



PUBLIC COPY

Business Papers 2022

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 21 SEPTEMBER 2022

*A prosperous and progressive
community we proudly call home*





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14 September 2022

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
21 SEPTEMBER 2022
Public Forum at 5.30pm
Council Meeting commencing at conclusion of Public Forum

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

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

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

Yours faithfully

A handwritten signature in black ink, appearing to be "BRAD CAM", with a horizontal line extending to the right.

BRAD CAM
GENERAL MANAGER

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Acknowledgement of Country

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

Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 17 August 2022

Council Decision:

That the Minutes of the Ordinary Meeting held on 17 August 2022 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are separately attached.

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Indoor Pool Feasibility Study	Res 325/19 Ordinary Meeting 16/10/2019	That Council request that a further report be brought back to Council with an option to develop an indoor swimming facility at a new location in Mudgee.	Report has gone to Council. Currently awaiting final Feasibility Study.
Banner Poles Gulgong	Res 308/19 Ordinary Meeting 16/10/2019	That Council modify the banner poles on the outskirts of Gulgong so that the banners are more stable and less likely to tear.	To be reported to Council at a future meeting.
Investigation of Garbage collection service at Queen's Pinch Waste Transfer Station	Res. 66/20 Ordinary Meeting 18/03/2020	Staff investigate the feasibility of replacing the Waste Transfer Station on Queen's Pinch Rd with a garbage collection service.	To be reported to Council at a future meeting.
Section of Mebul Road to be Cleaned Up	347/20 Ordinary Meeting 18/11/2020	That a report be brought back to Council on the provision of additional maintenance to the area of road and roadside along the section of Mebul Road along the Cudgegong river at the old crusher site.	To be reported to Council at a future meeting.
Public Toilets Accessibility	15/22 Ordinary Meeting 02/02/2022	That Council provide better access to public toilets across the region but especially in the Town Hall Arcade Mudgee.	<u>RECOMMENDED FOR COMPLETION</u>
Request for Additional State Government Funding for Weed Control	68/22 Ordinary Meeting 04/03/2022	That Council request the State Government increase funding to Councils for weed control in Local Government Areas.	<u>RECOMMENDED FOR COMPLETION</u>
Accommodation Investigation within the Local Government Area	101/22 Ordinary Meeting 20/04/2022	That Council investigate considerations within the Local Government Area for accommodation.	To be reported to Council at a future meeting.
Road Maintenance	198/22 Ordinary Meeting 20/07/2022	That Council receive a report for any or all opportunities to improve road network maintenance.	To be reported to Council at a future meeting.

Item 5: Mayoral Minute

5.1 Mayoral Minute: Acknowledgement of the passing of Her Majesty Queen Elizabeth II

MAYORAL MINUTE
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, GOR500019

RECOMMENDATION

That Council:

- 1. acknowledge the contribution of Her Majesty Queen Elizabeth II over her 70 year reign; and**
- 2. now observe a minute's silence out of respect for Her Majesty and the service that she provided to Australia and the Commonwealth.**

Her Majesty The Queen passed away on 8 September 2022.

For 70 years, Queen Elizabeth the Second reigned as Australia's Head of State. During her reign, The Queen visited Australia 16 times and saw more of this country than most Australians, visiting every state and territory.

The Queen consulted with 16 Prime Ministers and 16 Governors-General who served in her name. She was the patron of more than 20 Australian charities and associations.

The Queen will be remembered fondly by residents across the Mid-Western Region and we share in the loss of this giant of the world stage. She will be remembered for her lifetime of service and the sacrifices that she made for the United Kingdom and the Commonwealth.



CR DES KENNEDY
MAYOR
9 September 2022

Attachments: Nil

5.2 Mayoral Minute: Accounting Treatment of the Rural Fire Service ('Red Fleet') Assets

MAYORAL MINUTE
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, FIN300180

RECOMMENDATION

That Council:

1. **writes to the local State Members the Hon Dugald Saunders, the Hon Paul Toole, the Treasurer the Hon Matt Kean MP, Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and the Minister for Local Government Wendy Tuckerman MP:**
 - (a) **Expressing Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets;**
 - (b) **Advising of the impact of the Government's position on Council finances of this accounting treatment;**
 - (c) **Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Mid-Western Regional Council's financial statements;**
 - (d) **Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and**
 - (e) **Amending s119 of the Rural Fires Act 1997 so that the effect is to make it clear that RFS assets are not the property of councils.**
2. **writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:**
 - (a) **Advising Members of Mid-Western Regional Council's position, including providing copies of correspondence to NSW Government Ministers; and**
 - (b) **Seeking Members' commitments to support NSW Councils' call to amend the Rural Fires Act 1997 as set out in correspondence.**
3. **Mid-Western Regional Council writes to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not carry out RFS stocktakes on behalf of the NSW Government and will not record RFS assets in Mid-Western Regional Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets.**

4. **Council promotes these messages via its digital and social media channels and via its networks;**
5. **Re-affirms its complete support of and commitment to local RFS brigades noting that Mid-Western Regional Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities; and**
6. **That Mid-Western Regional Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification once and for all from the State Government about the accounting treatment of RFS assets.**

Executive summary

I am calling on Councillors to support the local government campaign on the financial Accounting treatment of Rural Fire Service (RFS) mobile assets known as the 'Red Fleet'.

A long-standing dispute over the accounting treatment of the Red Fleet has come to a head with the Auditor-General's 2021 Report on Local Government on 22 June 2022. The Audit Report reemphasises the State Government determination that RFS assets are the "property" of councils and must be recorded in Council's financial statements with Council required to therefore absorb all depreciation costs.

The *Audit Office Local Government Report* has reinforced the notion that RFS mobile and other fire-fighting assets can somehow be deemed to be council assets and applies more pressure on councils and the Office of Local Government (OLG) to conform to this determination, despite the fact that councils do not have effective management or control of these assets.

Councils across the State and Local Government NSW (LGNSW) refute this determination.

Councils do not have any say in the acquisition, deployment or disposal of these assets.

Comparable assets held by Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES) are not vested anywhere other than with the organisations that purchase, use, maintain and dispose of them.

Councils and LGNSW have also raised concerns that the requirement breaches Australian Accounting Standards. The State Government's own *Local Government Accounting Code of Accounting Practice and Financial Reporting* provides for councils to determine whether to record RFS assets on their books as council assets. This position has been confirmed by the Secretary of the Department of Planning and Environment in his letter to the Auditor-General dated 7 June 2022, presented in Appendix 1 on page 47 of the 2021 Local Government Audit Report.

Council notes advice from LGNSW that many councils are refusing to comply with the Auditor General's instructions. Councils remained firm in 2021, resisting pressure to record RFS assets with the majority (68), choosing not to record the RFS mobile assets in accordance with the *Local Government Accounting Code*. This was the same number of councils as in 2020. LGNSW is encouraging councils to continue resisting pressure from the Audit Office and make their own determinations notwithstanding overtures that ongoing non-compliance with the Auditor General's instructions may result in future qualified financial reports.

The latest Audit Report has made further impositions on (Council) by:

- recommending Council undertakes a stocktake of RFS assets and records the value in Council's financial statements;
- warning that if Council does not recognise the assets it will be found non-compliant and will have a high risk finding reported; and
- calling on the NSW Department of Planning and Environment (OLG) to intervene where councils do not recognise rural firefighting equipment.

LGNSW has been advocating this position on councils' behalf and has written to the NSW Treasurer the Hon. Matt Kean MP, Minister for Emergency Services, the Hon. Steph Cooke MP, Minister for Local Government the Hon. Wendy Tuckerman MP and the Auditor-General, Ms Margaret Crawford to express the local government sector's strong objection to the NSW Government's determination, applied by the Auditor-General, that RFS assets are the property of councils for accounting purposes and amend the *Rural Fires Act 1997*.

LGNSW has advised it will continue its advocacy efforts on councils' behalf and is asking all affected councils in NSW to consider adopting a resolution advising the Audit Office that Council will not carry out the RFS stocktakes on behalf of the NSW Government, and will not record RFS assets on Council's financial statements.



CR DES KENNEDY
MAYOR
22 August 2022

Attachments: Nil

5.3 Mayoral Minute: MRI Machine for Mudgee Hospital

MAYORAL MINUTE

TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, PUB600014

RECOMMENDATION

That Council write to the Federal Member for Calare, Andrew Gee and State Member for Dubbo, Dugald Saunders seeking an MRI machine for the Mudgee Hospital.

Executive summary

It is well known that a Medical Resonance Imaging (MRI) machine in the Mid-Western Region would be a huge benefit to its residents, saving time and cost to those who currently have to drive to neighbouring centres of Dubbo, Bathurst, Orange or Penrith for this specialist medical service.

A new MRI facility is being constructed at the Lithgow Hospital, a local government area of less population than the Mid-Western. It is timely that the Mid-Western Region has a MRI machine so that high quality health services can be delivered locally.

I seek Councillors support that Council write to the Federal Member for Calare, Andrew Gee and State Member for Dubbo, Dugald Saunders seeking an MRI machine for the Mudgee Hospital.



CR DES KENNEDY
MAYOR
5 September 2022

Attachments: Nil

5.4 Mayoral Minute: Wings Wheels and Wine Air Show 2023

MAYORAL MINUTE

TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, F0470025, FIN300202

RECOMMENDATION

That Council:

1. **approve in-principle \$2,500 (in kind) support requested for the Wings Wheels and Wine Air Show 2023 event;**
2. **place its intention to provide in-kind support for the Wing Wheels and Wine Air Show 2023 event on public exhibition for a period of 28 days;**
3. **if no public submissions are received, provide in-kind support of \$2,500 from unrestricted cash; and**
4. **receive a further report, if any public submissions are received.**

Executive summary

The proposed Wings Wheels and Wine Air Show is to be held on 23 April 2023 at the Mudgee Airport, with a projected attendance of 6,000 people. \$2,500 of in-kind support has been requested to be used towards airport landing fees.

The event was last held in April 2020 and was delivered by a commercial organisation 'Paul Bennet Airshows'. The 2023 event will again be delivered by Paul Bennett Airshows and therefore it does not meet the eligibility criteria for Events Assistance.

This event has successfully been held before and supported by Council. I propose that Council again support this request for in-kind support and that it be funded from unrestricted cash.



CR DES KENNEDY
MAYOR
5 September 2022

Attachments: Nil

5.5 Mayoral Minute: Mudgee Showground Carols 2022

MAYORAL MINUTE

TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, FIN300159

RECOMMENDATION

That Council

1. **provide a fee waiver of \$1,155 for the ground hire fee to support the Mudgee Showground Carols 2022, to be funded from the Community Grants budget; and**
2. **provide \$2,062 support for the erection and removal of Christmas banners, to be funded from unrestricted cash.**

Executive summary

The annual Mudgee Showground Carols event is to be held on 17 December 2022 at the Mudgee Showground. Council, at its meeting held 20 July 2022, resolved to provide \$5,000 in financial assistance, the maximum amount allowed to be funded in accordance with the criteria and guidelines of Council's Community Grants Policy.

The Rotary Club of Mudgee Inc. and Rotary Club of Mudgee Sunrise Inc. had requested a total of \$9,875 which included the waiver of the Mudgee Showground hire fee (\$1140) and in-kind support of \$3,400 for the erection and removal of street banners.

The current ground hire fee is \$1,155 and it is proposed that a contractor could be used for the erection and removal of the Christmas street banners at a cost of \$2,062.

I seek Councillors support for providing a further \$3,217 towards this community event.



CR DES KENNEDY
MAYOR

5 September 2022

Attachments: Nil

Item 6: Notices of Motion or Rescission

6.1 Wollemi Physical Culture

NOTICE OF MOTION LISTED BY CR PETER SHELLEY
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A100035; GOV400022

MOTION

That Council supports Wollemi Physical Culture by way of granting \$XXXX for the Kandos Hall hire fees being for hours between 4pm – 7pm every Tuesday and waive the bond.

Background

Wollemi Physical Culture has been running for a few years now and provide an exceptional community service for young girls in a community that has very limited opportunities for this age group.

Last year the High School changed its use of the hall policy, so the club had to find an alternative venue. The club approached me and discussion took place with the General Manager. The club then had access to the Kandos Hall until a formal arrangement would take place. Subsequent repairs to the hall from Building Services were carried out and because they were unaware of the arrangement, and to alleviate confusion, we now need to formalise this.

It is recommended that the funding come from the community grants program budget allocation.

From the Club

Physical Culture or 'Physie', is a unique competitive sport combining dance, floor and standing exercises for girls and ladies aged from 3 years. Based on basic ballet and modern dance, Physie is great for physical fitness, flexibility, coordination, and posture, while building confidence and making new friends.

Generations of Australian women from different backgrounds and of all abilities, love being a 'Physie Girl'. Through childhood, study, having children and grandchildren, through their busy jobs and busy lives, girls and ladies of all ages value and return to the fitness, friendships and fun that Physie brings. Improving strength, flexibility, coordination and confidence in a fun and friendly atmosphere.

Each year girls and ladies learn a new syllabus of routines which are refined and improved through regular classes and culminate in competitions for both individuals and teams.

Our Grand Final is held at the Sydney Town Hall in November of each year, the winner of each age group being named Champion Girl, and one senior girl being awarded the overall Grand Champion Girl. Competitions are not compulsory but help our members build confidence and generate a feeling of togetherness and club spirit.

Our Kandos girls have just competed in a Southern Highlands & Central Coast interclub against lots of other city and Coastal kids earning themselves quite a few places and accomplishments.

