:

- the promotion and co-ordination of the orderly and economic use and development of land.

The Planning Agreement promotes the objects of the Act set out above by requiring the Developer to provide monetary contributions for public drainage infrastructure.

c. How the Draft Planning Agreement Promotes the Public Interest

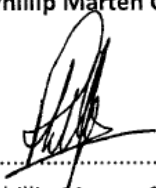
The Planning Agreement promotes the public interest by securing funding to contribute to the costs of providing public storm water drainage infrastructure.

Interpretation of Planning Agreement

This Explanatory Note is not to be used to assist in construing the Planning Agreement.

Executed as an agreement:

Executed by Phillip Marten Orr



Signature of Phillip Marten Orr

Date: 25-10-12



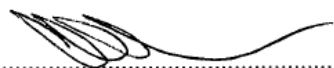
Signature of Witness

Date: 25/10/12

CELESTA VIOLLANI

Print name of Witness

Executed by Vicky Vaso Orr

Signature of Vicky Vaso Orr

Date: 25.10.12.

Signature of Witness

Date: 25/10/12

CRESTA VIELLAIS

Print name of Witness

On behalf of **MidWestern Regional Council**
by its duly authorised representative:




Signature of Witness

Date: 10.10.12

Mette Sutton

Print name of Witness



Signature of Authorised Representative

Date: 10 - 10 - 2012

WARWICK L. BENNETT

Name of Authorised Representative

PLANNING AGREEMENT

Parties

MID-WESTERN REGIONAL COUNCIL

of 86 Market Street Mudgee NSW 2850 New South Wales (Council)

and

Phillip Marten Orr of 40 Norman Road, Mudgee New South Wales 2850

and

Vicki Vaso Orr of 40 Norman Road, Mudgee New South Wales 2850 (Developer)

Background

- A. The Developer owns the Land.
- B. The Developer lodged a Development Application (DA0009/2010) to the Council for Development Consent to carry out a 13 lot residential subdivision of the Land.
- C. On 09 March 2010 the Council resolved to grant Development Consent to the Development Application subject to conditions, including condition 22 which provide as follows:

22. Drainage contributions in lieu of on site detention, to be paid prior to release of each stage of the subdivision. Contribution charges still to be advised.
- D. The Developer has offered to enter into this Agreement in order to make Development Contributions towards the Drainage Improvements and in order to satisfy condition 22 of the Development Consent for the Development.

Operative provisions

1. Planning agreement under the Act

The Parties agree that this Agreement is a planning agreement governed by Subdivision 2 of Division 6 of Part 4 of the Act.

2. Application of this Agreement

This Agreement applies to the Land and the Development.

3. Operation of this Agreement

This Agreement shall take effect from the date this Agreement is entered into.

4. Definitions and interpretations

4.1 In this Agreement the following definitions apply:

Act means the *Environmental Planning and Assessment Act 1979 (NSW)*.



CPI means the Consumer Price Index (All Groups Sydney), as published by the Australian Bureau of Statistics.

Dealing, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land.

Development means development of the Land in accordance with the Development Consent granted to the Development Application described in Recital B.

Development Application has the same meaning as in the Act.

Development Consent has the same meaning as in the Act.

Development Contribution means a monetary contribution of \$65,000 + GST (subject to CPI adjustment), being \$5,000 for each of the 14 lots making up the Development to be used towards the costs of construction of the Drainage Improvements.

Drainage Improvements means the drainage solutions detailed in the Report on the Integrated Drainage Solution for Catchment A as adopted by Council on 7 December 2011.

GST has the same meaning as in the GST Law.

GST Law has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999 (Cth)* and any other Act or regulation relating to the imposition or administration of the GST.

Land means Lot 2 DP 1059016, known as 40 Norman Road Mudgee.

Party means a party to this Agreement, including their successors and assigns.

Regulation means the *Environmental Planning and Assessment Regulation 2000*.

4.2 In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:

- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement;
- (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
- (c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day.
- (d) A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
- (e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- (f) A reference in this Agreement to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- (g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.
- (h) A expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- (i) When a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- (j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.



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- (k) References to the word 'include' or 'including' are to be construed without limitation.
- (l) A reference to this Agreement includes the agreement recorded in this Agreement.
- (m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and that party's successors and assigns.
- (n) Any schedules and attachments form part of this Agreement.

5. Development Contributions to be made under this Agreement

Upon execution of this Agreement and the lodgement of the linen plan associated with each stage of the Development with the Council, the Developer will pay the Council the Development Contribution in accordance with this Agreement by way of a bank cheque in favour of the Council, as follows:

Stage 1 (3 lots)	\$15,000
Stage 2 (9 lots)	\$45,000
Stage 3 (1 lot)	\$5,000
Total	\$65,000

6. Application of the Development Contributions

The Council must, upon receipt of the Development Contributions paid in accordance with clause 5 of this Agreement, and within a reasonable time after the execution of this Agreement, construct the Drainage Improvements.

7. Application for s94 and s94A of the Act to the Development

Sections 94 and 94A of the Act apply to the Development as provided for by the Development Consent for the Development.

8. Registration of this Agreement

This Agreement is not required to be registered on the title to the Land.

9. Review of this Agreement

The parties may agree to review this Agreement. Any review or modification will be conducted in the circumstances and manner determined in writing by the Parties.

10. Dispute Resolution

10.1 If any dispute arises out of this Agreement (*Dispute*) a party to the agreement must not commence any court or arbitration proceedings unless the parties to the Dispute have complied with the following paragraphs of this clause except where a party seeks urgent interlocutory relief.

10.2 A party to this Agreement claiming that a Dispute has arisen out of or in relation to this Agreement must give written notice (*Notice*) to the other party to this Agreement specifying the nature of the dispute.

10.3 If the parties do not agree within 7 days of receipt of the Notice (or such further period as agreed in writing by them) as to:

- a) the dispute resolution technique (eg expert determination) and procedures to be adopted.
- b) the timetable for all steps in those procedures; and
- c) the selection and compensation of the independent person required for such technique.

The parties must mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales as published by the Law Society of New South Wales from time to time, and, the President of the Law Society of New South Wales or the President's nominee will select the mediator and determine the mediator's remuneration.

- 10.4 Any information or documents disclosed by the parties under this clause:
d) must be kept confidential; and
e) may only be used to attempt to resolve the dispute whether by mutual agreement, mediation, arbitration or litigation.
- 10.5 Each party to a Dispute must pay its own costs of complying with this clause. The parties to the Dispute must equally pay the costs of any mediator.
- 10.6 A party to a Dispute may terminate the dispute resolution process by giving notice to each other after it has complied with clause 10.1 and 10.2. Clauses 10.4 and 10.6 survive termination of the dispute resolution process.

11. Enforcement

This Agreement may be enforced by any Party in any court of competent jurisdiction.

12. Notices

- 12.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:
(a) Delivered or posted to that Party at its address set out below.
(b) Faxed to that Party at its fax number set out below.
(c) Emailed to that Party at its email address set out below.

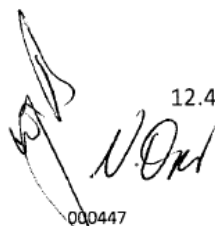
Council

Attention: The General Manager
Address: Council Chambers, 86 Market Street, PO Box 156 Mudgee NSW 2850
Fax Number: (20) 6378 2815
Email: Warwick.bennett@midwestern.nsw.gov.au

Developer

Attention: Phillip M. & Vicky V. Orr
Address: 40 Norman Road, Mudgee 2850
Fax Number:
Email:

- 12.2 If a Party gives the other Party 3 business days notice of a change of its address or fax number, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or faxed to the latest address or fax number.
- 12.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:
(a) If it is delivered, when it is left at the relevant address;
(b) If it is sent by post, 2 business days after it is posted;
(c) If it is sent by fax, as soon as the sender receives from the sender's fax machine a report of an error free transmission to the correct fax number.
- 12.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom



Handwritten signature and a circular stamp with the number 000447.

it is sent, it is to be treated as having been given or made at the beginning of the next business day.

13. Approvals and consent

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

14. Assignment and Dealings

The Developer may not assign or in any way deal with its rights or obligations under the terms of this agreement to any third party unless:

- (i) The developer has, at no cost to Council, first procured the execution by that person of all necessary documents in favour of Council by which that person agrees to be bound by the Agreement as if they were a party to the original Agreement; and
- (ii) The party is not in breach of this Agreement.

15. Costs

Each party will bear its own costs associated with the preparation, negotiation and execution of this agreement.

16. Entire Agreement

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

17. Further acts

Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

18. Governing law and jurisdiction

This Agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

19. Joint and individual liability and benefits

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

20. No fetter

Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

21. Representations and warranties

The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

22. Severability

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

23. Modification

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

24. Waiver

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

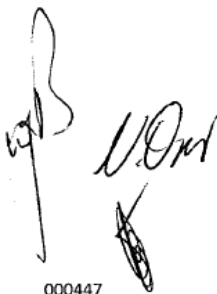
25. GST

If any Party reasonably decides that it is liable to pay GST on a supply made to the other Party under this Agreement and the supply was not priced to include GST, the recipient of the supply must pay an additional amount equal to the GST on that supply.

26. Discharge of Developers Obligations

The Developer's obligations under this Agreement shall be discharged on the occurrence of any of the following:

- (a) The Developer's obligations have been fully carried out in accordance with this Agreement; or
- (b) The Development Consent to which the Agreement relates has lapsed; or
- (c) The Development Consent to which the Agreement relates has been modified to such an extent that the planning obligations may not be appropriate; or
- (d) The performance of this Agreement has been frustrated by an event or events beyond the reasonable control of the parties; or
- (e) The Developer has fully and completely assigned the Developer's interest under the Agreement in accordance with its terms; or
- (f) Other material charges affecting the operation of this Agreement have occurred; or
- (g) Council and the Developer otherwise agree to the modification or discharge of this Agreement.