Physical Culture is a not-for-profit organisation, run only for the enjoyment and wellbeing of our members, making us one of the most affordable dance sports.

Physie clubs are run throughout NSW – Metropolitan Sydney, NSW North Coast, NSW Central Coast, NSW South Coast the Blue Mountains and beyond.

Officer's comments

The Wollemi Physical Culture group run an excellent program of activity for people in the Kandos community and are worthy of Council support. Council may also wish to consider this matter through a Community Grant application so that it can be assessed against other community groups who are also undertaking excellent programs and activities across the region.

6.2 Disabled Access and Parking in Gulgong

NOTICE OF MOTION LISTED BY CR PAUL CAVALIER
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0100035, GOV400022, R2047002

MOTION

That Council:

- 1. removes Emergency Vehicle Parking Only signage from Herbert Street in Gulgong, outside of the former Gulgong Fire Station, noting that it is no longer required at this location;**
- 2. identifies and constructs a disabled access ramp at a suitable location between the Gulgong Post Office and Gulgong Medical Centre; and**
- 3. funds these works from unrestricted cash.**

Background

The precinct along Herbert Street between Robinson and Holtermann Street is frequented by hundreds of locals to access the local post office and doctor's surgery. It is noted that there is no easy or safe area for disabled persons to exit vehicles near the entrances to either facility. I have witnessed a number of people in wheelchairs having to alight from vehicles a significant distance from these locations, and in some cases cross busy roads with limited visibility as a result. I feel that it would be prudent for Council to install a ramp along the western side of Herbert Street, similar to that provided for residents to enter our Gulgong Office.

It is also my intention to remove the allocated emergency vehicle parking only area outside the former Gulgong Fire Station to provide more parking in this area.

Officer's comments

The proposal is feasible from a staff point of view and will be put to the next Traffic Committee meeting for review.

6.3 Sealing of back of carpark behind K-Mart

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0100035, GOV400022

MOTION

That Council bitumen seal the area at the back of the carpark behind K-Mart in Mortimer Street, funded from the Capital Program Reserve.

Background

People are continually complaining about the lack of car parking in the Mudgee CBD area.

Officer's comments

The land behind the existing K-Mart and accessed from Church and Mortimer Streets is currently being assessed for development opportunities. Not all the land in this location is available for parking. Staff will consider additional car parking at this location and provide a report back to council for the November 2022 meeting.

6.4 Poppet Heads at Red Hill Gold Experience

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0100035, GOV400022

MOTION

That Council tighten up the bolts on the poppet head at the Red Hill Gold Experience and apply a specific treatment to the poppet head to protect it from white ants and from the weather.

Background

The people who built the poppet head have told Cr Thompson that the bolts need to be tightened, and he feels that it needs to be protected from white ants and from rotting due to the weather. It cost a lot of money to replace the old one, this poppet head needs to be preserved.

Officer's comments

This Notice of Motion will be treated as a Works Request. Staff will make an assessment of the condition of the poppet head. If works can be completed within maintenance budgets then we will proceed. If additional budget is needed, staff will include this within the next available Quarterly Budget Review or Monthly budget report or provide a separate report for consideration at a future Council meeting.

Item 7: Office of the General Manager

7.1 Council Meeting Schedule 2023

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, GOV400088

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Council Meeting Schedule 2023; and**
2. **confirm the dates for Meetings of Council for 2023 as follows:**
 - **Wednesday 15 February 2023 – Council Meeting**
 - **Wednesday 15 March 2023 – Council Meeting**
 - **Wednesday 19 April 2023 – Council Meeting**
 - **Wednesday 17 May 2023 – Council Meeting**
 - **Wednesday 24 May 2023 – Extraordinary Council Meeting**
 - **Wednesday 21 June 2023 – Council Meeting**
 - **Wednesday 19 July 2023 – Council Meeting**
 - **Wednesday 23 August 2023 – Council Meeting**
 - **Wednesday 20 September 2023 – Council Meeting**
 - **Wednesday 18 October 2023 – Council Meeting**
 - **Wednesday 15 November 2023 – Council Meeting**
 - **Wednesday 13 December 2023 – Council Meeting (including election of Mayor and Deputy Mayor)**

Executive summary

This report sets the meeting program for 2023.

Disclosure of Interest

Nil

Detailed report

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

An extraordinary meeting is required on Wednesday 24 May to support the smooth passage of the Operational Plan. It is noted that the August meeting is recommended to be held on 23 August 2023 which is the fourth Wednesday of the month. This is to assist in the timing of the finalisation of the draft financial statements. It is also noted that the December meeting is to be held on the second Wednesday to ensure that it is not held too close to the Christmas break.

The election for Mayor and Deputy Mayor is required to be run on or before the 12th January 2024 which is two years after the previous Mayoral elections. Therefore we have scheduled this to take place at the meeting on Wednesday 13 December.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Code of Meeting Practice

Legislation

Local Government Act

Financial implications

Not Applicable

Associated Risks

Not Applicable

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES &
GOVERNANCE

31 August 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 8: Development

8.1 DA0429/2021 - Proposed Mixed Use Development including Detached Dual Occupancy, Tourist Accommodation and Restaurant - 182 Cudgegong Road, Rylstone

REPORT BY THE PLANNING COORDINATOR

TO 21 SEPTEMBER 2022 ORDINARY MEETING

GOV400098, DA0429/2021

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator on the DA0429/2021 - Proposed Mixed Use Development including Detached Dual Occupancy, Tourist Accommodation and Restaurant - 182 Cudgegong Road, Rylstone and;
- B. approve DA0429/2021 - Proposed Mixed Use Development including Detached Dual Occupancy, Tourist Accommodation and Restaurant - 182 Cudgegong Road, Rylstone subject to the following conditions and statement of reasons:

APPROVED PLANS

1. The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except as varied by the conditions listed herein and/or any plan notations. Any modification otherwise required to the approved plans will require the submission of a modification application under Section 4.55 of the *Environmental Planning and Assessment Act*.

Title / Name:	Project No.:	Drawing No.:	Revision / Issue:	Date:	Prepared by:
Context / Master Plan	2108	A-001	C	May 2021	Field Office Architecture
Existing Site Plan	2108	A-000	B	June 2021	Field Office Architecture
Site Plan - Accommodation	2108	A-101	H	September 2021	Field Office Architecture
Type A – Hotel Accommodation	2108	A-200	A	May 2021	Field Office Architecture
Type A – Hotel Accommodation	2108	A-201	A	May 2021	Field Office Architecture
Type B – Staff Accommodation	2108	A-202	A	May 2021	Field Office Architecture
Type B – Staff Accommodation	2108	A-203	A	May 2021	Field Office Architecture
Type C – Owners Residence	2108	A-204	A	May 2021	Field Office Architecture

Title / Name:	Project No.:	Drawing No.:	Revision / Issue:	Date:	Prepared by:
Type C – Owners Residence	2108	A-205	A	May 2021	Field Office Architecture
Type D – Accessible Accommodation	2108	A-206	A	August 2021	Field Office Architecture
Site Plan Restaurant	2108	R-100	A	May 2021	Field Office Architecture
Floor Plan	2108	R-200	A	May 2021	Field Office Architecture
Roof Plan	2108	R-210	A	May 2021	Field Office Architecture
Elevations – Eastern Northern	2108	R-300	A	May 2021	Field Office Architecture
Elevations – Western Southern	2108	R-301	A	May 2021	Field Office Architecture
Sections	2108	A-400	A	May 2021	Field Office Architecture
Existing Site Plan	-	36209-C01	B	19.08.2021	Barnson
Existing Part Site Plans	-	36209-C02	B	19.08.2021	Barnson
Proposed Part Site Plans	-	36209-C03	B	19.08.2021	Barnson
General pavement & road specifications	-	36209-C04	B	19.08.2021	Barnson
Proposed Bulk Earthworks Plan	-	36209-C05	B	19.08.2021	Barnson
Sediment and Erosion Control Details		36209-C08	A	19.08.2021	Barnson
Noise Impact Assessment	-	5174R001. LB.210816	2	20 August 2021	Acoustic Dynamics
Bushfire Hazard Assessment	-	-	3905-1001 Version 3 Final	12/10/2021	Geolink Environmental Management and Design
Biodiversity Assessment Report	-	-	3905-1044 Version 3.2 Final	12/10/2021	Geolink Environmental Management and Design
Preliminary Site Contamination Assessment	36209 ER01	-	Final	23/06/2021	Barnson
Archaeological Survey Report	-	-	5	June 2021	Everick Heritage

Title / Name:	Project No.:	Drawing No.:	Revision / Issue:	Date:	Prepared by:
Traffic Impact Assessment	20471	-	4	4 August 2022	Rytenskild Traffic Engineering

GENERAL

2. For clarity, this development consent approves the following mixed use development:
- A restaurant with 60 seats with an adjoining function room for up to a maximum of 120 persons, ancillary kitchen and bar;
 - Tourist accommodation (hotel and motel accommodation) comprising sixty (60) cabins along with three (3) accessible cabins;
 - Three (3) cabins for ancillary staff accommodation;
 - A 3 bedroom dwelling house (forming a detached dual occupancy on the land); and
 - Associated civil works including road upgrades, car parking and landscaping.

Note: This consent does not approve the 'wellness centre' shown on the site plan. Separate consent of Council is required for this proposal.

3. This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifier.
4. The General Terms of Approval issued in relation to the approved development, shall be complied with prior, during and at the completion of the development, as required. The General Terms of Approval include the following:
- i. General Terms of Approval, issued by NSW Rural Fire Service, for a Bush Fire Safety Authority to be issued in accordance with Section 100B of the *Rural Fires Act 1997*.

A copy of the General Terms of Approval are attached to this determination notice.

5. All earthworks, filling, building, driveways or other works, are to be designed and constructed to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
6. Where it is proposed to import fill, the material shall be free of hazardous materials and contamination and be classified as VENM or ENM under the guidelines of the NSW Environmental Protection Authority by a qualified Geotechnical Engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.
7. All works are to be carried out in a workmanlike manner and in accordance with technical and performance requirements of relevant and applicable Codes, Standards, Council's Development Control Plan and Aus Spec #1, Austroad guide to road design.

8. **A Traffic Management Plan showing proposed traffic signposting around the construction site in accordance with AS 1742.3 and RMS Manual for Traffic Control at Worksites current at the time of construction is to be provided to Council for approval prior to any works commencing on Cudgegong Road. The plan must be prepared and certified by a person holding the appropriate RMS accreditation.**
9. **All traffic control including setup and removal of traffic control devices and/or regulation of traffic is to be carried out by persons suitably accredited by RMS. The developer/contractor must produce upon request evidence that all staff involved in the above have such accreditation.**
10. **All disturbed surfaces that will contribute to erosion and scouring must be stabilized and turfed.**
11. **All stormwater runoff from roof and developed surfaces is to be controlled in such a manner so as not to flow or discharge over adjacent properties. Methods of disposal of excess stormwater including overflow from tank/s must also include adequate provision for prevention of erosion and scouring. All stormwater is to be discharge by connecting to the existing stormwater network system.**
12. **Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the developer. The developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.**
13. **Any damage which is caused to Council's infrastructure as a result of the proposed development must be repaired immediately to Council's satisfaction and at no cost to Council.**
14. **The internal access driveway must be constructed and maintained at all times to provide access in all weather conditions for largest possible vehicles that can access to site. The driveway must also be of a sufficient standard to allow for access by emergency service vehicles and must have suitable passing bays in accordance to AS2890.1.**
15. **Access for firefighting must be available to all structures with ample turning area to allow emergency personnel to conduct firefighting operations.**
16. **In order to minimise noise impacts the operation of the development shall be carried out in accordance with all the recommendations set out in Section 6 of the Noise Impact Assessment by Acoustic Dynamics dated 20 August 2021. These include but are not limited to restrictions of hours of operation of certain activities, closing of openable façade components during certain activities and post- approval monitoring for 3 months after commencement of the operation.**

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

17. **Prior to release of the Construction Certificate, approval pursuant to Section 68 of the Local Government Act, 1993 for the installation of an On Site Sewer Management System is to be obtained from Mid-Western Regional Council.**
18. **Prior to issue of the Construction Certificate, all plans and documentation to support the application must ensure that compliance with the General Terms of Approval issued by the NSW Rural Fire Service and the requirements of the Bushfire Hazard Assessment Report (Version 3 Final dated 12/10/2021) is achieved.**

19. The design, construction and fit-out of the proposed kitchen, coolroom/s and associated structures must be constructed in accordance with the relevant requirements of Australian Standard 4674 - 2004 "Design, Construction and Fitout of Food Premises". Full details are to be submitted for approval with the required Construction Certificate.
20. Prior to issue of the Construction Certificate for the tourist accommodation buildings, the floor plan shall be amended to include laundry facilities within each suite.
21. Prior to issue of a Construction Certificate, fully detailed design plans along with the supporting report prepared by professional registered engineer must be submitted with a Section 138 application for assessment and approval of Council. The design must ensure that the intersection upgrade complies with BAL and BAR requirements as per Austroads Guide to Road Design part 4A: Un-Signalised and Signalised Intersections.
Note: this does trigger upgrade of culvert crossing along Cudgegong road and must ensure that the widened shoulders are sealed to have a sound and even surface and the design must be upgraded as per the recommendation of Traffic Impact assessment report prepared by Rytenskild, Figure 7.2 and Figure 7.3.
22. Prior to the issue of the Construction Certificate, all civil engineering design works required by the development (including the internal access road, parking areas and stormwater detention measures) must comply with relevant Design Standards with cross sectional details along with longitudinal sectional details provided. All designs must be prepared and certified by registered professional engineer and must be submitted to Council.
23. Prior to the issue of the Construction Certificate, the Applicant must submit to Council a manoeuvring plan to ensure that the largest possible design vehicle to access the site can safely manoeuvre the external/internal road.
24. Prior to the issue of the Construction Certificate, an amended drawing of the type 2 road must be submitted to Council to ensure that two vehicles can pass safely. If not, some localised widening is required to be incorporated into the road design as a passing bay with proper sight distance included.
25. Prior to issue of a Construction Certificate, a minimum of 65 car parking spaces are to be provided within the site of the development and must comply with AS 2890.1: 2004/2890.2 and 2890.6 in relation to dimension, signage, lines marking, safety/crash barriers, wheel stop and should comply with the following requirements:
 - a) Council preference is for parking spaces to be sealed and line marked to address environmental impacts. If not, as a minimum standard is to be provided with a hard standing all weather compacted gravel surface and must be maintained in a satisfactory condition at all times.
 - b) The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Maritime Services (RMS) guidelines and Australian Standard AS 2890.1 – 2004. Details of compliance are to be shown on the relevant plans and specifications.
 - c) All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.

26. Prior to the issue of Construction Certificate, a revised stormwater management plan must be submitted and approved by Council to provide a stormwater drainage system in accordance with the "major/minor" system concept set out in Chapter 14 of Australian Rainfall & Runoff, 1987 (ARR 1987); that is, the "major" system shall provide safe, well-defined overland flow paths for rare and extreme storm runoff events while the "minor" system shall be capable of carrying and controlling flows from frequent runoff events Design Principles. The report must demonstrate that the stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 100-year ARI. All stormwater detention details including analysis shall be included with the drainage report.
27. A construction management plan is to be submitted along with the Construction Certificate application. The management plan shall include:
- a) Details of sedimentation and erosion control.
 - b) Details of haulage routes shall be providing to Council for approval.
Note: All trucks and machinery must be free from all foreign material where such material is likely to cause pollution. An area must be set aside for the cleaning of concrete agitator trucks.
 - c) Details of dust mitigation and access roads.
 - d) Location and phone number of the site office.
28. Prior to the issue of Construction Certificate, a Soil and Water Management Plan and soil loss calculation must be prepared by a certified professional and is to be submitted to Council for approval. Erosion control measures are to be implemented prior to the commencement of any earthworks and shall be maintained until satisfactory completion and restoration of site earthworks, including revegetation of all exposed areas. The Soil and Water Management Plan (SWMP) for this development is to be prepared and implemented in accordance with Landcom Guidelines and requirements as outlined in the latest edition of "Soils and Construction- Managing Urban Stormwater. The SWMP must also incorporate the change of pervious surface to compacted gravel road surface and hard standing all weather surface for parking. The overall drainage plan for the site must be included and the strategy for its disposal must be submitted to ensure that the post development discharge must not be more that the pre-development discharge.
- Points to be considered include but are not limited to:
- Drainage reserves and swales and disturbed surfaces due to construction activities are to be turfed.
 - Saving available topsoil for reuse in the revegetation phase of the development;
 - Using erosion control measures to prevent on-site damage prior to any construction activity on site;
 - Rehabilitating disturbed areas promptly;
 - Maintenance of erosion and sediment control structures;
 - Disturbed areas are to be seeded, fertilised and hay mulched or similar on completion of regrading works. Disturbed areas are to be progressively revegetated with exposed areas kept to a workable minimum.
 - Details of scour protection devices

Note: Councils development engineer must be contacted to carry out this inspection. As a hold point, this erosion controlling measures must be inspected prior carrying out works.

29. A schedule of existing and proposed fire safety measures is to be submitted to the Principal Certifying Authority with the application for the Construction Certificate.
30. In accordance with the provisions of Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Contributions Plan 2019, a levy based on the value of works (where the value of works exceeds \$100,000) shall be paid to Council in accordance with this condition for the purpose of public facilities, prior to issue of a Construction Certificate.

The value of works is to be calculated in accordance with Table 6 and the procedure outlined in Figure 1 of the Contributions Plan. Based on the cost of works for the accommodation and restaurant provided with the application, the estimated amount payable is \$70,000.39. A report regarding the confirmed value of works and any necessary certification is to be submitted to Council. Council will then calculate and advise of the final levy amount following submission of the documents which is required to be provided prior to issue of the Construction Certificate.

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

Note: Mid-Western Regional Contributions Plan 2019 is available for perusal at Council's Administration Centre at 86 Market Street, Mudgee or on Council's.

31. Prior to issue of a Construction Certificate for the restaurant building, details shall be submitted to the Principal Certifying Authority of a suitable acoustic screen or barrier on the external deck. The screen/barrier shall be in accordance with Section 6.1.1 of the Noise Impact Assessment by Acoustic Dynamics dated 20 August 2021.
32. Prior to issue of a Construction Certificate for the Restaurant building, details shall be submitted to the Principal Certifying Authority of a suitable acoustic screen or barrier around mechanical plant. The screen/barrier shall be in accordance with Section 6.1.2 of the Noise Impact Assessment by Acoustic Dynamics dated 20 August 2021.
33. Prior to issue of a Construction Certificate for the Restaurant building, details shall be submitted to the Principal Certifying Authority of the construction materials of the restaurant/function room including sound transmission details. The details shall be in accordance with Section 6.1.5 of the Noise Impact Assessment by Acoustic Dynamics dated 20 August 2021.

PRIOR TO THE COMMENCEMENT OF WORKS

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

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

35. Prior to the commencement of works for all moveable dwellings, approval pursuant to section 68 (Part A) of the Local Government Act 1993 to install a moveable dwelling and associated structure is to be obtained from Council. A current engineer's

certificate is required to be site specific and acknowledge the structure is to be relocated to the new site.

Note: You will be required to obtain separate Section 68 (Part A) approvals for each individual dwelling.

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

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

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

- a) stating that unauthorised entry to the work site is prohibited;
- b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours;
- c) the name, address and telephone number of the principal certifying authority for the work; and
- d) the sign shall be removed when the erection or demolition of the building has been completed.

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

- a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient; or
- b) building involves the enclosure of a public place.

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

39. The development site is to be managed for the entirety of work in the following manner:

- a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
- b) Appropriate dust control measures;
- c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
- d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

40. Construction must not take place until appropriate erosion control, dust control and silt collection measures are in place. These controls must be within the satisfaction of Council and to relevant engineering standards. Such erosion control, dust control and silt collection measures must remain onsite and maintained to the satisfaction of Council for the duration of the construction period.

Any soil / water retention structures are to be constructed prior to the bulk stripping of topsoil to ensure sediment from the whole site is captured.

BUILDING CONSTRUCTION

- 41. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.**
- 42. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the Plumbing Code of Australia.**
- 43. Construction work noise that is audible at other premises is to be restricted to the following times:**
 - Monday to Saturday - 7.00am to 5.00pm****No construction work noise is permitted on Sundays or Public Holidays.**
- 44. All mandatory inspections required by the Environmental Planning & Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.**
- 45. All stormwater is to discharge a minimum 3m from the building and disposed of in such a way as to not adversely affect the adjoining properties.**
- 46. The strength of the concrete used for the reinforced concrete must be a minimum 25Mpa.**
- 47. This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.**
- 48. All building work is to comply with the requirements of the Access to Premises Standard.**
- 49. The list of measures contained in the schedule attached to the Construction Certificate are required to be installed in the building or on the land to ensure the safety of persons in the event of fire.**
- 50. Gravel formed internal driveways, manoeuvring and parking areas must be constructed with compacted gravel and maintained to acceptable standards and Council's satisfaction at all times to ensure the safety of users. Measures to prevent erosion and scouring and the transport of sediment by stormwater runoff must be put in place and maintained at all times.**
- 51. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified. (Note: A suitably qualified person is required to be present during earthworks to identify whether any artefacts were uncovered).**
- 52. If unexpected soil contaminants are discovered during works which has the potential to alter previous conclusions regarding site contamination; work must cease and Council or NSW Environmental Protection Authority must be notified immediately.**

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

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

FOLLOWING WORKS

53. Following the completion of intersection upgrade works, one set of Works as Executed (WAE) Drawings in PDF format, AutoCAD compatible files in DWG format, MapInfo files (MGA GDA94 Zone 55/56) and completed Asset Data Template spreadsheets in MS Excel format, are to be submitted to Council. All Works as Executed plans shall bear the consulting engineer's or consulting surveyor's certification stating that all information shown in the plans are accurate.
54. The access road must be maintained on a regular basis and manage stormwater to prevent release of stormwater to adjoining properties and cause no adverse impact to water bodies.
55. The table drain/s must be stabilised so as to ensure that it does not contribute to erosion and scouring which ultimately leads to siltation.

PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE

56. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
57. Prior to the occupation of any moveable dwelling, a Certificate of Completion is to be obtained from Council for the installation of the moveable dwelling.
58. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifying Authority to be given a fire safety certificate in accordance with Clause 153 of the Environmental Planning and Assessment Regulation 2000 for each measure listed in the schedule. The certificate must only be in the form specified by Clause 174 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
59. Prior to issue of an Occupation Certificate, the road works approved under the Section 138 application for works within Cudgegong Road must be satisfactorily completed with a final inspection report issued by Council's Development Engineering Department.
60. All stormwater, internal road / driveway and car parking works must be completed prior to issue of the Occupation Certificate for the development.
61. Prior to issue of the Occupation Certificate for each relevant building, onsite detention tanks of the required capacity in accordance with the approved stormwater management plan is to be installed for each building.

62. Prior to the issue of an Occupation Certificate, all works including but not limited to the following required for this development must be inspected and approved by Council's Development Engineer to ensure its compliance:
- a) Internal road works,
 - b) Stormwater management, including erosion and scouring if any,
 - c) Measures to control siltation,
 - d) Access and parking upgrade works, including crash barriers, if required, as per AS2890 and signage.

DURING OPERATIONS / ONGOING USE

63. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of NSW Fire Brigades with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.
64. Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of NSW Fire Brigades and Council. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.
65. There is to be no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
66. All waste generated by the development is to be disposed of to an appropriately licenced waste facility. In this regard, a commercial waste contract agreement is to be established to ensure that wastes are disposed of appropriately. All fees and charges for disposal are to be borne by the developer.
67. The hours of operation of the restaurant and function room is limited to the following:
- 8am - 11pm Monday to Friday & Sundays and
 - 8am - Midnight on Saturdays.
- Note: The operations of the restaurant and function room is limited to the requirements of the Acoustic Assessment Dated 20 August 2021.*
68. Following commencement of operations of the restaurant, an operational noise validation report is to be conducted and submitted to Council within 3 months. The report must demonstrate and certify that noise emissions from the development satisfies the conditions of consent and the requirements of the Noise Impact Assessment prepared by Acoustic Dynamics dated 20 August 2021. Any recommendations contained in the validation report must be implemented immediately.
69. All vehicles are required to enter and leave the site in a forward direction at all times.
70. All loading and unloading in connection with the premises shall be carried out wholly within the site.

71. All car parking areas, loading and unloading areas, vehicle manoeuvring and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.
72. All waste generated by the development is to be disposed of to a Council approved waste facility. All fees and charges for disposal are to be borne by the developer.
73. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
74. Measures, such as raised kerb edges, bollards and/or fencing, are to be installed and maintained around all approved landscaped areas in order to prevent vehicles driving over them.
75. The development is to be kept in a clean and tidy condition at all times.
76. The food premises shall, at all times, be operated and maintained in accordance with Food Safety Standards 3.1.1, 3.2.2 and 3.2.3 prescribed in chapter 3 of the Australia and New Zealand Food Standards Code.
77. A complaint handling procedure and reporting register is to be established that ensures all complaints made by neighbouring residents or visitors as a result of the operations of the development are appropriately resolved. The register is to be made available to Council at any time upon request.
78. A sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent, that are permitted in the building for the following uses:
 - (a) entertainment venue;
 - (b) function centre;
 - (c) pub;
 - (d) registered club;
 - (e) restaurant.

ADVISORY NOTES

1. The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".
2. The Contractor is required to contact Dial Before You Dig to obtain details of the location of the various services in the vicinity of the subdivision to minimise the chance of disturbing utility services as well as the location of services which require to be relocated. DBYD can be contacted online <https://www.1100.com.au/> or by phone on 1100.
3. The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

4. **Division 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 12 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Development Department for more information or advice.**
5. **If you are dissatisfied with this decision section 8.7 of the EP&A Act gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice, pursuant to section 8.10(1)(b).**
6. **To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.**

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. **The proposed development generally complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013. Where variations have been identified, conditions of consent have been imposed.**
2. **The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning & Assessment Act 1979.**
3. **No submissions were received during the public exhibition period.**

Executive summary

OWNER/S	Mr R and Mrs J Beaurepaire
APPLICANT	Newton Denny Chappelle
PROPERTY DESCRIPTION	'Woodlawn' 182 Cudgegong Road, Rylstone Lot 1 DP 879337
PROPOSED DEVELOPMENT	Mixed Use Development including Detached Dual Occupancy, Hotel and Motel Accommodation (60 Cabins), Staff Accommodation (3 cabins) and Restaurant with Function Room
ESTIMATED COST OF DEVELOPMENT:	\$7,039,881.00
REASON FOR REPORTING TO COUNCIL:	Cost of development exceeds \$2 Million
PUBLIC SUBMISSIONS:	Nil

Development Application DA0429/2021 has been submitted to Council that seeks approval for a Dual Occupancy (Detached), Tourist and Visitor Accommodation (Hotel and Motel Accommodation comprising 60 suites), Three (3) Staff Accommodation Units, Restaurant with Function Room and Associated Works, to be located at 182 Cudgegong Road RYLSTONE NSW 2849, legally identified as Lot 1 DP 879337.