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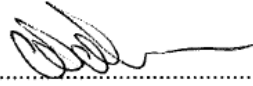
Executed as an agreement:

Executed by **Phillip Marten Orr**



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Signature of Phillip Marten Orr

Date: 25-10-12



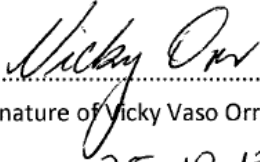
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Signature of Witness

Date: 25/10/12

.....
CRESTA VIELVARI

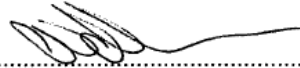
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Print name of Witness

Executed by **Vicky Vaso Orr**



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Signature of Vicky Vaso Orr

Date: 25-10-12



.....
Signature of Witness

Date: 25/10/12

.....
CRESTA VIELVARI

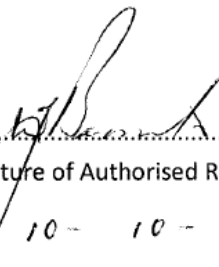
.....
Print name of Witness

On behalf of **MidWestern Regional Council**
by its duly authorised representative:



.....
Signature of Witness

Date: 10-10-2012



.....
Signature of Authorised Representative

Date: 10 - 10 - 2012

.....
Mette Sutton

.....
Print name of Witness

.....
WARWICK L BENNETT

.....
Name of Authorised Representative



COMMUNITY GRANTS

Application Form

APPLICANTS DETAILS

Name of Organisation	The Business Concierge LTD
Contact Person	Howard Smith
Address	PO Box 1020 Menai Central NSW 2234
Phone	number.
Email	howard.smith@thebusinessconciierge.com.au
ABN	62619797572
Bank Account Name	
BSB	BSB number.
Account Number	account number.

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Survivor Life Skills	
Amount of funding requested	\$2500.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	December 2021	April 2022
Briefly, describe Project / Activity	We provide programs to High Schools and Primary School in order to teach Finance Literacy Skills, Interview and Employment and other Life Skills not covered in the School curriculum. We have 60 subjects Schools can choose from based on the needs of the School and students. We have been running our program for Schools in the Mudgee Region for 14 years.	

ADDRESS CRITERIA

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

(Note: limited number of characters)

The program will allow for better trained and better educated young people as they venture beyond the protective walls of the Schooling system.
 They will be given the confidence to sit an Interview whether this is for a job or University placement.
 They will be trained to understand the world of work and what the expectations will be of their employers but also what their rights and expectations should be as employees. They will be trained on how to Budget and control their spending and therefore not be a burden on society and be able to support the economics in the region.
 They will be taught how Credit Cards and Debt work and how not to get caught up living a life in debt just to have the latest of everything.
 Most importantly they will be young people who can contribute to the Mid Western region

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

Based on previous years we would expect between 500 to 800 Year 7/9/10/11 High School Students will participate in the program.
 We would also have 15 to 20 Teachers also participate in the days we spend at the schools.

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)

We have worked closely with Maureen Hutchison at Club Mudgee since 2013 and they also support our program with a contribution from Clubgrants of \$2500.00.
 We also work very closely with the Principals and Staff from all the Schools to organise and design the programs to fit with their needs.

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

(Note: limited number of characters)

We have been running this program throughout NSW for 23 years and have been recognised by the Department of Education for 8 consecutive years as bringing excellent programs to Schools that are needed by young people but not covered for in the Schools Curriculum.
 We have a history in the Mid Western Region of providing our annual reporting and feedback from all schools that take part to both Club Mudgee and the Mid Western Regional Council and this has always been very positive regarding achieving what we set out to achieve.
 We currently deal with over 460 Schools in NSW, attend numerous Careers Advisers regional meetings and deal with Principals, Teachers and Students on a daily basis. Therefore we have a vast network of contacts, and a keen understanding of exact where our program fits and who to target the information to.



Project Income	Community Grant (amount sought from Council)	\$2500.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$2500.00
	Other Income	\$2000.00
TOTAL INCOME		\$7000.00

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

Project Expenditure	Printing	\$986.43
	Accommodation	\$413.30
	Payment for 2 Presenters	\$5000.00
	Fuel, Food, Prizes and sundries	\$600.23
TOTAL EXPENDITURE		\$7000.00

TOTAL SURPLUS / DEFICIT

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

(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="checkbox"/>	
Have you registered for Goods & Services Tax (GST) purposes?	<input checked="" type="checkbox"/>	
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="checkbox"/>	

Has your organisation/group previously received a Community Grant from Council?

YES (click to tick)	NO (click to tick)
<input checked="" type="radio"/>	

If yes, please advise date and amount

DATE / YEAR	AMOUNT
2014 to 2020	\$ 2000.00

Did your group return the acquittal form?

YES (click to tick)	NO (click to tick)
<input checked="" type="radio"/>	

Closing bank balance from the most recent bank statement or treasurer's report

\$49.05

Comment on cash set aside for specific projects (optional)

Please note this is the Account set up for our Charitable organisation The Business Concierge and all funds are used directly to run the School programs around NSW.
We have a Business account that has other sources of income to pay bills and run the business and that has currently got \$6642.40

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"/>	
A copy of the group's/organisation's public liability insurance	<input checked="" type="radio"/>	
Where the group intends to purchase equipment, a copy of the quote/s obtained	<input checked="" type="radio"/>	
Where the groups/organisations does not have an ABN, 'Statement by Supplier' is required		
If your group is not incorporated, please supply a letter from your auspicing body		

AUTHORISATION OF APPLICANT

Name	Howard A Smith
Position	Managing Director
Date	Concierge Enterprises

- 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

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77 Louee Street
RYLSTONE

MAIL TO: Mid-Western Regional Council
Attn: Finance Department
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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.

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COMMUNITY GRANTS

Application Form

APPLICANTS DETAILS

Name of Organisation	Western Region Academy of Sport
Contact Person	Candice Boggs, Executive Officer
Address	C/- CSU, Panorama Avenue Bathurst NSW 2795
Phone	02 6338 4821
Email	cboggs@csu.edu.au
ABN	71 734 319 096
Bank Account Name	■■■■ bank account name.
BSB	■■■■ BSB number.
Account Number	■■■■ account number.

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Annual operation of the Western Region Academy of Sport	
Amount of funding requested	\$ 1,502.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	1 July 2021	30 June 2022
Briefly, describe Project / Activity	Council's contribution will be used to support Mid-Western Regional athletes selected in WRAS programs. WRAS (a non-profit association) uses funding to reduce the financial burden families face when their children become involved in higher level sport. WRAS eliminates some of the disadvantages that regional athletes face in comparison to their city counterparts.	

ADDRESS CRITERIA

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

(Note: limited number of characters)

Athletes selected in WRAS programs are provided with opportunities to be identified by State Sporting Organisations (SSOs) and progress to high levels of representation in their chosen sport. WRAS athletes receive opportunities not necessarily available to most regional sportspeople. WRAS athletes become excellent role models, developing greater self-esteem and motivation and maturing into better students and community members. WRAS coaches, managers and umpires are supported and mentored by SSOs. Local sporting associations benefit from the enhanced skills and knowledge of WRAS coaches when they coach in their home towns.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

In 2021/22 WRAS will conduct programs for AFL, basketball, cycling, golf, high-performance, hockey, indigenous, lone-star, netball, para-sport and triathlon athletes. Mid-Western athletes and coaches are encouraged to apply for positions in these programs. Information will be available on the WRAS website, Facebook and emailed to local sporting associations. Community members are able to apply for positions on the WRAS Board of Management - advertised on WRAS website in April prior to the AGM in May each year. In 2020/21 - 10 Mid-Western Region athletes trialled for WRAS programs – 4 were selected in WRAS squads - 1 basketball, 2 lone stars for athletics and 1 netball athletes.

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)

WRAS shares information about our programs for talented junior athletes with Mid Western Region sporting associations and schools to ensure athletes and coaches are aware of the opportunities available to them. Each year WRAS provide Councillors with information about 'WRAS athletes in the Mid-Western Regional Council area'. The 2020 summary is attached. WRAS representatives would be happy to meet with Councillors if they would like to learn more about the opportunities available to your community. If Council would like to provide WRAS with a local contact to help us share information with your community, WRAS would appreciate that assistance.

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

(Note: limited number of characters)

WRAS has been operating since 1991 and has granted scholarships to over 4100 athletes from the 17 LGAs in our catchment. In 2020/21 WRAS supported 144 athletes and 32 regional coaches, managers and umpires. An additional 51 volunteers (interns, board members, parent helpers) assisted with the development of the WRAS athletes. Many WRAS graduates have gone on to represent NSW or Australia in their chosen sport including paralympian Kurt Fearnley and cyclist Mark Renshaw. WRAS currently has 17 Hall of Fame athletes. A list of these regional athletes that have competed at the Olympics or World Championships can be viewed on the WRAS website <http://wras.org.au/hall-of-fame-and-life-members>



Project Income	Community Grant (amount sought from Council)	\$ 1,502.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$ 54,700.00
	Other Income	\$ 386,298.00
TOTAL INCOME		\$ 442,500.00

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

Project Expenditure	Staff	\$ 245,000.00
	Sports Programs	\$ 71,500.00
	Travel	\$ 57,000.00
	Education	\$ 18,700.00
	Operating	\$ 49,500.00
TOTAL EXPENDITURE		\$ 441,700.00

TOTAL SURPLUS / DEFICIT	\$ 800.00
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If positive or surplus budget, please provide further details/explanation what this surplus will be used for.

As WRAS is a not-for-profit organisation supported by an annual contribution from the NSW Government, it is expected that WRAS maintains maintain a cash reserve equivalent to at least 12 months operating expenses. Any surplus goes towards this goal.

(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 checked="" type="radio"/>	<input 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)	NO (click to tick)
<input checked="" type="radio"/>	<input type="radio"/>

If yes, please advise date and amount

DATE / YEAR	AMOUNT
2020	\$ 1,000.00

Did your group return the acquittal form?

YES (click to tick)	NO (click to tick)
<input checked="" type="radio"/>	<input type="radio"/>

Closing bank balance from the most recent bank statement or treasurer's report

\$ 439,293.53

Comment on cash set aside for specific projects (optional)

A copy of the WRAS audited financial statements for year ended 31 December 2020 have been provided to Council (not approved for publication). WRAS is a not-for-profit organisation supported by an annual contribution from the NSW Government. WRAS is expected to maintain a cash reserve equivalent to at least 12 months operating expenses.

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 type="radio"/>	<input checked="" type="radio"/>
If your group is not incorporated, please supply a letter from your auspicing body	<input type="radio"/>	<input checked="" type="radio"/>

AUTHORISATION OF APPLICANT

Name	Candice Boggs
Position	Executive Officer
Date	10 May 2021

- 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.