The subject land, bordered by the Cudgegong River, has an area of 201.5 Hectares and contains a vineyard and cellar door known as De Beaurepaire Wines which currently operates from 11am to 5pm, Thursday to Monday.

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 13 August 2021. During the notification period, no submissions were received.

The proposed development has been assessed in accordance with Council's DCP and the LEP. The proposed development is considered generally consistent with Council's planning controls however, a variation to the onsite parking arrangements has been requested with justification provided in the traffic impact assessment report.

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the value of the application exceeds \$2 million.

The application is recommended for Approval.

Disclosure of Interest

Nil

Detailed report

PROPOSED DEVELOPMENT

Council is in receipt of Development Application DA0429/2021 for a mixed use development to be located at 182 Cudgegong Road RYLSTONE NSW 2849, Lot 1 DP 879337.

Key aspects of the proposal includes two (2) separate precincts comprising of:

- Restaurant (60 seats) with adjoining function room for up to a maximum of 120 persons, ancillary kitchen and bar comprising a total internal floor area of 382m²;
- Tourist Accommodation – comprising sixty (60) 'pre-fabricated' cabins being a mix of 1, 2 or 3 bedrooms along with three (3) accessible cabins;
- Three (3) 'pre-fabricated' cabins for staff accommodation;
- New 'pre-fabricated' 3 bedroom owners' residence (forming a detached dual occupancy on the land); and
- Associated civil works including road upgrades, car parking and landscaping.

It should be noted that the proposed 'wellness centre' shown on the site plan is not included as part of this development application. Plans of the proposal are included within **Attachment 1**.

The proposal provides a total of 65 formalised car parking spaces, 28 are proposed to be provided in a common / central parking area for visitors, and 12 spaces are proposed for staff in a separate parking area. An additional 25 car parking spaces are proposed adjacent to the tourist accommodation units. A 12 seater courtesy bus is proposed to also be utilised to support the land uses.

The proposed opening hours of the restaurant and function room are:

- 8am - 11pm Monday to Friday & Sundays and
- 8am - Midnight on Saturdays.

SUBJECT LAND

The subject land known as 182 Cudgegong Road, Rylstone (legally identified as Lot 1 DP 879337) contains an existing winery and cellar door (approved under DA0053/2008) with supporting outbuildings and dwelling house.

The subject land comprises a total area of 201.5 Hectares and has legal access via a right of carriageway over Lot 42 DP 755802, located to the south of the site.

The site is bound to the north and west by the Cudgegong River and the Rylstone Common is found to the east of the site.

The subject site and the proposed development footprints are identified by Figures 1 and 2 below.

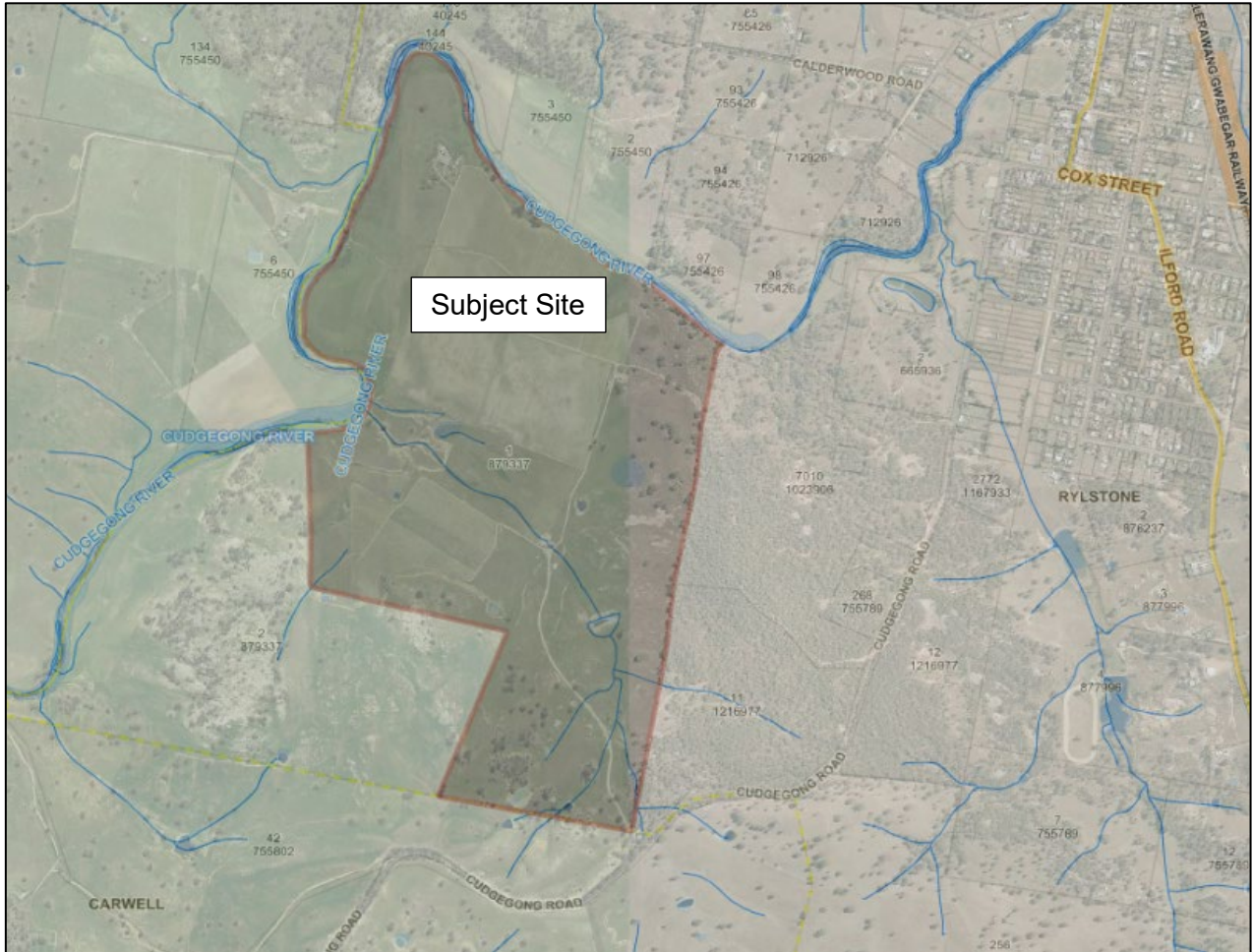


Figure 1: Existing Site Location Plan

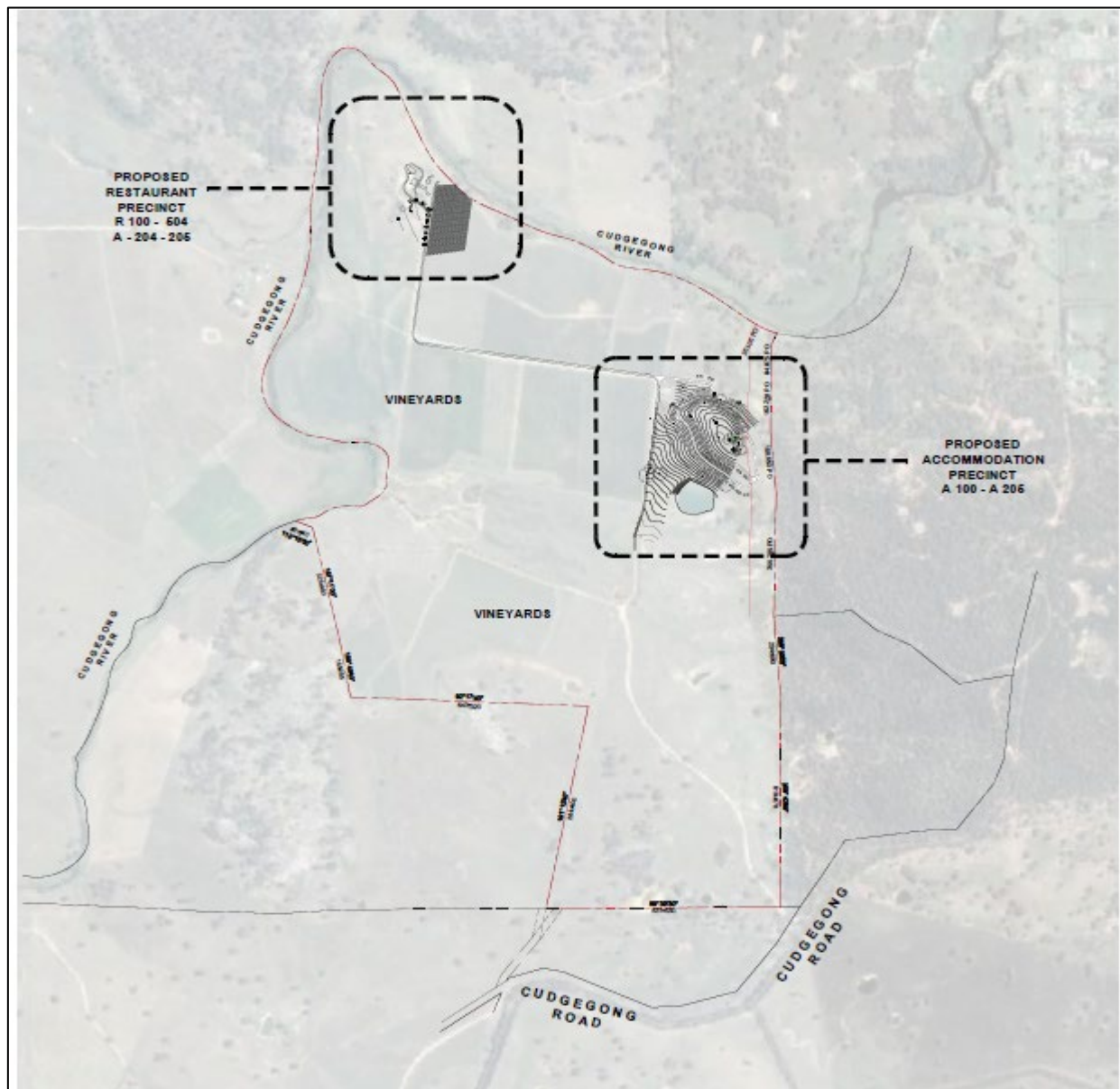


Figure 2: Proposed Site Layout Plan

LEGISLATIVE REQUIREMENTS

Environmental Planning and Assessment Act 1979

Designated Development

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

Integrated Development

The development proposal is considered to be Integrated Development, in accordance with section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The subject land is identified as bushfire prone land and the application is identified to be for a special fire protection purpose (tourist accommodation). As a result, pursuant to Section 100B of the Rural Fires Act, General Terms of Approval from the NSW Rural Fire Service is required to be obtained. General Terms of Approval were issued on the 23 September 2021 with conditions imposed. The conditions

and a copy of the General Terms of Approval have been included within the recommended conditions of consent.

ASSESSMENT

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

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

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

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

The Biodiversity and Conservation SEPP applies to the proposal as the area of land associated with the proposal is identified on the Koala Development Application Map, and is greater than 1 hectare in size. The application was supported by a Biodiversity Assessment Report which states that 0.97 hectares of native vegetation will be removed to support the proposal however, there will be no impact on koala habitat, as identified under Schedule 2 of the SEPP as a result of the proposed development. The proposed clearing is also less than the prescribed clearing threshold of 1 hectare and no impact to threatened species was identified under the 5 part test undertaken within the Biodiversity Assessment Report.

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

The proposal involves residential development however it is proposed in a prefabricated or manufactured form and therefore SEPP BASIX does not apply.

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

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

STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021

The proposed development is not identified as State or Regionally Significant Development nor is the proposal impacted by any other requirements of this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (PRIMARY PRODUCTION) 2021

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

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Pursuant to section 4.6 of the Policy, a site inspection and a search of council's records confirm that a winery and agricultural activities have historically been undertaken on the subject site. Whilst the proposed development has avoided the existing grape vine areas, the application has been supported by Preliminary Site Contamination Assessment which included site soil sampling to confirm the subject site is suitable for the proposed development. The report confirmed that:

Based on the findings of the desktop review and site investigation it can be stated with a reasonable level of confidence that the areas identified for the proposed development of the hospitality and tourist accommodation are suitable for this intended land use. This finding is

supported with analytical results of surface soil samples collected at the respective development areas, in which no contaminants were detected above human health-risk based and ecological risk screening criteria.

The following recommendation was made in the report findings:

It is recommended that during any excavation or construction activities that involve disturbance of the surface soil, sediment and erosion control measures be put in place to prevent the dispersion of sediment off-site.

A condition has been imposed within the recommended conditions of consent.

STATE ENVIRONMENTAL PLANNING POLICY (RESOURCES AND ENERGY) 2021

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

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

Pursuant to section 2.48, the development will not have impact on underground electricity power lines, distribution pole or tower. There are no electrical easements that constrain the subject site and therefore no further consideration of this SEPP is considered necessary.

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

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

Clause 1.2 Aims of Plan

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

Clause 1.4 Definitions

The proposal is a mixed use development defined in accordance with the MWRLEP 2012 as follows:

- *mixed use development means a building or place comprising 2 or more different land uses.*

The land uses involved in the mixed use development includes the following:

1. *dual occupancy (detached) means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.*
2. *restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided. Note—Restaurants or cafes are a type of food and drink premises—see the definition of that term in this Dictionary.*

A food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following —

- (a) a restaurant or cafe,*
- (b) take away food and drink premises,*
- (c) a pub,*
- (d) a small bar.*

Note: Food and drink premises are a type of retail premises—see the definition of that term in this Dictionary

3. *function centre means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.*
4. *hotel or motel accommodation means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that —*
 - (a) *comprises rooms or self-contained suites, and*
 - (b) *may provide meals to guests or the general public and facilities for the parking of guests' vehicles, but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.*

Note: Hotel or motel accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

Tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following—

- (a) *backpackers' accommodation,*
- (b) *bed and breakfast accommodation,*
- (c) *farm stay accommodation,*
- (d) *hotel or motel accommodation,*
- (e) *serviced apartments,*

but does not include—

- (f) *camping grounds, or*
- (g) *caravan parks, or*
- (h) *eco-tourist facilities*

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned RU1 Primary Production and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned RU1 Primary Production pursuant to MWRLEP 2012. The proposal, being a mixed use development including a dual occupancy detached, restaurant, function centre and hotel or motel accommodation is permissible with consent in the zone and complies with the relevant objectives.

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

RU1 Primary Production

1. *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*

Comment The proposal does not significantly impact upon the ability of the land to continue to be used for the purposes of primary production with all grape vines that exist over the site to be retained and grazing of stock able to be maintained over the 200 hectare site.

2. *To encourage diversity in primary industry enterprises and systems appropriate for the area.*

Comment The proposal allows for diversification from existing primary industry enterprises conducted over the site and with the segregation of the land uses to already disturbed areas of the site, minimal impacts are generated.

3. *To minimise the fragmentation and alienation of resource lands.*

Comment The proposal does not contribute to unreasonable fragmentation of rural land.

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

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

5. *To maintain the visual amenity and landscape quality of the Mid-Western Region by preserving the area's open rural landscapes and environmental and cultural heritage values.*

Comment The proposal will not result in any significant impact upon the immediate visual amenity or environmental/cultural heritage values of the site. The site is not identified as visually sensitive land or located in a scenic protection area. The development footprint has been isolated to two (2) areas of the site which ensures that the potential level of environmental impact is reduced.

6. *To promote the unique rural character of the Mid-Western Region and facilitate a variety of tourist land uses.*

Comment The proposal includes tourist related land uses that will promote the unique rural character of the Mid-Western Region.

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

This clause applies as the land is zoned RU1 and the application involves the erection of a dwelling, to form a dual occupancy.

In order for the property to benefit from a 'dwelling entitlement' it must satisfy one of the provisions contained within clause 4.2A(3). A review of Council's records and the details submitted with the application has revealed that the property complies with clause 4.2A(3)(a) and 4.2A(4). Subsequently, the consent authority can consider the development application for the erection of a dwelling to form a dual occupancy on the land.

Clause 5.10 Heritage Conservation

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

Clause 5.21 Flood planning

The subject site is not identified as being within the flood planning area in accordance with Council's maps and the Floodplain Study and Management Plan. The development will have no impact on Cudgegong River flows due to the higher elevation of the site. No further consideration is necessary.

Clause 6.1 Salinity

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

Clause 6.3 Earthworks

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

Clause 6.4 Groundwater vulnerability

The site is not identified as groundwater vulnerable.

Clause 6.5 Terrestrial biodiversity

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

Clause 6.9 Essential Services

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

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

(ii) Draft environmental planning instruments (EPI)

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

(iii) Any development control plans

MID-WESTERN REGIONAL DCP 2013

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

Part 4.4 Signs

Not applicable, no signage is proposed as part of this application.

Part 4.7 Tree Preservation Order

No trees to be removed that are listed within Part 4.7 of the DCP.

Part 5.1 Car Parking

The proposed development seeks to establish tourist and visitor accommodation and a restaurant which generates the following parking rates under the DCP:

- **Restaurant**
 1 space per 7m² GFA or 1 space per 3 seats whichever is the greater
 1 space per 4m² for licensed floor including outdoor seating or dining
- **Tourist and Visitor Accommodation**
 1 space per unit, plus 2 spaces per 3 employees

An extract of the DCP parking calculations from the Traffic Report provided to Council on the 8 August 2022 is provided below, noting that the staff accommodation has since been reduced to three (3) units.

Table 5.1: Requirement for car parking under DCP (Mid-Western Regional Council)

Component	Minimum Car Parking Spaces Required
Accommodation	
STAGE 1	
Visitor (30 cabins)	30 spaces
Staff (3 cabins)	2 spaces
STAGE 2	
Visitor (30 cabins)	30 spaces
Staff (2 cabins)	2 space
STAGE 1	
Restaurant (60 seats)	20 spaces
TOTAL PARKING REQUIRED	
STAGE 1	52 spaces
STAGE 2	<u>32 spaces</u>
TOTAL	84 spaces

The development seeks to provide a total of 65 formalised car parking spaces, of which all will be provided in Stage 1. As shown in Table 5.1 of the traffic report and extract provided above, the proposal results in a shortfall of 19 spaces, a variation of 22%. The applicant's consultant states that the proposed parking provisions are considered to be acceptable based on the following:

- *The rural location the site and proposal to operate a courtesy bus (van) service to Rylstone, Mudgee and other surrounding areas.*
- *It is expected that a significant number of visitors to the restaurant will be accommodation guests, and therefore not generate additional car parking demand.*
- *The facility has been designed so that it will only operate at capacity when there is cross-use between the accommodation and restaurant / function facility.*
- *Should there be an occasional need for overflow parking, such could comfortably be accommodated on grassed areas that have satisfactory gradient and surface condition.*
- *With regards to the courtesy bus service, it is intended that a 12 seat van would be used. The use of this van (3-4 trips to local areas) would equate to approximately 3 cars per trip and therefore up to 12 parking spaces for four trips.*

As a result of the above justification, in particular the use of a transport bus to reduce car reliance for guests and the cross-use of the facility, the variation to the DCP parking requirements over the large rural site is supported in the circumstances of the case.

Part 5.2 Flooding

The subject site is not identified within Council's Flood Planning Area. The development will have no impact on Cudgegong River flows due to the higher elevation of the site. No further consideration is necessary.

Part 5.3 Stormwater Management

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

Part 5.4 Environmental Controls

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

Part 6.1 Dwellings in Rural Areas

The minimum front setback as prescribed within the table is 60 m. The proposed dwelling to form a dual occupancy is setback 2.2km from the Cudgegong Road. Accordingly, the proposal complies.

The minimum side/rear setback as prescribed within the table is 20m. The proposed dwelling to form a dual occupancy is setback 130m from the Cudgegong River which is the side and rear boundary feature. Accordingly, the proposal complies.

Part 6.4 Tourist and Visitor Accommodation

The proposal generally satisfies the tourist accommodation provisions of the DCP 2013 in that the subject land already contains a residential component and will also include a dual occupancy development as part of this application. Additional conditions are required to ensure parking compliance is achieved onsite.

Further, as the proposed development seeks to establish hotel and motel accommodation, the maximum of six (6) units does not apply in this instance.

The development design and siting has satisfactorily retained vegetation and maintained the topography of the site without significant cut or fill required and all services required to support the development are already available onsite or can be readily provided onsite. A waste water report has been provided to support the application which has been reviewed by the Health and Building

Department and no objections have been raised. A separate section 68 Activity Approval will however be required to be obtained prior to commencing onsite sewerage management works.

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

Pursuant to Council's Contributions Plan 2019, the development is proposing a mixed use development comprising of residential accommodation (inclusion of a detached dual occupancy), 63 hotel / motel accommodation units and a restaurant with function room which exceeds a total cost of \$100,000.

In accordance with section 2.6.1 of the Contributions Plan 2019, a single development can only be levied one type of contribution under Section 7.11 or 7.12 of the EP&A Act. In accordance with the Plan, the component that represents the majority share of the gross floor area (GFA) of the development shall inform which contribution method applies. As the GFA is greater for the accommodation and restaurant component, Section 7.12 contributions apply.

The contribution payable has been calculated below for the tourist accommodation and the restaurant based on the cost report provided to support the application:

- \$7,000,039.20 (including GST) x 1% = \$70,000.39

An appropriate condition has been imposed requiring payment of the contribution subject to provision of finalised cost estimate report.

Section 64 - Water/Sewer Developer Services Charges

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

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

No Planning Agreements are applicable.

Regulations – 4.15(1)(a)(iv)

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

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

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

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

(A) CONTEXT AND SETTING

The proposal is appropriate with regards to the surrounding context and setting and provides a complimentary tourist related land use to an existing winery and cellar door with minimal impacts on the environmental attributes of the site.

(B) ACCESS, TRANSPORT AND TRAFFIC

Traffic Generation:

The Traffic Impact Assessment Report has estimated that the proposed tourist accommodation cabins would generate in the order of 4 vehicle trips per cabin per day, or 0.4 per cabin per hour. Assuming 100% occupancy, application of this rate equates to 240 vehicles per day.

Restaurants typically generate traffic at the following rates:

- 5 vehicle movements per hour per 100m² GFA;
- 60 vehicle movements per day per 100m² GFA.

Table 6.1 - Estimated Development Traffic Generation (peak hour) assuming full occupancy

Component	AM peak hour			PM peak hour			Daily		
	In	Out	Total	In	Out	Total	In	Out	Total
Accommodation (60 cabins)	16	8	24	8	16	24	120	120	240
Restaurant (382m ² GFA)	10	10	20	10	10	20	115	115	230
Total	26	18	44	18	16	44	135	135	470

The above traffic estimates of 44 vehicles per hour in the AM and PM periods assume full occupancy and full use of the restaurant / functions facility by day visitors. It is expected that the traffic generation of the proposal will be in the order of 10% - 20% of the above volume on average weekdays, and 50% on average weekends.

Access and Road Impacts

The Traffic Impact Assessment Report has included surveyed volumes at Cudgegong Road / Coomber Street and Bylong Valley Way / Coomber Street intersections which indicate a through traffic demand of approximately 200 vehicles per peak hour on the Bylong Valley Way with minimal turning demand to Coomber Street. Based on the surveyed demand and low traffic generation of the proposal these intersections only warrant the provision of 'Basic' turn treatments and are considered to be acceptable.

It is noted that a channelised right turn and an auxiliary left turn treatment are provided at the Castlereagh Highway / Bylong Valley Way intersection, with a Type AUR right turn treatment provided at the Castlereagh Highway / Cudgegong Road intersection. The proposal only generates 5 right turn movements from Castlereagh Highway to Bylong Valley Way, with no right turn demand at the Cudgegong Road intersection. It is therefore considered that the existing geometry of each intersection is satisfactory, and the proposal does not trigger additional works to accommodate peak development traffic demands.

Cudgegong Road carries in the order of 35 vehicles per hour during peak periods. This volume warrants the provision of 'Basic' turn treatments regardless of the turning volume. The proposed site access intersection layout is shown in Figures 7.2 and 7.3. As shown, it is proposed that the road be widened on the northern side to allow for Type BAL and BAR turn treatments suitable for a 110 Km / Hr design speed.

The layout shown in the extract of Figure 7.2 from the Report indicates that an Austroads compliant intersection layout (Type BAL and BAR) can be achieved with a widening of approximately 3 metres on the northern side of Cudgegong Road, with all works contained within the road reserve.

The Traffic Impact Assessment Report has concluded that the location of the existing driveway complies with sight distance requirements set out in AS2890 - with the sight distance to the west measured as 208 metres and a greater sight distance is available to the east.