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WRAS athletes in the Mid-Western Regional Council area

The Western Region Academy of Sport appreciates the ongoing support of Mid-Western Regional Council

2020 was a challenging but successful year for WRAS. Like all organisations, WRAS felt the impacts of COVID19 with significant events on our programs cancelled. During the lockdown, WRAS increased communication with the athletes offering online webinars with industry experts, elite athletes and coaches. Social media challenges were set up to keep the athletes active and motivated. The dedicated volunteer squad staff underwent additional training to ensure safe implementation of COVID safe practices allowing training opportunities to recommence.

WRAS is delighted that the 2021 athlete programs commenced in November 2020 and have proceeded without interruption.

WRAS athletes from the Mid-Western Region



- 2020:- **Mia Baggett** (netball)
Mariah Burnicle-Tavita (netball)
Alesha Bennetts (lone star – athletics)
Tom Large (golf).
- 2021:- **Alesha Bennetts** (lone star – athletics) *pictured right*
Ella Murnane (lone star – athletics)
Eliza English (netball) *pictured left*
Max Hamson (basketball).



WRAS 2020 high achieving athlete from the Mid-Western Region

Alesha Bennetts – Silver medal at Australian All Schools Championships (U16 girls 400m sprint with personal best time).

Opportunities provided to athletes in WRAS

WRAS works with State Sporting Organisations to provide athletes and coaches a pathway to progress to higher levels of representation in their chosen sport. WRAS athletes and coaches receive opportunities that are not necessarily available to most regional sportspeople.

WRAS athletes receive intensive training sessions from highly qualified coaching staff, functional movement screenings, personalised injury prevention, strength and conditioning programs, travel subsidies, opportunities to attend high performance training camps and competitions and education workshops.

Through our off field education program graduating athletes become excellent role models with greater self-esteem and motivation. These athletes mature into better students and community members.

WRAS works with local coaches in the region to assist with the delivery of our programs helping to reduce the travel burden that comes with being a regional athlete whilst also upskilling the local coaches' knowledge.

WRAS engaged a Mudgee business to provide the athletes with weekly injury prevention/strength and conditioning sessions.

Where Regional Athletes Succeed

Supported by the



2020 ANNUAL SNAPSHOT

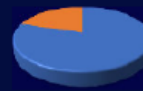
Our Athletes

144
TOTAL PARTICIPANTS



56% 44%

98%
Aged
13-
18



12
TALENT PROGRAMS
11
DIFFERENT SPORTS



Our Value

CONTRIBUTES
\$3.1M
TO THE ECONOMY



FAMILIES PAID OVER
\$8 FOR EVERY \$1
OF GOVERNMENT FUNDING

OVER
5,000
VOLUNTEER
HOURS



VALUE OF
10 JOBS
TO THE REGION



Our People

32
COACHES



51
VOLUNTEERS



40+
PARTNERSHIP
ORGANISATIONS



90+
YEARS OF
COLLECTIVE
STAFF/BOARD
EXPERIENCE



Our Reach

17
LOCAL
GOVERNMENT
AREAS



4,000+
ATHLETES SINCE
INCEPTION



5
Olympians



OVER
30
AUSTRALIAN
REPRESENTATIVES



Application Form

APPLICANTS DETAILS

Name of Organisation	Rotary Club of Mudgee Inc and Rotary Club of Mudgee Sunrise Inc (combined project)
Contact Person	Margaret Barnes
Address	PO Box 643 MUDGEE NSW 2850
Phone	0417 086 248
Email	carols@mudgeesunriserotary.org.au
ABN	81995982086
Bank Account Name	████████████████████████████████████████████████████████████████████████████████
BSB	██████ BSB number.
Account Number	██████ account number.

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Mudgee Showground Carols
Amount of funding requested	\$ 7,000.00
Start and Finish date	<input type="checkbox"/> START (click to tick) <input type="checkbox"/> FINISH (click to tick)
	<input type="text" value="Saturday, 11th December, 2020"/> <input type="text" value="Saturday, 11th December 2020"/>
Briefly, describe Project / Activity	Project/activity is annual celebration of Christmas for Mudgee community. The event gives Mudgee families and others the opportunity to come together to celebrate Christmas in an alcohol-free family environment. Santa lands on Showground in a Commercial Helicopter sponsored helicopter. The event comes to a conclusion with a fantastic fireworks spectacular.



ADDRESS CRITERIA

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

(Note: limited number of characters)

The opportunity for members of the Mid-Western Region community to come together to celebrate the Christmas spirit in an alcohol-free environment is very special. The feeling of the evening is one of goodwill and friendship.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

An audience of around 3,000 is expected and around 100 people, including local bands, school choirs, etc., will be part of those leading the crowd with Christmas Carols.

Apart from the 3,000 at the Showground, many cars line the fences to witness the firework finale. Many of these are families with very small children.

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 two Mudgee Rotary clubs work closely together for this event.

We also work with 1st Mudgee Scouts, Mudgee VRA, Mudgee RFS, St John Ambulance and, in 2018 and 2019, Mudgee Pre-School Kindergarten assisted with face-painting.

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

(Note: limited number of characters)

The two Mudgee Rotary clubs have run this event very successful for nearly 10 years. We believe the event will be at least as successful as previous years.

It would be appreciated if, as in previous years, Council would also sponsor the Showground hire fee and waive the associated bond.

Project Income	Community Grant (amount sought from Council)	\$ 7,000.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$ 3,000.00
	Other Income	\$ 30,000.00
TOTAL INCOME		\$ 40,000.00

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

Project Expenditure	Audio equipment & fireworks	\$ 28,000.00
	Candles and fees to musical director, camera person, sound tech, etc.	\$ 8,000.00
	Miscellaneous expenses	\$ 1,000.00
	Donations to assisting organisations	\$ 3,000.00
TOTAL EXPENDITURE		\$ 40,000.00
TOTAL SURPLUS / DEFICIT		\$ 0.00

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

In accordance with our agreement with Mid-Western Regional Council, small profits raised are being consolidated to enable us to build a contingency against poor sponsorship or wet weather in future years. In 2019 (there being no Carols in 2020 due to Covid), the profit was approximately \$4000.

(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 2018	AMOUNT \$ 7,000.00
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	\$ 18,388.26	

Comment on cash set aside for specific projects (optional)

These funds are part of the contingency being built (as mentioned previously). Between now and Carols, funds are retained to ensure the required cash flow is available to fund Carols, bearing in mind sponsorship is not always available prior to the event.

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 type="radio"/>	<input checked="" type="radio"/>
Where the group intends to purchase equipment, a copy of the quote/s obtained	<input checked="" type="radio"/>	<input 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	Margaret Barnes
Position	Treasurer - Mudgee Showground Carols
Date	18 May 2021

- 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.

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COMMUNITY GRANTS



Application Form

APPLICANTS DETAILS

Name of Organisation	Mudgee 200 Years
Contact Person	Caroline Sabin
Address	[REDACTED]
Phone	[REDACTED] number.
Email	[REDACTED]
ABN	
Bank Account Name	
BSB	
Account Number	

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Mudgee 200 years	
Amount of funding requested	\$ 5,000.00	
Start and Finish date	START (click to tick) 20/11/2021	FINISH (click to tick) 20/11/2011
	Briefly, describe Project / Activity This will be an event to acknowledge the 200 years of Mudgee that will incorporate a street parade as well as historical displays ,First Nation cultural displays and markets at Robertson Park and Market st	

ADDRESS CRITERIA

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

(Note: limited number of characters)

This event is not just for the current local residents but for all that have a connection to Mudgee's Past . With advertising this event will also target former residents to make the journey home . We are working very closely with members of the Local Lands Council as we believe the connection with the local indigenous community would benefit from a conciliatory event in our region.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

We would hope that most of the local community would attend as well as possibly expat Mudgee residents to return for the event. to give an exact number is difficult but we are thinking approximately 1000 to 2000 attendants

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)

We will be working closely with the Local Lands council as well as Mudgee museum . Other community groups will be invited to participate with displays of their own history of the group in Mudgee ie scouts ,hospital, Wine Growers assoc, C.W.A as well as any sporting groups that may wish to be involved

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

(Note: limited number of characters)

As a group we are a very passionate committee and believe this event will not only entice former residents back to the area for the event but will be a big step forward in our relationship with local the Wiradjuri people.



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

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

Project Expenditure	banners for display in cbd	\$ 2,831.00
	website cost tbc	
	cost of Wiradjuri artists cost tbc	
TOTAL EXPENDITURE		\$ 2,831.00
TOTAL SURPLUS / DEFICIT		\$ 2,169.00

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

as stated above we are still waiting on quotes for a website as well as the cost to have Wiradjuri Artists attend

As time is paramount we need to get this grant application started so we can continue to plan for a successful event.

(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 type="radio"/>	<input checked="" 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 type="radio"/>	<input checked="" type="radio"/>

Has your organisation/group previously received a Community Grant from Council?

YES (click to tick)	NO (click to tick)
<input type="radio"/>	<input checked="" type="radio"/>

If yes, please advise date and amount

DATE / YEAR	AMOUNT
<input type="text"/>	\$ <input type="text"/>

Did your group return the acquittal form?

YES (click to tick)	NO (click to tick)
<input type="radio"/>	<input checked="" type="radio"/>

Closing bank balance from the most recent bank statement or treasurer's report

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 type="radio"/>	<input checked="" type="radio"/>
A copy of the group's/organisation's public liability insurance	<input type="radio"/>	<input checked="" type="radio"/>
Where the group intends to purchase equipment, a copy of the quote/s obtained	<input checked="" type="radio"/>	<input type="radio"/>
Where the groups/organisations does not have an ABN, 'Statement by Supplier' is required	<input type="radio"/>	<input checked="" type="radio"/>
If your group is not incorporated, please supply a letter from your auspicing body	<input type="radio"/>	<input checked="" type="radio"/>

AUTHORISATION OF APPLICANT

Name	Caroline Sabin
Position	Executive Committee member of Mudgee 200 years
Date	25/05/21

- I confirm that the information contained in the application form and within the attachments are true and correct.
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Application Form

APPLICANTS DETAILS

Name of Organisation	Cementa Inc
Contact Person	Alex Wisser
Address	18 Angus Ave Kandos NSW 2848
Phone	0413 555 860
Email	awisser@cementa.com.au
ABN	37127491296
Bank Account Name	Reliance Bank
BSB	■■■■■ BSB number.
Account Number	■■■■■ type account number.

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	WAYOUT Artspace (purchase of building)	
Amount of funding requested	\$ 90,000.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	1/8/21	2/14/22
Briefly, describe Project / Activity	We are asking council to support our purchase of 71 Angus Avenue, Kandos. We will be raising a further \$100k toward the purchase through a fundraising campaign between Aug 2021 and Feb 2022. Please see accompanying pdf document for the full proposal	



ADDRESS CRITERIA

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

(Note: limited number of characters)

This project will (please see attached pdf for full list of benefits)

- Build the region’s profile as a vibrant cultural destination
- Establish a destination-level attraction that draws visitors to Kandos and Rylstone year-round, expanding the visitor economy, boosting demand for local services
- Developing our potential as a cultural destination
- Encouraging people to invest in property, establish businesses, and move here
- Provide a space for cultural and social activity that is available to the entire community
- Involve local community in the arts and cultural possibilities that are usually not available to them.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

WAYOUT in its first year programed four exhibitions by local artists and its second year has three local exhibitions and an upcoming exhibition by the local crafting community. We currently host the activity of the local painting group and ukulele group and also host workshops in art making from visiting artists and local makers. We have also formed a youth committee and are working to establish a program that will invite Kandos youth in to participate in our activities, and are hoping to form a youth group that will see WAYOUT as an after school space for hanging out with friends and engaging in creative activities. All of our events are open to locals and we regularly host activities and exhibitions that attract a significant cohort of locals. The WAYOUT committee is made of 9 regional artists, with four being from Kandos/Rylstone

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)

Cementa has consulted with Kandos Rylstone Chamber of Commerce who agree with our strategy of building a destination level attraction to bring visitors into Kandos. We have the support of and regular involvement from the Kandos Community Charity Shop, Kids and Carers, Kandos CWA, Kandos High School, Kandos Primary School, KRR, and a strong supporter base within the two towns of locals who believe that Cementa can and has contributed significantly to the future outlook of the two towns. We are constantly working to strengthen our ties to community and looking for opportunities to support those cultural groups in our community who have not yet been involved in our activity.

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

(Note: limited number of characters)

Cementa has over 8 years experience, mounting four successful festivals that has brought in significant economic and social benefits to the two towns. This has included running a year long artist in residency program that hosts up to 20 artists a year, which has included numerous workshops, events, and programs. We have raised and acquitted government funding in the excess of 1.5 million dollars and in that time have been able to establish and renovate WAYOUT Artspace with strong volunteer support, forming a committee of regional artists to run the program. Cementa has a four year Strategic Plan which includes the establishing of WAYOUT as a major objective and our Board of Directors includes members with strong experience and skills in Financial Management, Governance, Regional Tourism, Aboriginal Culture, and the Arts.

Project Income	Community Grant (amount sought from Council)	\$ 90,000.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$ 0.00
	Other Income	\$ 100,000.00
TOTAL INCOME		\$ 190,000.00

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

Project Expenditure	purchase of property	\$ 180,000.00
	Stamp duty and legals	\$ 10,000.00
TOTAL EXPENDITURE		\$ 190,000.00
TOTAL SURPLUS / DEFICIT		\$ 0.00

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

(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 checked="" type="radio"/>	<input 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 2019	AMOUNT \$ 2,500.00
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	\$ 237,699.42	
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 checked="" type="radio"/>	<input 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	Alex Wisser
Position	Creative Director
Date	11/08/2021

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COMMUNITY GRANTS

Application Form

APPLICANTS DETAILS

Name of Organisation	Little Wings
Contact Person	Clare Pearson
Address	21 Avro Street, Bankstown Aerodrome, 2200 NSW
Phone	██████████ phone number.
Email	clare.pearson@littlewings.org.au
ABN	7219445231
Bank Account Name	██████████ account name.
BSB	██████ BSB number.
Account Number	██████████ pe account number.

PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Community Service Flights - Airway Refund	
Amount of funding requested	1200.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	01/01/2021	31/12/21
Briefly, describe Project / Activity	Little Wings provide free air and ground transport for chronically ill and seriously injured children and their family that live in rural and regional NSW, ensuring consistent and long-term access to life saving medical treatment that is only available in city based hospitals. Little Wings is a 89% volunteer led organsiation and supports approxiamtely 6 families in the Mudgee region.	

ADDRESS CRITERIA

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

(Note: limited number of characters)

The Little Wings Project benefits the Mid-Western Region Community by providing a safe, reliable and convenient mode of transport for local families requiring access to ongoing treatment to address serious medical conditions. Further, many of these children are immune-compromised, meaning that public transport or commercial options are not suitable; instead, Little Wings provide FREE transport that is safe and controlled, reducing unnecessary risk for the child and stress for the family. We understand how traumatic it can be for families to find out their young child is ill or hurt and will require ongoing treatment many hours away. Little Wings aims to make their journey that little bit easier by reducing travel stress, fatigue, costs and time away from home for these families.

Little Wings receive zero government funding, therefore, we rely heavily on support from the regional communities, hence we are seeking a grant to cover the cost of landing fee waivers.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

Little Wings are currently supporting a total of six local families ensuring consistent access to medical treatment via Westmead Children's Hospital. Further, we expect this number to increase over coming months as we have been working to build stronger relationships, and deliver training, to Mudgee Hospital and Health Services to encourage referral at the first point of diagnosis/contact. Ultimately, working to reduce the burden on families from the start of their journey. Moreover, we understand engagement with our service to have the following positive impacts on families, children and community:

- 77% increase in healthy siblings school attendance
- Children recover better from treatment when in their own home
- Reduced likelihood of regional COVID transmissions due to controlled transport options
- Families are more likely to remain financially independent, maintaining employment and contributing to the community economically and socially.

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)

Little Wings work closely with a number of local services including:

- Mudgee Hospital - face to face training recently delivered (June) to ensure all Healthcare workers are aware of the Little Wings service and well prepared to make a referral
- Mudgee Health Services - again we provided training and ongoing support for various teams across the health care system local to Mudgee, working to identify families and provide support from the first point of contact; in turn also support local services and reducing resource drain.

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

(Note: limited number of characters)

Little Wings specialise in transporting specialist patients and equipment to regional areas. Therefore, we are well equipped, and our pilots/drivers well trained, in transporting such for the purpose of clinic delivery.

Little Wings own our fleet of aircraft and vehicles, meaning we can ensure well maintained equipment of high quality/safety/hygiene; complying with CASA requirements & Australian government COVID restrictions. Moreover, we are flexible and can schedule our fleet in line with medical team requests and suitable clinic dates.

Little Wings have a dedicated and experienced Flight Coordinator devoted to the management, scheduling and communications of the project to ensure success and efficiency.

The fleet are Baron's, meaning our smaller aircraft can access remote airports without issue and



Project Income	Community Grant (amount sought from Council)	1200.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	0
	Other Income	0
TOTAL INCOME		1200.00

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

Project Expenditure	Airway Fees - 1200.00	
TOTAL EXPENDITURE		1200.00

TOTAL SURPLUS / DEFICIT	\$ 0.00
--------------------------------	----------------

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

(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 checked="" type="radio"/>	<input 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)	NO (click to tick)
<input checked="" type="radio"/>	<input type="radio"/>

If yes, please advise date and amount

DATE / YEAR	AMOUNT
	\$

Did your group return the acquittal form?

YES (click to tick)	NO (click to tick)
<input checked="" type="radio"/>	<input type="radio"/>

Closing bank balance from the most recent bank statement or treasurer's report

Comment on cash set aside for specific projects (optional)

We anticipate Mudgee airway fees to cost Little Wings \$1200 annually, this is based on prior patterns of servicing and billing, but also, an anticipated increase in service demand of 20%.

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 checked="" 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	Clare Pearson
Position	CEO
Date	20 June 2021

- I confirm that the information contained in the application form and within the attachments are true and correct.
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ADDRESS CRITERIA

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

(Note: limited number of characters)

Regional exhibition, 300 campers, between 5,000 to 7,000 estimated visitors, Tourist attractions History of town area and surrounding area - Hill End Gulgong etc. Presentation dinner catered locally for 100 to 120 dinners. Many of the campers usually come early and stay after to visit the regional area attractions, that does not include offside accommodation attendees who book the caravan sites, motels, hotels etc.

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

Security -2
Catering - 20 onsite
Accommodation offsite - I think Mudgee is booked out for this weekend/easter already and its only June 2021.
Catering offsite - clubs, pubs, coffee shops, restaurants, wineries.
Tourist area before event & after event as one third of attendees are out of State visitors.

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)

Members of our committee have visited Mudgee three times so far, with multiple phone calls to stay up to date with Staff movement and giving information to the following organisations - Council, Mudgee Tourist centre staff, local Police, AREC committee, Security services, catering - Cooks Gap, Coffee Vans, Mudgee Mens Shed, Country Roast for GEMBOREE Saturday night dinner. Trophies are from local area thanks to your local lapidary people, Shops & business, wineries, racecourse, Honey Bee, Motels, caravan parks. Closer to the time flyers and posters will be hand delivered.

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

(Note: limited number of characters)

Organized and ran GEMBOREE 2017 held in Lithgow NSW. Help run & organize 2021 GEMBOREE in Hobart Tasmania.
Since 1976 our committee has organized and run the NSW GEMKHANA - a small state version of the GEMBOREE. For 12 years between 1996 and 2007 we held the GEMKHANA at Mudgee.
NSW started the GEMBOREES in March 1965 held at Coonabarabran, and has held 14 since then. The committee likes to move the GEMBOREE around regional areas of NSW when our turn comes to host the event, on average every 6 years. The GEMBOREE moves between participating states.

Project Income	Community Grant (amount sought from Council)	\$ 2,500.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$ 32,000.00
	Other Income	\$ 10,500.00
TOTAL INCOME		\$ 45,000.00

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

Project Expenditure	Tables & chairs hire, event insurance	\$ 6,622.55
	Security	\$ 3,360.50
	GEMBOREE dinner + Sundays breakfast	\$ 4,800.00
	ATM hire, Trophy medallions, engraving	\$ 5,356.00
	Rubbish skips hire	\$ 1,800.00
	Advertising - TV, signs, flyers, booklet, newsletters, facebook, Web, radi	\$ 17,960.00
TOTAL EXPENDITURE		\$ 39,899.05
TOTAL SURPLUS / DEFICIT		\$ 5,100.95

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

The surplus along with income from the GEMKHANAS is used for running the Gem and Lapidary Council of NSW. In addition to running the organisation we also run educational workshops for Lapidary Clubs when requested.