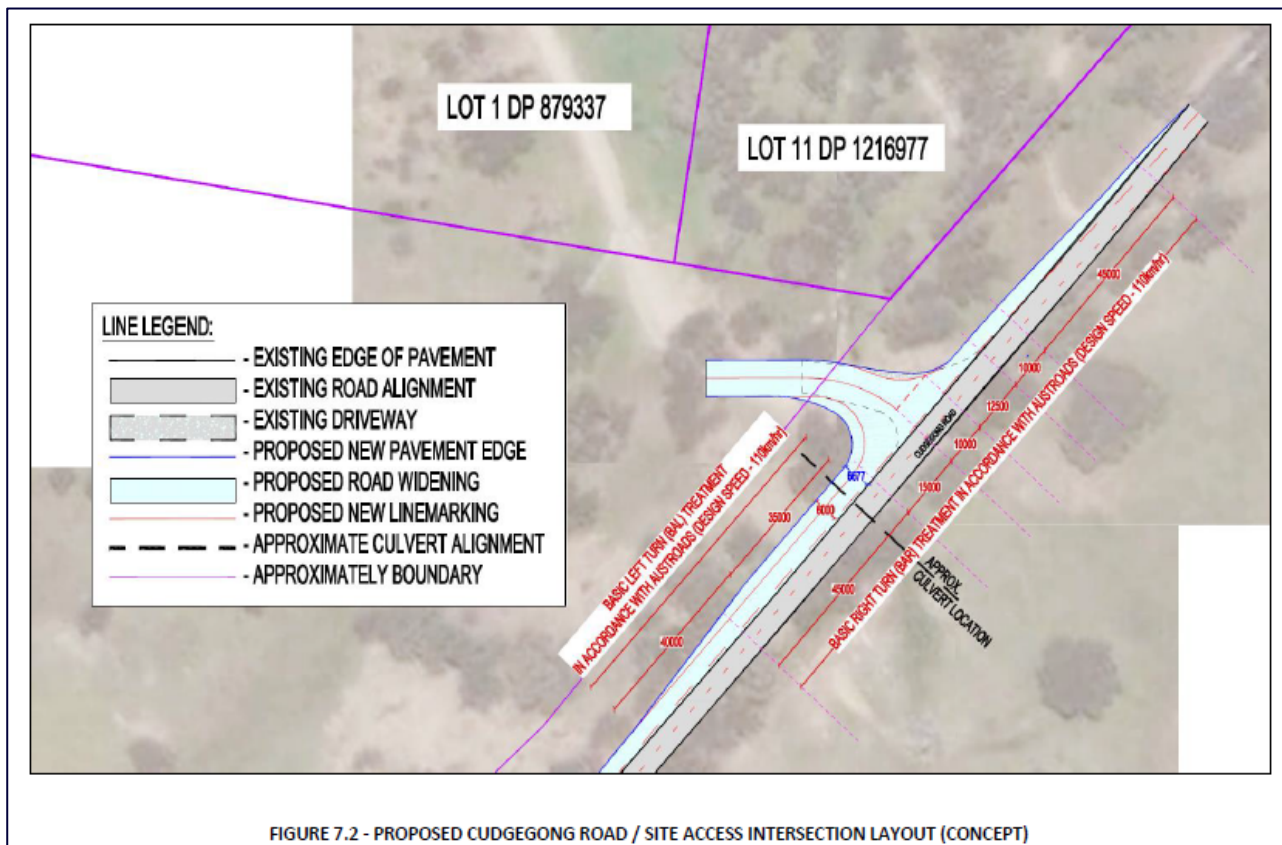


FIGURE 7.2 - PROPOSED CUDGONG ROAD / SITE ACCESS INTERSECTION LAYOUT (CONCEPT)

(C) PUBLIC DOMAIN

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

(D) UTILITIES

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

(E) HERITAGE

The proposed development was supported by a heritage report which concluded that there were no Aboriginal sites or objects identified during a survey of the land. Further, the site is not identified as heritage listed or contained within a heritage conservation area. Notwithstanding the field survey conducted, an 'unexpected finds' condition of consent is recommended to ensure that any objects found during the commencement of works is appropriately managed and reported.

(F) OTHER LAND RESOURCES

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

(G) WATER

No significant impact expected however, the development will need to comply with the Public Health Unit and Councils requirements for supply of water to the restaurant and accommodation. This will require the development of a Quality Assurance Program for the water supply.

(H) SOILS

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

(I) AIR AND MICROCLIMATE

The development is not expected to impact air quality or microclimatic conditions with conditions recommended to manage dust during construction and operations.

(J) FLORA AND FAUNA

The proposed development has been supported by a Biodiversity Assessment Report. The proposed footprint of the development has been designed to eliminate the need to clear any significant vegetation along with consideration of APZ's being maintained around the accommodation precinct buildings. The total estimated amount of clearing has been considered within the report and totals 0.97ha to accommodate the cabins, parking areas and access roads. In accordance with the Biodiversity Conservation Act 2016, the proposed development is unlikely to require substantial native vegetation loss, and that the site is not mapped as containing biodiversity value land as per the Biodiversity Values Map and Threshold Tool, the Biodiversity Offsets Scheme (BOS) would not be triggered. It should be noted that the minimum lot size for the site is 100 ha and 40 ha under the Mid-Western Regional Local Environmental Plan 2012 and hence up to 1 ha of native vegetation may be cleared before triggering the BOS. The proposed development seeks to remove 0.97ha and therefore is less than the prescribed clearing thresholds under the Biodiversity Conservation Regulation.

Further to the above, the Biodiversity Conservation Act requires a test of significance (five-part test) when assessing whether an action, development or activity is likely to significantly affect threatened species, ecological communities or their habitats. The Biodiversity Assessment Report provided to support the application identified that there is the potential for several threatened fauna species to occur at the site and the presence of *White Box Yellow Box Blakely's Red Gum Woodland* (a threatened ecological community) was noted during the site inspection. As a result, a five-part test of significance has been undertaken which concluded that it is unlikely that the local population of any of the subject species or the local occurrence of the subject threatened ecological community would be placed at significant risk of extinction as a result of the proposed development.

(K) WASTE

Waste management will be a requirement of the facility during construction and operation. It is recommended that a commercial waste agreement also be established to ensure that wastes are removed from the site and disposed of to a licenced waste facility capable of receiving large amounts of commercial wastes and recyclables. A condition is imposed accordingly.

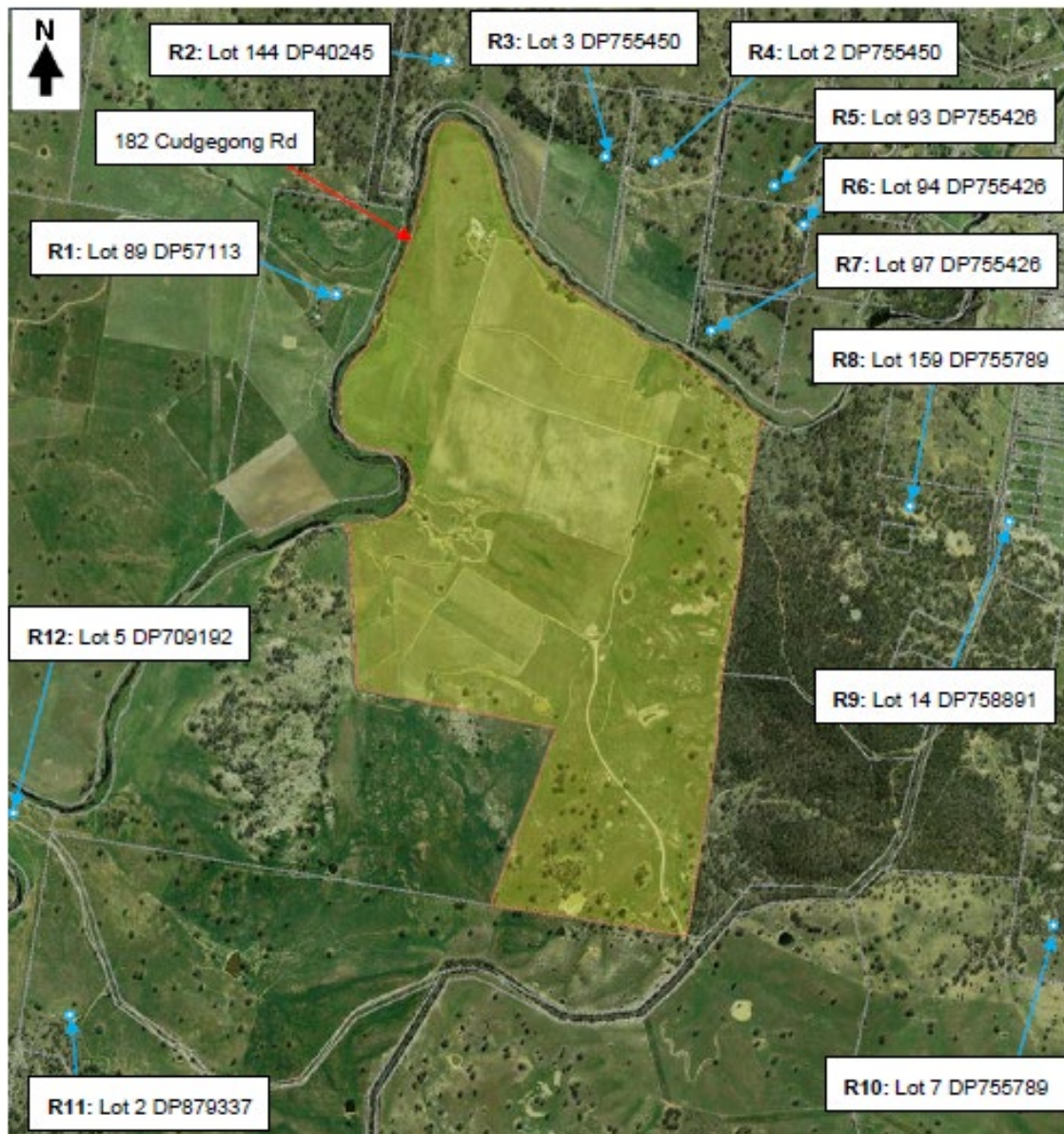
(L) ENERGY

The proposal will be subject to the requirements of the National Construction Code for the relevant building classifications.

(M) NOISE AND VIBRATION

An acoustic assessment was provided as part of the application with the closest sensitive receptors identified in excess of 400m from the development precincts. As part of the assessment however, 12 receptors have been included for the modelling as shown by the extract from the assessment below.

A.1 AERIAL IMAGE WITH SITE AND RECEIVER LOCATIONS



The proposed revised opening hours of the restaurant and function room will be:

- 8am -11pm Monday to Friday & Sundays and
- 8am - Midnight on Saturdays.

To address the recommendations of the acoustic assessment, the applicant states a number of operational requirements are included within the proposal, as outlined below:

- Restriction of 20 persons will be applied to the use of the open deck area for night operating times.
- All glazed façade components and operable faced components (i.e. windows and doors) should be closed during the evening and night-time (except to allow ingress/egress);
 - Night – 10pm-7am
 - Evening – 6pm-10pm
- Glass bottle and rubbish disposal be conducted between the hours of 7am to 6pm on weekdays and 8am to 6pm on weekends and public holidays.

- Management is to ensure guests leave in a civil manner and prevent any loitering of guests of the restaurant within the car park or surrounds of the restaurant.

As there are a number of onsite management issues associated with the above, conditions have been recommended accordingly and align with the requirement of the Acoustic Assessment dated 20 August 2021. Furthermore, it is recommended that the operator develop a complaints management procedure and register to ensure that all complaints are identified and mitigation measures can be introduced should the need arise. Conditions have been imposed accordingly.

(N) NATURAL HAZARDS

The site is identified as bushfire prone land. This has been discussed elsewhere in the report with the General Terms of Approval of the Rural Fire Service required to be complied with at all times. Conditions have been imposed accordingly.

(O) TECHNOLOGICAL HAZARDS

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

(P) SAFETY, SECURITY AND CRIME PREVENTION

The proposed development is considered to increase passive surveillance with onsite crime prevention measures to be managed by the onsite landowners.

(Q) SOCIAL IMPACT IN THE LOCALITY

The proposal is considered to have generally positive social impacts on the locality, providing additional tourism opportunities for the region that supports an existing onsite winery and cellar door operations.

(R) ECONOMIC IMPACT IN THE LOCALITY

The proposal is considered to have generally positive economic impacts on the locality, boosting local accommodation opportunities and providing new employment in a range of fields.

(S) SITE DESIGN AND INTERNAL DESIGN

The proposal is considered to be adequate as discussed throughout this report with the footprint of the development segregated into two key precincts being the restaurant and owners dwellings with outbuildings, and the hotel / staff cabins. Minor modifications will be required to the hotel cabins to ensure that each suite is self-contained. A condition is imposed accordingly.

(T) CONSTRUCTION

To comply with the National Construction Code and the Local Government Act where relevant.

(U) CUMULATIVE IMPACTS

There are no known impacts that have the potential to act in unison, in terms of space or time, or owing to their repetitive nature, that would produce an effect greater or different than the sum of the separate parts. The proposal is able to be constructed in stages and provides an integrated low scale tourist accommodation precinct with supporting restaurant and function room, complimenting the existing winery and cellar door operating from the site.

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

(A) DOES THE PROPOSAL FIT IN THE LOCALITY?

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

(B) ARE THE SITE ATTRIBUTES CONDUCIVE TO DEVELOPMENT?

Yes. The site is not subjected to any significant natural hazards, and the project will not impact any critical habitat, threatened species, populations, ecological communities or endangered habitats on the site. Appropriate mitigation measures will be required to manage the site from bushfire which has been conditioned accordingly.

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

(A) PUBLIC SUBMISSIONS

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 13 August 2021. During the notification period, no submissions were received.

The applicant lodged amended plans/details during the assessment process which reduced the number of staff cabins. However, the changes were not considered significant enough with regards to implications on adjoining neighbours and re-notification of the proposal was not considered necessary.

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

The application was referred to the NSW RFS pursuant to S.100B of the Rural Fires Act. General Terms of Approval have been provided and included within the recommended conditions of consent.

The Public Interest – 4.15(1)(e)

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

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

CONSULTATIONS

(A) HEALTH AND BUILDING

Council's Health & Building Surveyor has not raised any concerns with the proposal, subject to conditions provided on the 6 January 2022.