(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 type="radio"/>	NO (click to tick) <input checked="" type="radio"/>
If yes, please advise date and amount	DATE / YEAR <input type="text"/>	AMOUNT \$ <input type="text"/>
Did your group return the acquittal form?	YES (click to tick) <input type="radio"/>	NO (click to tick) <input checked="" type="radio"/>
Closing bank balance from the most recent bank statement or treasurer's report	<input type="text"/>	
Comment on cash set aside for specific projects (optional)	<div style="border: 1px solid black; height: 60px;"></div>	

APPLICATION CHECKLIST

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	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"/>
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If your group is not incorporated, please supply a letter from your auspicing body	<input type="radio"/>	<input checked="" type="radio"/>

AUTHORISATION OF APPLICANT

Name	Kathy Selwood
Position	Secretary Gem & Lapidary Council of New South Wales
Date	1 July 2021

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Proposed 40km/h zone in Mudgee CBD

SURVEY RESPONSE REPORT

31 October 2018 - 09 May 2021

PROJECT NAME:

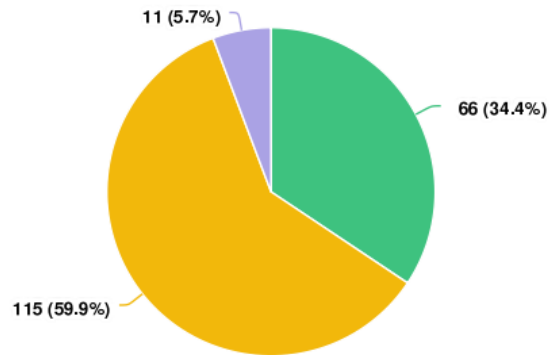
Proposed 40km/h zone in Mudgee CBD

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021



SURVEY QUESTIONS

Q1 Do you support the proposed speed change in the Mudgee CBD?



Question options

Yes No Not sure

*Mandatory Question (192 response(s))
Question type: Radio Button Question*

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

Q2 You responded yes, what do like about the proposal?

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

Anonymous
4/26/2021 03:40 PM

40 km/h safer in the shopping area.
Perry St should be 40 up to Mortimer
St.

Anonymous
4/26/2021 03:53 PM

there have been unnecessary
accidents at crossings and with the
influx of tourists I believe this will be
good move.

Anonymous
4/26/2021 04:03 PM

Safety

Anonymous
4/26/2021 04:05 PM

seems like a sensible idea to slow
down the traffic flow in CBD

Anonymous
4/26/2021 04:06 PM

To make it slower, not sure.perry st
requires it though

Anonymous
4/26/2021 04:10 PM

Traffic often moves slowly in these
areas anyway, so limiting to 40km/h
should not adversely affect travel
times but will improve safety for all
road users.

Anonymous
4/26/2021 04:20 PM

It will save lives but I think it needs to
happen to the whole of the cbd not
just some of it.

Anonymous
4/26/2021 04:35 PM

this would lower the numbers of
accidents to pedestrians as well as
road crashes

Anonymous
4/26/2021 05:11 PM

Speed limits would make these areas
more pedestrian and cyclist friendly.
Speed limits should be dropped in
several areas in Mudgee!

Anonymous
4/26/2021 05:21 PM

It's forty because of traffic most of
the time. And making it 40 will then

	stop the hoons
<p>Anonymous 4/26/2021 05:27 PM</p>	<p>Safer and more enjoyable road environment for pedestrians, cars and businesses. Less noise and air pollution from speeding and revving engines. Easier to cross road when not at marked crossings. Reduction in pedestrian injury from car impacts due to lower speeds. Easier to reverse angle park without fear of cars rear ending you at higher speeds. Discourage traffic from going through CBD.</p>
<p>Anonymous 4/26/2021 05:33 PM</p>	<p>People mite pay more attention</p>
<p>Anonymous 4/26/2021 05:36 PM</p>	<p>It's needed.</p>
<p>Anonymous 4/26/2021 06:52 PM</p>	<p>The CBD is becoming busier at all times of day - most of the time you're unable to go faster than 40 anyway</p>
<p>Anonymous 4/26/2021 07:17 PM</p>	<p>It's a very busy local reduced speed enhanced safety</p>
<p>Anonymous 4/26/2021 07:34 PM</p>	<p>Well it is impossible to do any more than 40 kilometres per hour</p>
<p>Anonymous 4/26/2021 07:44 PM</p>	<p>It make sense</p>
<p>Anonymous 4/26/2021 08:22 PM</p>	<p>Safety, there are so many pedestrians about especially on weekends</p>
<p>Anonymous 4/26/2021 08:23 PM</p>	<p>Safe, high pedestrian areas</p>
<p>Anonymous 4/26/2021 09:04 PM</p>	<p>I think it a good idea but if your going to change it - by is the whole cbd not getting changed??</p>
<p>Anonymous 4/26/2021 09:11 PM</p>	<p>People are speeding thru roundabouts - make them pay!</p>
<p>Anonymous</p>	<p>Traffic is often that slow as it is</p>

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

4/26/2021 09:13 PM

through those areas. I'd also suggest perry st from market to Mortimer to square off the area - it can be quite a challenge of cars and people.

Anonymous

4/26/2021 09:32 PM

More chance of stopping quickly so less people get hit.

Anonymous

4/26/2021 09:45 PM

I think the CBD should pedestrian friendly.

Anonymous

4/26/2021 09:58 PM

Seems safer

Anonymous

4/26/2021 11:45 PM

Really like that the CBD will be treated like a cbd with drivers slowing down and not using as a main road into and out of town from ulan

Anonymous

4/27/2021 06:13 AM

Will improve safety for pedestrians, cyclists and vehicles. A busy area where you rarely travel at 50ks so will have little impact to vehicles traveling in these area . Will slow inconsiderate drivers down. Please consider reducing Putta Bucca road next. A dangerous road for school children waiting at bus stops.

Anonymous

4/27/2021 06:24 AM

I think all built up areas should be 40k/hr especially highly family populated areas where its likely small children are between cars and can dart out at a moments notice.. but more importantly there needs to be more visible pedestrian crossings. They need to be raised on like a speed bump like alot of other places. This will assist slowing cars down on their approach even if they haven't noticed the pedestrian approaching the crossing aswell

Anonymous

4/27/2021 07:44 AM

Great initiative.

Anonymous

Anything to help make it safer

4/27/2021 07:48 AM

Anonymous

4/27/2021 09:05 AM

I think all areas in the centre part of town should be 40kph probably. Would make very little difference to driving times and a big difference to safety

Anonymous

4/27/2021 09:49 AM

Built up areas, always traffic, never go that fast anyway. Pedestrian crossings raised, better lighting. Sydney people dont know how to reverse park. How can we educate them ?

Anonymous

4/27/2021 11:39 AM

Traffic is becoming too busy and at times 50km/h does not feel like a safe speed. 40km/h will allow enough time to safely stop in emergency situations

Anonymous

4/27/2021 11:42 AM

Reduced speed reduced injury

Anonymous

4/27/2021 01:30 PM

High traffic pedestrian areas highlighted, minimal disruption to flow of traffic around perimeter.

Anonymous

4/27/2021 01:39 PM

Reducing the speed limit in the cbd will make it safer

Anonymous

4/27/2021 03:03 PM

It has been like a race track, I drive a modified disabled van which is 2 1/2 tonne but looks like a normal van it's hard to get out with the speed of traffic. Please

Anonymous

4/27/2021 03:25 PM

Specifically covers high traffic areas only. Would have concern around the orange areas as some people may not know what the school hours are. Maybe 8am to 6pm on school days would be better (to cater for after school activities)

Anonymous

4/27/2021 04:56 PM

It would be the speed that most road users would travel at majority of the time.

Anonymous

speed majority of road users would

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

4/27/2021 04:59 PM

use. Question - Why does perry st not go all the way down to mortimer st it doesn't really make sense not to, you have a pre school & entrance to the shopping centre in that section & it continues on towards the entrance to the club & another school zone.

Anonymous

4/27/2021 06:21 PM

Needs to be extended to take in Perry St from Market to Mortimer St. Basically impossible to exceed 40kms in these areas

Anonymous

4/27/2021 06:25 PM

Make it safer for people crossing the street.

Anonymous

4/27/2021 06:31 PM

It needs to definitely be 40km, Sydney road from mcdonalds roundabout to Bunnings increased to 60km would also be good

Anonymous

4/27/2021 09:51 PM

It is in the right areas and does not overreach.

Anonymous

4/28/2021 02:58 AM

Slower speeds means people and cars can interact more safely.

Anonymous

4/28/2021 08:09 AM

Great idea. Most tourist/regional towns do already (Gloucester, Taree, Nelson Bay, Forster etc). Better lighting and raised crossings would slow the hoons down too.

Anonymous

4/29/2021 03:16 PM

I am in favour of it, but I doubt that it will make a difference.

Anonymous

4/30/2021 12:38 PM

30klms would be better but 40 excellent...likely to improve road behaviour all round.

Anonymous

4/30/2021 02:47 PM

It makes sense to slow traffic in a high pedestrian traffic area. WHY isn't Perry st at least the section that the pre school is on NOT included.

Anonymous

4/30/2021 03:08 PM

With a higher volume of vehicle and pedestrian traffic in recent years due to the influx of visitors each week, it's a sensible idea.

Anonymous

4/30/2021 03:15 PM

With the increase in traffic and pedestrian traffic due to an influx of visitors each week, it is a sensible idea. HOWEVER, instead of making some close to the CBD 40km/h eg: Church and Market streets, you should make it 40km/h from as far south as Gladstone St to and including Short St; as well from as far west as but not including Douro St (keep Douro St 50km/h) to the east including Lewis St (40km/h). So therefore you have a 40km/h rectangle zone ie: all streets between and including Gladstone and Short streets and Lewis and Douro (keep Douro 50 km/h though) will be 40km/h.

Anonymous

4/30/2021 04:11 PM

Brings Mudgee up-to-date with what the community needs.

Anonymous

4/30/2021 10:02 PM

To ensure the safety of everyone, as well as pedestrians when so many semi trailers are regularly coming all the way through church st. Would be great to extend to MacDonald's roundabout , church / Horatio. So many people and children cross the rd at Gladstone roundabout and cross regularly towards KFC.

Anonymous

4/30/2021 10:26 PM

It will slow the cars down and make it safe for pedestrians.