Council's Environmental Health Officer has also reviewed the application and recommended non-standard conditions to manage noise impacts as follows:

Prior to the Issue of Construction Certificate:

- *Details shall be submitted to the Principal Certifying Authority of a suitable acoustic screen or barrier on the external deck. The screen/barrier shall be in accordance with Section 6.1.1 of the Noise Impact Assessment by Acoustic Dynamics dated 20 August 2021*
- *Details shall be submitted to the Principal Certifying Authority of a suitable acoustic screen or barrier around mechanical plant. The screen/barrier shall be in accordance with Section 6.1.2 of the Noise Impact Assessment by Acoustic Dynamics dated 20 August 2021*
- *Details shall be submitted to the Principal Certifying Authority of the construction materials of the restaurant/function room including sound transmission details. The details shall be in accordance with Section 6.1.5 of the Noise Impact Assessment by Acoustic Dynamics dated 20 August 2021*

Ongoing/Operational Conditions:

- *In order to minimise noise impacts the operation of the development shall be carried out in accordance with all the recommendations set out in Section 6 of the Noise Impact Assessment by Acoustic Dynamics dated 20 August 2021. These include but are not limited to restrictions of hours of operation of certain activities, closing of openable façade components during certain activities and post- approval monitoring for 3 months after commencement of the operation.*

Conditions have been imposed accordingly.

(B) TECHNICAL SERVICES

Council's Development Engineer has not raised any concerns with the proposal subject to conditions provided on the 1 September 2022.

(C) HERITAGE ADVISOR

No consultation necessary.

(D) ACCESS COMMITTEE

No consultation necessary.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

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

Legislation

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

Financial implications

The Applicant will be required to pay developer contributions in accordance with the Mid-Western Regional Contributions Plan 2019 and Developer Servicing Plans 2008.

Associated Risks

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

KAYLA ROBSON
PLANNING COORDINATOR

ALINA AZAR
DIRECTOR DEVELOPMENT

6 September 2022

Attachments: 1. Development Plans. (separately attached)
2. Noise Impact Assessment. (separately attached)
3. Other Specialist Reports including Traffic Report. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.2 Planning Proposal Temporary Workers' Accommodation

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400087, LAN900146

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the Planning Proposal Temporary Workers' Accommodation to amend Clause 6.11 to allow public authorities to develop beyond the 5 kilometre radius standard, include a definition in the Dictionary and in the land use tables of the *Mid-Western Regional Local Environmental Plan 2012*;**
2. **provide initial support for a Planning Proposal to amend the *Mid-Western Regional Local Environmental Plan 2012* to the NSW Department of Planning and Environment seeking a Gateway Determination, in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*; and**
3. **undertake community consultation as outlined within any approved Gateway Determination.**

Executive summary

Council has prepared a Planning Proposal seeking an amendment to the *Mid-Western Regional Local Environmental Plan 2012* (LEP) to amend Clause 6.11 Temporary workers' accommodation to facilitate the development by public authorities of temporary workers' accommodation on suitable sites within the local government area beyond the 5 kilometre radius of the major project or mine. The amendment seeks to include a definition of temporary workers' accommodation in the Dictionary and the land use tables in the *Mid-Western Regional Local Environmental Plan 2012*.

The proposed LEP amendment will provide greater certainty to the location and zone permissibility for Temporary Workers' Accommodation to provide for construction workforce accommodation.

The Planning Proposal provided as Attachment 1 has been prepared generally in accordance with the structure outlined in the NSW Department Planning and Environment (DPE) Local Environmental Plan Making Guideline. The report outlines the context, intended outcomes, explanation of provisions and justification for the Planning Proposal.

The staff recommendation is to provide initial support for the Planning Proposal and to send to DPE for a Gateway Determination. If the staff recommendation is supported, the Planning Proposal along with the Council resolution will be forwarded to DPE for Gateway Determination.

Disclosure of Interest

Nil

Detailed report

Planning Proposals

Planning Proposal is a term used to describe the process of rezoning or making an amendment to a Local Environmental Plan (LEP). A Planning Proposal application is a document that explains the

intended effect of the LEP amendment and provides a strategic justification for doing so. DPE has issued the Local Environmental Plan Making Guideline, to provide guidance and information on the process for preparing planning proposals and making the amendment to the LEP.

The Gateway Process

DPE is responsible for assessing Planning Proposals through the Gateway Process. Details of the Gateway Process are outlined in the Local Environmental Plan Making Guideline 2021.

Gateway Timeline

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

Stage	Completed	Comment
Preparation of a Planning Proposal		
Staff Prepare the Planning Proposal	✓	July - August 2022
Council Decision to Support Proposal	✓	21 September 2022
Issue of Gateway Determination		
Council Requests Gateway Determination		
DP&E Issues Gateway Determination		
Gateway Conditions Satisfied		
Consultation		
Consultation with Relevant Agencies		
Public Exhibition		
Post-Exhibition Report to Council		
Finalisation of the Planning Proposal		
Council Exercises Delegation to Prepare LEP		
Draft LEP by Parliamentary Council		
Opinion Issued and LEP Made		

PROPOSED

The current Clause 6.11 Temporary workers’ accommodation of the LEP (provided below) requires the development to be located within 5 kilometres (if related to a mine) of the relevant mining lease or in any other case, within 5 kilometres of the large scale infrastructure in which persons are to be employed.

6.11 Temporary workers’ accommodation

(1) *The objectives of this clause are as follows—*

- (a) *to enable development for temporary workers’ accommodation if there is a demonstrated need to accommodate employees due to the nature of the work or the location of the land on which that work is carried out,*
- (b) *to ensure that temporary workers’ accommodation is appropriately located,*
- (c) *to ensure that the erection of temporary workers’ accommodation is not likely to have a detrimental impact on the future use of the land or to conflict with an existing land use,*
- (d) *to minimise the impact of temporary workers’ accommodation on local roads and infrastructure.*

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

- (a) *the development is to be located—*
 - (i) *if the development relates to a mine—within 5 kilometres of the relevant mining lease under the Mining Act 1992, or*
 - (ii) *in any other case—within 5 kilometres of the large-scale infrastructure in which persons are to be employed,*

(b) there is a need to provide temporary workers' accommodation due either to the large-scale infrastructure or because of the remote or isolated location of the land on which the large-scale infrastructure is being carried out,

(c) the development will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument,

(d) water reticulation systems and sewerage systems will be provided to adequately meet the requirements of the development,

(e) when the development is no longer in use, the land will, as far as practicable, be restored to the condition in which it was before the commencement of the development.

(3) In this clause—

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

The proposed amendment to the existing clause will allow public authorities (development carried out by or on behalf of a public authority) to establish temporary workers' accommodation on appropriate sites and not be subject to the current 5 kilometre locational requirement.

Council's LEP refers to the definition of 'public authority' in the *Environmental Planning and Assessment Act 1979*, the definition is provided below.

public authority means—

(a) a public or local authority constituted by or under an Act, or

(b) a Public Service agency, or

(c) a statutory body representing the Crown, or

(d) a Public Service senior executive within the meaning of the Government Sector Employment Act 2013, or

(e) a statutory State owned corporation (and its subsidiaries) within the meaning of the State Owned Corporations Act 1989, or

(f) a chief executive officer of a corporation or subsidiary referred to in paragraph (e), or

(g) a person prescribed by the regulations for the purposes of this definition.

The proposed amendment also includes inserting the definition of temporary workers' accommodation into the land use tables and into the Dictionary. The land use will be listed as '3 Permitted with consent' in the RU1 Primary Production and RU5 Village zones. For the remaining zones, the land use will be listed as '4 Prohibited'.

Permissibility is currently determined by the structure of the land use table and characterisation can be subjective.

INTENDED OUTCOMES

The Planning Proposal will facilitate the development to temporary workers' accommodation in suitable locations to accommodate the influx of the construction workforces primarily associated with the development of renewable energy projects. The inclusion of a definition in the Dictionary and insertion into the land use tables will provide certainty of permissibility and characterisation.

EXPLANATION OF PROVISIONS

The Planning Proposal details how the objectives and intended outcomes will be achieved.

JUSTIFICATION

The DPE Local Environmental Plan Making Guideline September 2022 outlines questions to consider when demonstrating the justification. The provided Planning Proposal responds to the questions.

NEXT STEP

If Council supports the recommendation, the next step would involve forwarding the Planning Proposal and a Council resolution of initial support to DPE seeking a Gateway Determination.

Community Plan implications

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

Strategic implications

Council Strategies

Mid-Western Regional Local Strategic Planning Statement, Our Place 2040

Council Policies

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

Legislation

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

Financial implications

Nil

Associated Risks

If Council does not wish to provide initial support for the Planning Proposal, Council may resolve not to proceed with the Planning Proposal and advise the proponent accordingly.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

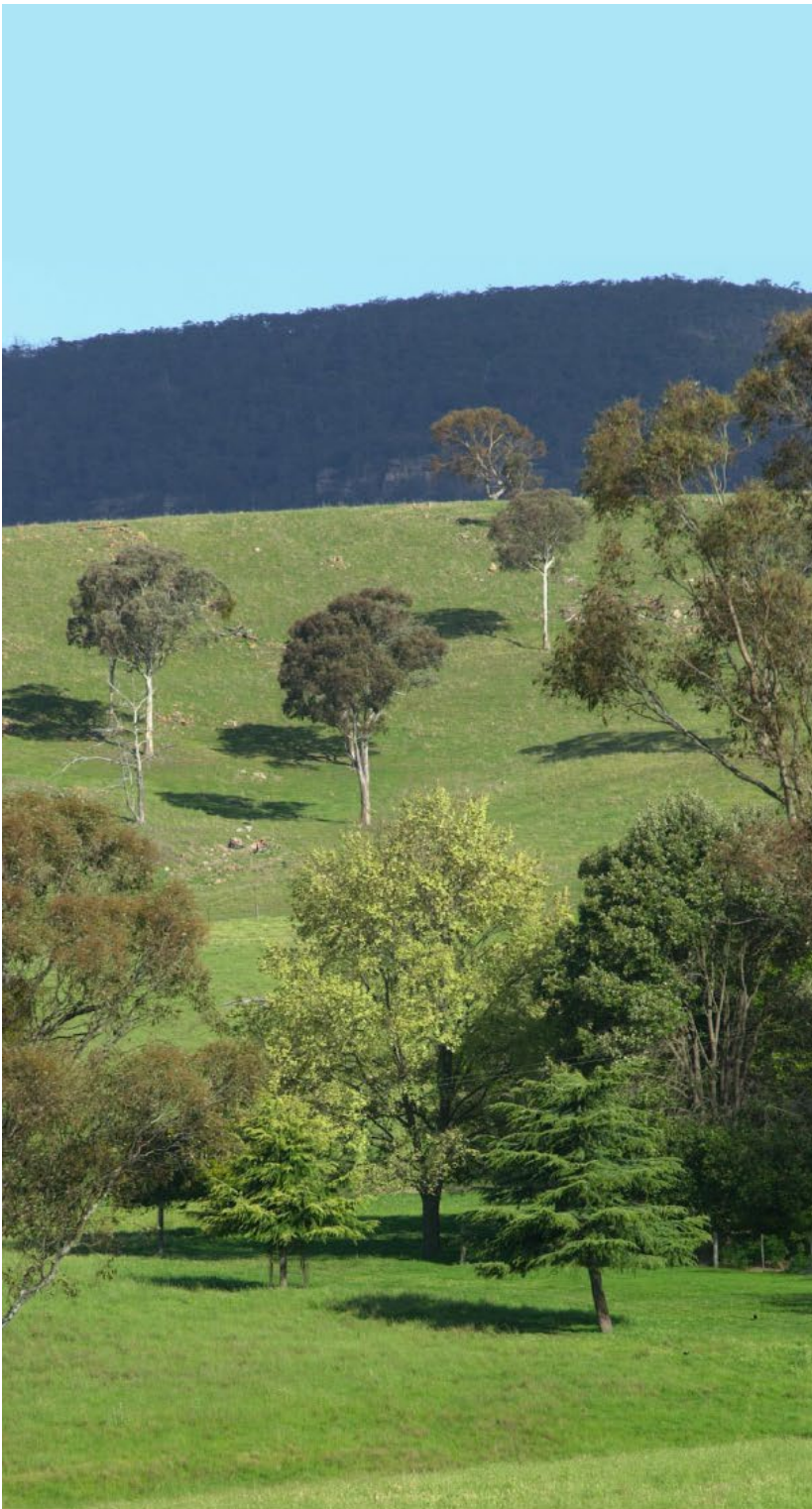
ALINA AZAR
DIRECTOR DEVELOPMENT

6 September 2022

Attachments: 1. Planning Proposal.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Looking After
our Community*

PLANNING PROPOSAL
TEMPORARY
WORKERS'
ACCOMMODATION
AMENDMENT 2022

9 AUGUST 2022

MID-WESTERN REGIONAL COUNCIL
STRATEGIC PLANNING

■ ■ ■ ■ ■ TOWARDS 2030



STRATEGIC PLANNING | PLANNING PROPOSAL TEMPORARY WORKERS' ACCOMMODATION AMENDMENT 2022

Version	Date	Notes
V001	September 2022	PP reported to Sept Council

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Overview

Introduction

The Planning Proposal Mid-Western Regional Local Environmental Plan temporary workers' accommodation (the Planning Proposal) explains the intent of, and justification for, the proposed amendment to the *Mid-Western Regional Local Environmental Plan 2012* (MWRLEP 2012).

The Planning Proposal is to implement the following change to the MWRLEP 2012:

The current Clause 6.11 Temporary workers' accommodation requires the development to be located within 5 kilometres (if related to a mine) of the relevant mining lease or in any other case, within 5 kilometres of the large scale infrastructure in which persons are to be employed.

The proposed amendment to the existing clause will allow public authorities to establish temporary workers' accommodation on appropriate sites and not be subject to the current 5 kilometre locational requirement.

The proposed amendment also includes inserting the land use temporary workers' accommodation into the land use tables and into the Dictionary.