Anonymous

5/01/2021 07:52 AM

Improved Safety as to many people walk across the road without looking.

HD56

5/01/2021 08:29 PM

I like the fact that it will increase the safety of pedestrians and cyclists but it will also make the CBD a much more inviting place to work in and to visit. It will be quieter and more relaxed and I will be more likely to spend more time there.

Anonymous

5/01/2021 08:39 PM

it will make it safer for pedestrians

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

Kerrie06

5/02/2021 01:30 PM

Most of the responsible drivers in our town already do this speed anyway - it is usually far too congested to be able to go any faster.

GraPick43

5/02/2021 05:24 PM

Pedestrian safety and ease of entering into traffic from kerbside parking. Traffic rarely goes over 49kph in the CBD as it is.

Anonymous

5/04/2021 04:36 PM

Safety

Anonymous

5/04/2021 07:36 PM

Making things safer

Anonymous

5/05/2021 10:24 AM

When the streets are busy, you don't go the regular speed limit anyway.

Anonymous

5/08/2021 02:46 PM

Controlling traffic speed to 40kmh allows for increased awareness of pedestrians and other road users, such as cyclists, and given traffic is often naturally reduced in speed due to cars parking, is unlikely to make traffic move slower, if anything it is likely to ease congestion.

Anonymous

5/09/2021 07:07 AM

I think it will keep pedestrians and other road users much safer! There is way too much going on in Mudgee town for speed to be safely above 40!

Mandatory Question (66 response(s))

Question type: Essay Question

Q3 You responded no, what don't you like about the proposal?

██████████
██████████

█

Anonymous

4/26/2021 03:35 PM

Those streets are often too busy to do 50km/hr at the best of times anyway.

Anonymous

4/26/2021 03:36 PM

Exactly how many accidents and injuries to people have their been.

Anonymous

4/26/2021 03:39 PM

This is just another way to raise revenue in town. If huge cities can run on 50km speed zones, so can Mudgee.

Anonymous

4/26/2021 03:40 PM

Bad idea not needed

Anonymous

4/26/2021 03:41 PM

What will lowering speed limit do nothing the limits are low enough now need drivers to abide by them

Anonymous

4/26/2021 04:17 PM

When the street is busy and dangerous you can rarely do more than 20km an hour anyway.. the only time you can actually do 50km an hour is at quiet times and there is no danger of accidents at those times. Why should people going to work at 5am have to slow to 40kms because the people at 10am don't watch what they are doing. If there was to be a speed limit change it should only be during the hours of 9am to 6pm when town is actually busy and only from kellys hotel to the clock round about.

Anonymous

4/26/2021 04:19 PM

A lot of the issues could be resolved by providing traffic an alternate route through from one end of town to the other, not just Church St or out and past Bunnings. The traffic is at a standstill, particularly during the week at school drop off and pick up times. This also happens on weekends with a large influx of visitors to town. Less traffic going through these areas would be helpful in reducing all types of accidents.

Anonymous

4/26/2021 04:20 PM

There are too many people who can't drive in this town it's that busy you can't even get to 40km an hour in the 50 zone so what's the point of changing it

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

Anonymous

4/26/2021 04:25 PM

Doesn't make sense. It's only busy certain times (Friday - Sunday) of the day, most the time the streets are empty.

Anonymous

4/26/2021 04:35 PM

Would slow the flow of traffic too much in an already congested area

Anonymous

4/26/2021 04:36 PM

People need to follow the current road rules and pedestrians need to look before they walk out on the roads. I had 3 today walk out in front of my car with the designated crossing for pedestrians no more than 30m up the road... slowing the speed limit will only encourage pedestrians to do it more because they will have more time.

Anonymous

4/26/2021 05:05 PM

I think the proposed 40km area is too small and should be extended.

Anonymous

4/26/2021 05:08 PM

It not necessary there is better thing you could be doing

Anonymous

4/26/2021 05:13 PM

It is hard enough for school zones to identify as 40km hence all the flashing lights etc during school speed limits. There is no need for a further change of speed. Everyone knows everywhere in town is 50km if you start changing a few streets here and there it just makes it harder to drive and less time spent watching for pedestrians and more time spent looking at the Speedo and wondering which street your in and where it's 40 or 50

Anonymous

4/26/2021 05:17 PM

I believe there needs to be more appropriate pedestrian crossings rather than slowing traffic to 40km/h

Anonymous

4/26/2021 05:25 PM

All of Lewis St should be 40km/hour. PLUS 40km/hour zones should be restricted to 8 tonne maximum weight vehicles. An unloaded truck travelling at 20km/hour could potentially run over & kill someone...

	potential tragedy. Regards, Dave Wheaton
Anonymous 4/26/2021 05:48 PM	I believe it is unnecessary. If drivers stick to 50 km/hr or under, pedestrians observe road rules incidents can be avoided.
Anonymous 4/26/2021 06:22 PM	Traffic wait is long enough as it is.
Anonymous 4/26/2021 06:25 PM	Traffic too slow It's hard enough getting across intersections and roundabout s
Anonymous 4/26/2021 06:48 PM	Traffic already builds up with it being 50km, let alone 40km
Anonymous 4/26/2021 06:57 PM	too slow.
Anonymous 4/26/2021 07:00 PM	The whole idea most the time you can't do faster then 20kms on those at certain times. I believe it should stay what it is and not change as it is a ridiculous idea
Anonymous 4/26/2021 07:01 PM	I don't think it need to change I believe we need more crossings so it safer for people to cross the rd We only have 3 crossings We need one near k- mart to coles And at the post office as these areas are lacking in safe areas to cross the rd
Anonymous 4/26/2021 07:03 PM	Leave it as it is
Anonymous 4/26/2021 07:04 PM	When town is quite it is fine to do 50km in these areas. Will be so easy to get booked when town is quiet. Has only been this way forever
Anonymous 4/26/2021 07:05 PM	There is no true need pair the financial aspect to better use.
Anonymous 4/26/2021 07:07 PM	People drive slow enough in town we don't need them driving at 20. It's just another cash grab for the

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

Anonymous
4/26/2021 07:19 PM

government with speeding fines. It's an absolute joke if this speed limit is changed. There has never been a serious accident in the area nominated so why change it. Why don't the police concentrate on solving crime in the area and stop picking on people in the cbd area

Anonymous
4/26/2021 07:25 PM

It already takes too long to get around the cbd already, lowering the speed limit will increase frustration further. Getting hit by a vehicle at any speed will still cause injury.

Anonymous
4/26/2021 07:42 PM

When traffic is busy you can't do 40 anyway so you are punishing drivers when the traffic is light

Anonymous
4/26/2021 07:42 PM

y

Anonymous
4/26/2021 07:42 PM

y

Anonymous
4/26/2021 07:49 PM

Mudgee is congested enough slowing traffic will only make things worse

Anonymous
4/26/2021 07:52 PM

Town is already slow enough to get through. Pedestrians need to use the crossings more.

Anonymous
4/26/2021 08:08 PM

It won't stop cars driving through when someone is halfway across the pedestrian crossing.

Anonymous
4/26/2021 08:11 PM

Traffic will get backed up and drivers will get frustrated, more likely to cause accidents due to being impatient

Anonymous
4/26/2021 08:14 PM

Why change something that not broken. Kids should not be on the road or near it. They can take it to the park. Portable signs up when road works

Anonymous
4/26/2021 08:30 PM

I think it will greatly increase the already insane congestion in these areas, as it will take longer to get in

Anonymous
4/26/2021 08:40 PM

or out. I also believe revenue raising and not safety is the main driver of this plan. More places for police to nab drivers coming in and out of confusing, unnecessary speed zones

Anonymous
4/26/2021 08:55 PM

To confusing when driving to remember what street and what part of the street is 50 or 40. Would spend more time looking for speed limits signs then looking at the road. Maybe more crossings and crossing with light might be better and safer.

Anonymous
4/26/2021 08:57 PM

Council must look at other issues other than speed that they can control.

Anonymous
4/26/2021 08:57 PM

Perry Street is an issue caused by mid western regional council allowing Big W to be built onto and beyond their boundaries which blocks vision for drivers. What are council prepared to do about this? Should the road not be realigned and sacrifice part of their car park as the created it

Anonymous
4/26/2021 08:57 PM

How many accidents have actually happened in these areas due to speed? Provide some research to support the issue, don't change something that has worked fine for years!

Anonymous
4/26/2021 09:04 PM

Pedestrians need to use crossings provided , perhaps think about installing one or 2 more around the cbd. 40 kph isn't going to stop pedestrians being complacent

Anonymous
4/26/2021 09:10 PM

I feel the current speedlimit is sufficient, due to current congestion 40km let alone 50km/hr is not reached and lowering it will only be a money gaining exercise for police

Anonymous
4/26/2021 09:27 PM

It's not necessary. You never get close to that during the day anyway so you're only going to be limiting people of a night time when there is

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

Anonymous

4/26/2021 09:31 PM

noone around anyway.

I think it is slow enough to get around town. Pedestrians need to stop just walking out on the road thinking that everyone sees them. I don't think it will have any difference and cause more frustration than anything else.

Anonymous

4/26/2021 09:34 PM

During busy periods driving in the CBD slows to a crawl regardless of if the speed is 40kmph or 50kmph. It will just be inconvenient when the traffic is flowing. At night when there is less traffic for example.

Anonymous

4/26/2021 09:35 PM

Ridiculous and unnecessary. The only time people can physically go 50km/h is at night/when the roads aren't busy. Reducing the speed limit for peak periods makes no difference as you can't drive the speed limit anyway.

Anonymous

4/26/2021 09:46 PM

The volume of traffic in these areas already impedes vehicles from exceeding 40km/h during peak times when pedestrian traffic is at its highest. A reduction in the speed limit is unnecessary. Instead council should consider raising the pedestrian crossings and perhaps providing better lighting to protect pedestrians during off-peak times of the day (particularly at night on Fri/Sat as they return to their accommodation after a night out)

Anonymous

4/26/2021 09:52 PM

Long trip from one end to the other at 10 at night and streets are empty- big fines. Raise pedestrian crossings, light them at night and educate the stupid people

Anonymous

4/26/2021 10:13 PM

40 km is school zone, 50km speed is not the issue. Look at crossings being marked and installing medium strips

Anonymous

4/26/2021 10:16 PM

Teach people to use the crossings and look for cars. Aren't we taught this as a child.

Anonymous

4/26/2021 10:24 PM

What's next close the streets for pedestrians only how many crashes involving pedestrians in the cbd?

Anonymous

4/26/2021 10:44 PM

I think it would be better to raise crossings & provide better lighting, cars just will not stop at the main cbd crossings, I find them very dangerous daily.

Anonymous

4/26/2021 11:31 PM

During busy times I'm lucky to be doing 30. Money should be spent on fixing roads I have a pot hole at the end of my street which has been like that now for the last 6 mths

Anonymous

4/26/2021 11:47 PM

The whole idea

Anonymous

4/27/2021 07:51 AM

Police those not using pedestrian crossings and crossing in an unsafe manner

Anonymous

4/27/2021 08:13 AM

There's too many cars and too many tourists who don't know the roads that's the problem. Better signage is required for the pedestrian crossings. Divert through traffic out of centre of town instead of everything going up church st. You never get to 40 km an hour on these roads anyway because they are always blocked up.

Anonymous

4/27/2021 08:39 AM

With the way Sydney drivers drive through Mudgee we're basically doing 40 anyway. I reckon traffic lights for pedestrian crossings so people don't cross one at a time and for cops to fine those who don't cross on the zebra crossing. Isn't that J walking when they don't use it? We only have limited amount of parking around the CBD (the only parking lot is Byron place or khub). The fact the main CBD on church street is still the same size from 20 years ago, the

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amount of people trying to park there is like Chinatown in Sydney during the Chinese New Year. Church Street either needs to expand or reduce parking along the CBD to reduce congestion. Install more parking lots rather than parking spaces so people aren't trying to park right outside the store they want causing said congestion. The town needs to grow if more estates are being established. Otherwise give Mudgee another shopping complex in a different area of Mudgee. Reducing the speed isn't going to change the way Mudgee is growing.

Anonymous

4/27/2021 09:21 AM

Do not get to do 50 now. Should look at raising the speed on Sydney road

Anonymous

4/27/2021 10:34 AM

I feel due to the extra traffic in town now the speed limit has been reduced anyway. We have to learn to follow the rules as is and use common sense.

Anonymous

4/27/2021 11:23 AM

Waste of time, money and resources. It is nearly impossible to get to 40 much less 50, change the speed limit on Sydney road to 60 or 70 instead.

Anonymous

4/27/2021 11:28 AM

The problem is too many cars. Too small roads. The through traffic needs to be diverted out of the CBD. At present anyone going onto the Ulan Rd drives through Church st. It's chaos and there's idiots often from out of our town. If you want to push for tourism like what is currently going on, there needs to be proper traffic planning put in place. It is currently absent and reducing the speed limit will make absolutely no difference because that is not the problem. The problem is too many cars in the CBD. There needs to be a diversion of traffic coming from

Horatio st going to Ulan rd otherwise they all go down Church st. Cars don't use the Douro st diversion only trucks. They probably need to divert down Lawson or George (which is wider and could handle the traffic) and onto Short then onto the roundabout right onto Ulan road. You cannot expect anything other than chaos with the amount of tourism and housing development being forced upon us in a small town with little infrastructure, and it's making life for locals difficult. The other area you need to look at is the intersection between Gladstone and Duoro as it's becoming a nightmare to get across with all this additional traffic. Particularly bad during school times. Thank you for the opportunity to comment.

Anonymous

4/27/2021 11:50 AM

Educate the pedestrians even if it means pedestrian lights.

Anonymous

4/27/2021 01:26 PM

Feel like 50 is already too slow

Anonymous

4/27/2021 02:19 PM

Like the rest of our state, it is simply a money grab

Anonymous

4/27/2021 03:13 PM

Why can't we Drive to the conditions not to the stupidity of people

Anonymous

4/27/2021 06:11 PM

Rubbish

Anonymous

4/27/2021 06:13 PM

What problem are we trying to solve? How many pedestrian accidents are experienced in that zone? The area is already very slow moving, particularly on weekends when city folk (who aren't trained in reverse parking) are plentiful. And there are already marked pedestrian crossings. If anything, this will encourage even more traffic into

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

Anonymous

4/27/2021 06:16 PM

Lewis Street, which is more of a residential area.

Nothing to do with pedestrian safety as they are mostly on the footpath, at it stops just before the council building. Plenty of people out the front there

Anonymous

4/27/2021 06:51 PM

People to follow the road rules and wait for the road to be clear b4 reverse parking and not take 2 days to do it this would keep the traffic flowing and cross the road at the pedestrian crossing in groups not one at a time and like browns cows

Anonymous

4/27/2021 08:07 PM

Absolutely ridiculous, you can hardly ever go through the Main Streets in town traveling at 50km. I went through today and was going 28km until the tennis courts! It's a waste of time money. Rather spend that time and money fixing the road as you enter Mudgee over the holyoake bridge. Every time it rains that part of the road falls to bits and creates massive pot holes, a day later council fills then with tar, next rain and it falls to pieces again, fathoms me that it has not been ripped up and done from scratch! Focus on things that will actually make a difference to Mudgee, change the speed limit to 40km is not one of those things.

Anonymous

4/27/2021 10:40 PM

You can't educate idiots people wander into traffic because of being inattentive of their surroundings. More clearly marked and maintained crossings are needed. Outside coles ,best&less,Bonnie's area. What are the statistics for vehicle/ pedestrian incidents.how many are actually caused by pedestrian inattentive actions. Maybe a simple main st by pass might alleviate traffic congestion (Must be well sign poster to actually work). But having said

that Damien K***** said to me too much signage is confusing ! As the police keep saying drive to the conditions. Sometimes you can't educate idiots no matter what you do. If you find that you have extra money and time you can always extend up to elevate the parking issue in Byron Pl it may stop people driving in circle looking for parking. And re- concrete the footpaths outside the butcher & Asian food store. As you can see it's a long suggestion but then again there's a lot that needs attention. Am I wasting my time again or is there going to be some serious thought going into my input. Regards Ian Laidler reply if you wish my email is ianlaidler@y7mail.com or some one can ring me to discuss any issues I can & will let you know my number on request or will meet face to face.

Anonymous

4/28/2021 01:01 AM

1) Waste of time and money! You can barely get over 30km in those streets anyway as it's getting so busy! 2) confusion. Most standard speed limits across NSW in built up areas is 50km. Having certain streets that break these rules is just stupid and confusing for drivers. I think a much better idea to keep traffic at a reasonable speed around pedestrians crossing is to RAISE all of the pedestrian crossings in those mentioned streets which forces cars to slow down! Much more effectively than just a speed limit change. Better signage for crossings, and also better lighting would also help! Adding one or two pedestrian crossings (also raised) along both Church and Market Streets would also help with pedestrians crossing and also slow the traffic down. You onto have to go and watch one of the pedestrian crossings for a few

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- minutes to see the cars are already travelling under 50, but DO NOT change speed (ie slow down!) as they drive through the crossings. Raising the crossings will FORCE drivers to slow down on approach, and this will then in turn slow traffic down in general.
- Anonymous**
4/28/2021 10:13 AM
- There is no consistency. Why not just make the 40km zone from intersection to intersection (roundabout to roundabout) and include Perry St between Mortimer and Market Sts
- Anonymous**
4/28/2021 05:47 PM
- Totally unnecessary as speed limit in town of 50 kms per hr is rarely reached. Teach people to look before they cross and park properly not going across the centre line. Keep parallel to the next car and reverse in using your mirrors!
- Anonymous**
4/28/2021 06:30 PM
- The fact that the 40 is to be adhered to 24/7. If this speed is applied it should only be during high traffic hours. Or alternatively, make the visibility around crossings better and do something to stop people not using the crossing or islands provided.
- Anonymous**
4/28/2021 08:28 PM
- It will be hard having two speed zones in the town and knowing which one you are in
- Anonymous**
4/28/2021 08:32 PM
- Your lucky to do more than 40km in these areas anyway so why change the speed limit.
- Anonymous**
4/28/2021 08:40 PM
- The traffic flow in the main streets is ridiculous as it is, making it 40 km is a crazy idea
- Anonymous**
4/29/2021 07:37 AM
- What is the difference if everyone is doing 40 or doing 50. Still going to have the backlogs. So many people in Mudgee with near not enough parking. So people just driving around in circles looking for parking.
-

Anonymous

4/29/2021 05:43 PM

Traffic in the area I believe already travel slower than 40km/h anyway. Why bother, its a bottle neck. I would rather see raised pedestrian crossings as a means of slowing traffic down to allow pedestrians safer access to crossings.

Anonymous

4/29/2021 07:11 PM

I don't think reducing the speed limit will reduce the number of incidences with pedestrians. A lot of the time people are not even paying attention to the road when driving through pedestrian crossings as I have experienced a number of near misses especially on the crossing in Market Street as I work near by. I would prefer to see raised pedestrian crossings like they have in Dubbo so that cars are forced to slow down because of the hump in the road.

Anonymous

4/30/2021 07:01 AM

This is absolutely ridiculous & next you will be wanting us to walk. It is already very slow & you have school zones where the slow zones are needed. There are very few accidents & why penalise everyone for what might happen. PLEASE PLEASE CONCENTRATE ON more pressing matters like beautifying the dreadful & shameful industrial entry to our lovely town. Leave our speed limits as they are. I am furious that you would even be considering this proposal.

Anonymous

4/30/2021 10:56 PM

As a frequent user, several times a day, of the cbd access way, it is simple that pedestrians choose to rarely utilise the crossing provided and rarely raise their heads from their phone whilst crossing. This is yet another money grab from motorists for the sickly behaviour of pedestrians.

Anonymous

Bandaid solution- education is the

Proposed 40km/h zone in Mudgee CBD : Survey Report for 31 October 2018 to 09 May 2021

4/30/2021 11:45 PM

key, driving should be part of school curriculum, emphasis on driving to the conditions

Anonymous

5/01/2021 07:32 AM

With increased traffic and tourism in Mudgee, most vehicles during the busiest hours of the day are driving slower than 10km/h due to a bank-up of vehicles, and so the proposed change will have no effect with the traffic already travelling slower than the proposed speed limit. As a local, I have also observed on my journey's down the street that the main concern to pedestrian safety is jaywalking between stopped and incoming traffic, and so perhaps that is the issue that should be focussed on.

Anonymous

5/01/2021 07:43 AM

Change in speed will not solve congestion issues or save lives as traffic is normally to high to be able to speed. The issue at the moment is lack of infrastructure like parking.

Anonymous

5/01/2021 08:31 AM

The traffic is slow enough now. This will make it worse.

Anonymous

5/01/2021 08:39 AM

Maybe improve the current crosswalks and have suitable lighting instead

Anonymous

5/01/2021 09:04 AM

Just leave it at 50 k's If you want to change something move the taxi rank from the front of Woolworths it's got its own little bay up across the road from Coles

Anonymous

5/01/2021 09:20 AM

Pedestrians crossing the road dangerously are the single biggest hazard in this area. Permanently making these areas 40km/h is not dealing with this particular problem. There's no reason any of these areas should be 40km/h zones at 5am in the morning. However no problem with these areas being time zoned based like for example from 8am to

6pm when these streets have more vehicle and pedestrian congestion. This proposal needs to address other safety issues like more lighting at Mudgee's pedestrian crossings, in particular the crossing from Woolworths to Smart Dollar is very poorly illuminated at night. Another addition to this project should be a zebra crossing from K-Hub to Coles car park because pedestrians are crossing there anyways, it needs to be a designated crossing where they actually have right of way. No objection to the school zone around St Matthews being 40km/h. Signage should be installed around these areas directing traffic around the Church Street area away from the proposed 40km/h zones to reduce the congestion in the proposed 40km/h area. The behaviour of some pedestrians when cars are crawling through Church Street has become unacceptably dangerous. Council needs to deploy their employees to enforce safe street crossing behaviours in the proposed 40km/h zone, including in the early mornings but especially on weekends when the Church Street's traffic is congested. Recent examples for me include pedestrians crossing in front of stopped cars at the roundabouts when the car is about to drive forward, and pedestrians crossing in between cars because they can't be bothered to walk the small distance down to the designated pedestrian crossing in Church Street. Sometimes these pedestrians are adults with children too.

Anonymous

5/01/2021 11:46 AM

Drive to conditions, you normally only drive 20 kmph when it is busy with plenty of pedestrians around. When not busy, there is an ability to drive 50 kmph where the chance is greatly

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Anonymous

5/01/2021 04:59 PM

minimised. The cost of signage to change now will be too high. I think common sense prevails in this area.

Majority of people wouldn't go over 40 anyway in these zones. A speeder will always speed regardless of a sign. The crossings need an upgrade and need lighting moved or trees cut back. I think rails for people to walk around before entering on to a crossing will give more warning to drivers, as sometimes people quickly walk out without drivers seeing them at times. Also people walking don't look and expect to be seen.

Anonymous

5/01/2021 08:17 PM

Total waste of rate-payer's money, it will do nothing towards safety.

Anonymous

5/01/2021 09:20 PM

Making the speed slower only makes small trips take longer, when the streets are already packed enough that you can't even go 50 in some areas.

Anonymous

5/01/2021 09:20 PM

too slow

Anonymous

5/01/2021 10:04 PM

People already drive at 40 down those streets when it's 50 so if you make it 40 everyone will slow down to 30

Anonymous

5/02/2021 08:49 AM

50km is quite sufficient we do not need to hold the traffic up any more

Anonymous

5/02/2021 06:27 PM

Silly idea, town is congested and horrible as it currently is. Reducing speed limits will only make it worse.

Anonymous

5/04/2021 08:17 AM

I don't think speed as such is the issue. Rarely would a car get up to 50km/hr in those streets anyway with all the traffic. I think the issue is acceleration and how quickly people get to high speeds - even in car parks, or not slowing at all on approach to roundabouts. If people

drove "normally" without having to put their foot flat to the floor and reach top speeds in minimum time then I think everything would be a lot safer. Cars crossing a footpath (entrance and exit to carparks and pedestrian crossings) need to give way and I think no-one knows this rule. And I always taught my kids that you don't need to stop at a roundabout but you need to be able to if things aren't as you planned. I think education is the key, not reduced speed zones.

Anonymous

5/04/2021 11:08 AM

completely unnecessary it is slow enough as it is in the town centre

Anonymous

5/04/2021 06:34 PM

Everything

Anonymous

5/05/2021 09:01 AM

There are pedestrians utilising those areas predominantly during the day and only at certain times of those days and at different times of the week. To impose permanent speed restrictions doesn't make sense outside of those hours. For example, on most evenings after 5:30pm those roads are quiet. No point in having to travel at only 40km/hr.

Anonymous

5/05/2021 03:38 PM

When are people going to be held accountable for their actions. I was taught at school to look before crossing the road. Bad idea.

Anonymous

5/05/2021 07:06 PM

This measure will not be effective to protect pedestrians. Better to put brighter lighting over crossings to increase visibility of pedestrians. During business hours and trading hours on weekends it is unlikely for vehicles to travel 40 km/h. This measure s a waste of time.

Anonymous

5/06/2021 10:10 AM

If you do it for one area you do it for all as it gets to confusing with the different speed limits. You don't even

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	reach 50 in main st at the best of times.
<p>Anonymous 5/06/2021 12:52 PM</p>	<p>Spend the money on the roads that need fixing NOT this WOFTAM.</p>
<p>Anonymous 5/06/2021 12:54 PM</p>	<p>Typical Council, wasting money on stupid ideas.</p>
<p>Velvetfarm 5/06/2021 07:22 PM</p>	<p>What I don't like about the proposal is that it is unnecessary as Mudgee CBD already has effective traffic calming measures in the form of roundabouts, reverse parking & pedestrian crossings that already slow the traffic flow through the CBD to 40kmph or slower. Anyone trying to drive down Church Street from the south after picking up their kids in the afternoon will know the grid lock that occurs because of people reverse parking in the CBD & cars blocking the roundabouts trying to turn into church street . What does need to be increased is Police patrols in the CBD to deter anti social behaviour both on the road ways & footpaths especially on weekend evenings & during public holidays when the CBD is full of Visitors who are not familiar with the local traffic & parking rules.</p>
<p>Anonymous 5/06/2021 09:21 PM</p>	<p>40 kmh is TOO FAST - 30kmh is the international standard. NSW Transport https://roadsafety.transport.nsw.gov.au/speeding/index.html shows that chance of fatality for pedestrian rises from 10% at 30kmh to 40% at 40 kmh.</p>
<p>Anonymous 5/07/2021 04:33 PM</p>	<p>I see no reason to reduce the speed limit; nobody does more than 25km/hr in those areas during occupied times regardless. By reducing the limit it only provides police the opportunity to revenue raise in the hours of morning or night</p>

when there is no traffic or people in the street.

Anonymous

5/09/2021 07:15 AM

These are already congested zones and mostly people drive to conditions. Loss of parking for signage.

Mandatory Question (113 response(s))

Question type: Essay Question

Q4 Would you like to provide any other comments about the proposal?

Elle Watson

4/13/2021 01:43 PM

test

Anonymous

4/26/2021 06:23 PM

I agree to the change in speed limit but think more needs to be done at the pedestrian crossings. It is extremely dark and difficult to see at night.

Anonymous

4/26/2021 07:46 PM

Hard speed limits in such a highly trafficked area dont seem like a smart decision. Much consideration given to variable limits with flashing speed signs the same as school zones? A 40k limits at 4am on a Wednesday seems silly ♂

Anonymous

4/26/2021 10:40 PM

CBD already comes to an almost standstill <20km from Thursday through to Sunday every week. Drive to the conditions, and put costs of street signage etc with already allocated monies and build the roundabout Cnr Bunnings/Harvey Norman.

Anonymous

4/27/2021 04:07 AM

I can say the only time I can do 50km/h on any of these streets is at night time when it is not busy. During the day your lucky to even move on Church st, and you do maybe 30km/h on the others one. It seems pointless to change it but due to it being so full of cars & people walking around I can understand why you

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Anonymous

4/27/2021 07:17 AM

would think it may be good . But completely pointless & a wast of money..

The limited areas for the proposed change may cause more confusion even with signage, it seems too haphazard. Perhaps a more significant CBD block area that was more straightforward would be more practical.

Anonymous

4/27/2021 08:00 AM

I don't think most vehicles would get to 40km/h. One of the problems is pedestrians walking across the street all over the place and not at the designated crossings

Anonymous

4/27/2021 01:41 PM

Perry st should be 40kms to at least the public school.

Anonymous

4/29/2021 08:13 PM

I think far more effort needs to be concentrated on fixing the existing roads in town, rather than spending taxpayers time and money worrying about speed limits that self maintain. Lovejoy st outside the preschool is an absolute disgrace. It needs to be properly hard sealed with hot mixed not just blue metal with tar overtop. It is a very high use high wearing spot and currently completely inadequate. Holy Oak bridge.... a main entrance into town and to wineries, only entry to Glen Willow. Welcome to Mudgee tourists !!!! Whoever on the council is managing the roads department needs a swift kick out the door. Immediately !!!!

Anonymous

4/30/2021 04:34 PM

While 40kmh limits are likely to reduce severe impact on a pedestrian, it is only as effective as the drivers complying, awareness of these pedestrians and the pedestrians crossing safely (EG using the crossings). I have witnessed many people parking and trying to cross from where they have

parked, sometimes causing traffic to stop, which is problematic at roundabouts (EG traffic forced to stop on or blocking the roundabouts). I have also seen people try to cross behind reversing vehicles or coming out of the empty spot the vehicle is trying to enter. That and reverse parking is, arguably, not a natural endeavour for those unfamiliar to it (EG Tourists). I personally avoid parking there at certain times during heavy traffic periods (such as Fridays and Saturdays). Is it time to reduce the traffic and parking congestion on Market, and Church Street (as per your map) by way of shared pedestrian and essential traffic only on these two streets, such as deliveries or disabled parking? I would imagine that restricting vehicles here would reduce the hubbub of mixing of the two, while encouraging a more village like and pedestrian friendly atmosphere, especially for tourists (as they are coming in droves). The aim should be to separate the two as much as possible, especially in these two Streets and try to decentralise the parking. 40kmh is an option but is it relying too heavily on compliance of drivers and is not tackling the non compliance of pedestrians crossing safely and where they should? As a member of the Mudgee Rescue Squad I know that 40kmh can, and I have witnessed, be ignored both deliberately and through ignorance. The aim to should be to decentralise Mudgee both physically and mentally (learning this area is a pedestrian favorable enclave) through separation and encouraging parking away from the usual spots.

Don't change Lewis street to 40km.

Anonymous

5/03/2021 01:47 PM

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Mandatory Question (11 response(s))

Question type: Essay Question