The proposal has been prepared in accordance with Section 3.32 and 3.33 of the Environmental Planning and Assessment Act 1979 (the Act) and the relevant Department of Planning and Environment, Local Environmental Plan Making Guideline, December 2021.

Background

Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012) came into effect on 10 August 2012. MWRLEP 2012 is the consolidation of the previous planning controls into one local environmental plan. It is also a translation of those controls into the NSW Government's Standard Instrument Principal Local Environmental Plan.

Council supported and made an amendment to the MWRLEP 2012 to insert Clause 6.11 Temporary workers' accommodation. The Clause was in response to the unprecedented growth in the resources industry through an increase in mining activity throughout the Region. The clause was drafted to ensure that temporary workers' accommodation was suitably located. At the time, the environmental planning instruments made provision for urban growth, however, growing pressure was being felt to provide alternative accommodation options to provide for immediate and short term solutions.

In order to provide a strategic framework in which to consider future application for temporary workers' accommodation, Council prepared and adopted specific DCP controls to provide Council, developers and the community guidance. Over 300 submissions were received from the community during the exhibition period, concerns focused on the social and economic impacts and the suitability of the location of temporary workers' accommodation adjacent to towns and villages rather than on the site of the mine or major project.

Current permissibility

Temporary workers' accommodation is not currently listed in the zoning land use tables or the dictionary in the MWRLEP 2012, accordingly, Temporary workers' accommodation is considered an innominate land use. The permissibility of innominate land uses are determined by the structure of the land use table. Below is the current permissibility of temporary workers' accommodation:

Permitted with consent in the following zones:

RU1 Primary Production
RU4 Primary Production Small Lots zone
RU5 Village
R5 Large Lot Residential
B1 Neighbourhood Centre
B2 Local Centre
B3 Commercial Core
B4 Mixed Use
B5 Business development
IN1 General Industrial
IN2 Light Industrial
IN3 Heavy Industrial

Prohibited in the following zones:

R1 General Residential
R2 Low Density Residential
R3 Medium Density Residential
SP1 Special Activities
SP2 Infrastructure
SP3 Tourist
RE1 Public Recreation
RE2 Private Recreation
C1 National Parks and Nature Reserves
C3 Environmental Management

Part 1 – Objectives or Intended Outcome

The objective of the Planning Proposal is to implement the following:

	PROPOSED AMENDMENT	LAND TO WHICH IT APPLIES	OBJECTIVE/OUTCOME
1.	Include temporary workers accommodation in the Dictionary	The Mid-Western Regional local government area.	Ensure Temporary workers' accommodation is characterised accurately.
2.	<p>Include temporary workers' accommodation as permitted with consent in the following zones: RU1 Primary Production RU5 Village</p> <p>Include temporary workers' accommodation as prohibited in the following zones: B1 Neighbourhood Centre B2 Local Centre B3 Commercial Core B4 Mixed Use B5 Business development IN1 General Industrial IN2 Light Industrial IN3 Heavy Industrial RU4 Primary Production Small Lots zone R1 General Residential R2 Low Density Residential R3 Medium Density Residential R5 Large Lot Residential SP1 Special Activities SP2 Infrastructure SP3 Tourist RE1 Public Recreation RE2 Private Recreation C1 National Parks and Nature Reserves C3 Environmental Management</p>	Zones listed in column 1.	Ensure Temporary workers' accommodation is developed on suitable sites.
3.	Update to Clause 6.11 Temporary workers' accommodation.	Zones RU1 Primary Production and RU5 Village.	<p>Facilitate the development by public authorities of temporary workers' accommodation on suitable sites within the local government area beyond the 5 kilometre radius of the major project or mine.</p> <p>The development of temporary workers' accommodation and associated infrastructure and amenities is to provide a place of accommodation for persons employed or contracted for employment with and for the term of the project.</p>

Part 2 – Explanation of Provisions

The objectives and intended outcomes as described in Part 1 will be achieved by the following:

PROPOSED AMENDMENT	EXPLANATION OF PROVISIONS
1. Include the definition of temporary workers' accommodation in the Dictionary	<p>Below is the current definition included in Clause 6.11:</p> <p><i>temporary workers' accommodation means any habitable buildings and associated amenities erected on a temporary basis for the purpose of providing a place of temporary accommodation for persons employed to carry out large-scale infrastructure, including development for the purposes of an extractive industry, mining, renewable energy or an electricity transmission or distribution network.</i></p> <p>It is proposed to include this definition or similar in the Dictionary of the MWRLEP 2012.</p>
2. Temporary workers' accommodation permissibility	<p>Include temporary workers' accommodation as '3 Permitted with consent' in the following zones: RU1 Primary Production RU5 Village</p> <p>Include temporary workers' accommodation as '4 Prohibited' in the following zones: B1 Neighbourhood Centre B2 Local Centre B3 Commercial Core B4 Mixed Use B5 Business development IN1 General Industrial IN2 Light Industrial IN3 Heavy Industrial RU4 Primary Production Small Lots zone R1 General Residential R2 Low Density Residential R3 Medium Density Residential R5 Large Lot Residential SP1 Special Activities SP2 Infrastructure SP3 Tourist RE1 Public Recreation RE2 Private Recreation C1 National Parks and Nature Reserves C3 Environmental Management</p>
3. Update to Clause 6.11 Temporary workers' accommodation.	<p>Amend Clause 6.11 Temporary Workers' to allow the development by public authorities of temporary workers' accommodation on suitable sites within the local government area beyond the 5 kilometre radius of the major project or mine.</p>

Part 3 – Justification

Section A - Need for the Planning Proposal

Q1: Is the planning proposal the result of an endorsed LSPS, strategic study or report?

The Planning Proposal is not a direct result of any specific strategic study or report. The provision of Temporary Workers' Accommodation is currently facilitated under the MWRLEP 2012. The Planning Proposal will provide greater certainty for those delivering the projects and the community as to the location and permissibility of temporary workers' accommodation with the local government area, whilst minimising impacts on existing housing supply.

The NSW Government's Electricity Strategy and Electricity Infrastructure Roadmap sets out the delivery of the Central-West Orana Renewable Energy Zone (REZ). The Energy Corporation of NSW (EnergyCo) is the NSW Government-controlled statutory authority that will lead the delivery of the REZ. EnergyCo will coordinate REZ transmission, generation, and storage projects. It is the construction of these projects that has generated the need for temporary workers' accommodation. To date, the workforce estimates indicate that at the construction peak 6,500 beds will be required.

In addition to these current and future major projects associated with REZ, the local government area is experiencing a large number of renewable energy projects that will feed into the existing transmission network. Each of these with a construction workforce requiring appropriate accommodation.

This amendment will assist in the strategic location of temporary workers' accommodation to accommodate the cumulative construction workforce mobilising to the area. Ideally a Temporary Workers' Accommodation project will be located to be utilised by multiple major projects whilst minimising impacts to infrastructure and commute times for employees.

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

The amendments outlined in this Planning Proposal are the best means of achieving the Objectives and Intended Outcomes outlined above. The Central-West Orana REZ is the first for NSW, accordingly, this issue of appropriately characterising and determining permissibility of temporary workers' accommodation will be emerging across the state. To respond to this emergence and to protect existing housing and tourism supply, inclusion of a land use definition and insertion into land use tables is necessary, it is not a local issue for the Mid-Western region.

The amendments outlined in this Planning Proposal will provide the most certain approval pathway for a temporary workers' accommodation development (that is not associated with and approved under a State Significant Project).

It should be noted; Mid-Western Regional Council did not have a complete understanding of the scale of the workforce in the initial stages of the state significant planning process. It is not until the employment and workforce strategies are submitted that the numbers of beds are detailed. Hence, as the other REZs are not as progressed the scale of the construction workforce mobilising would not yet be known.

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The proposed amendment could be further supported by a review and update to Clause 6.2 temporary workers' accommodation of the Mid-Western Regional Development Control Plan 2013.

Section B - Relationship to Strategic Framework

Q3: Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy?

The Central West and Orana Regional Plan 2036 local government area. The Planning Proposal is consistent with Goal 4 - Dynamic vibrant and healthy communities Direction 27: Deliver a range of accommodation options for seasonal, itinerant and mining workforces.

The Draft Central West and Orana Regional Plan 2041, Part 2 People, Housing and communities; Objective 10 Provide accommodation for temporary workers, includes: *"Councils need to ensure a variety of housing types, particularly in areas accessible to construction projects and areas which will be the focus of ongoing employment, including Parkes SAP, the Central-West Orana REZ and mining projects"*. This is of particular relevance, as the Planning Proposal will support the implementation of Action 6 of this Plan.

Q4: Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

The Planning Proposal is generally consistent with Council's Towards 2040 and Our Place 2040, Local Strategic Planning Statement.

Q5: Is the planning proposal consistent with any other applicable State and regional studies or strategies?

The Planning Proposal will support the delivery of the REZ as detailed in the NSW Government's Electricity Strategy and Electricity Infrastructure Roadmap.

Q6: Is the planning proposal consistent with applicable SEPPs?

Yes. An analysis of the applicable State Environmental Planning Policies (SEPP's) is included in the following table.

SEPP TITLE	PLANNING PROPOSAL CONSISTENCY
SEPP (Biodiversity and Conservation) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP Building Sustainability Index (BASIX) 2004	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP. Temporary workers' accommodation proposals would be required to determine at development application whether the BASIX is applicable.
SEPP (Exempt & Complying Development Codes) 2008	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Housing) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP. The SEPP does not specifically address temporary workers' accommodation.
SEPP (Industry and Employment) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP No 65 – Design and Quality of	Not applicable.

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Residential Apartment Development	
SEPP (Planning Systems) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Precincts – Central River City) 2021	Not applicable.
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable.
SEPP (Precincts – Regional) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Precincts – Western Parkland City) 2021	Not applicable.
SEPP (Primary Production) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Resilience and Hazards) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
	Contamination and remediation to be considered at the development application stage with the consideration of specific sites.
SEPP (Resources and Energy) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Transport and Infrastructure) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.

Q7: Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

These directions apply to planning proposals lodged with the Department of Planning and Environment on or after the date the particular direction was issued and commenced.

Detailed in the table below are the directions issued by the Minister for Planning to relevant planning authorities under section 9.1(2) of the *Environmental Planning and Assessment Act 1979*.

DIRECTION	PLANNING PROPOSAL CONSISTENCY
Focus area: Planning Systems	
1.1 – Implementation of Regional Plan	Consistent with Regional Plan as detail above.
1.2 - Development of Aboriginal Land Council land	No known land mapped.
1.3 - Approval and Referral Requirements	The proposed amendments do not include the requirements for approvals or referrals.
1.4 - Site Specific Provisions	Not applicable, as the proposed amendments are not site specific.
1.5 - Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
1.6 - Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
1.7 - Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
1.8 - Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
1.9 - Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.
1.10 - Implementation of the Western Sydney Aerotropolis Plan	Not applicable.
1.11 - Implementation of Bayside West Precincts 2036 Plan	Not applicable.
1.12 - Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.
1.13 - Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable.
1.14 - Implementation of Greater Macarthur 2040	Not applicable.
1.15 - Implementation of the Pyrmont Peninsula Place Strategy	Not applicable.

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1.16 - North West Rail Link Corridor Strategy	Not applicable.
1.17 - Implementation of the Bays West Place Strategy	Not applicable.
Focus area 2: Design and Place	
-	
Focus area 3: Biodiversity and Conservation	
3.1 - Conservation Zones	Consistent.
3.2 - Heritage Conservation	Consistent.
3.3 - Sydney Drinking Water Catchments	Not applicable.
3.4 - Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
3.5 - Recreation Vehicle Areas	Consistent.
3.6 - Strategic Conservation Planning	Not applicable.
Focus area 4: Resilience and Hazards	
4.1 - Flooding	Consistent, the Planning Proposal is not site specific.
4.2 - Coastal Management	Not applicable.
4.3 - Planning for Bushfire Protection	Consistent, the Planning Proposal is not site specific.
4.4 - Remediation of Contaminated Land	Consistent, the Planning Proposal is not site specific.
4.5 - Acid Sulfate Soils	Consistent, the Planning Proposal is not site specific.
4.6 - Mine Subsidence and Unstable Land	Consistent, the Planning Proposal is not site specific.
Focus area 5: Transport and Infrastructure	
5.1 - Integrating Land Use and Transport	Not applicable.
5.2 - Reserving Land for Public Purposes	Not applicable.
5.3 - Development Near Regulated Airports and Defence Airfields	Consistent, the Planning Proposal is not site specific.
5.4 - Shooting Ranges	Consistent, the Planning Proposal is not site specific.
Focus area 6: Housing	
6.1 - Residential Zones	Consistent, the Planning Proposal will facilitate a form of accommodation that will minimise the impact on housing tourism accommodation supply.
6.2 - Caravan Parks and Manufactured Home Estates	Not applicable, temporary workers accommodation is not characterised as a manufactured home estate
Focus area 7: Industry and Employment	
7.1 - Business and Industrial Zones	Not applicable.
7.2 - Reduction in non-hosted short-term rental accommodation period	Not applicable.
7.3 - Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
Focus area 8: Resources and Energy	
8.1 - Mining, Petroleum Production and Extractive Industries	Consistent, the Planning Proposal is not site specific.
Focus area 9: Primary Production	
9.1 - Rural Zones	Justified inconsistency – no rezoning proposed. Agricultural viability is addressed by ensuring that temporary workers' accommodation is a temporary land use.
9.2 - Rural Lands	Consistent – no change to minimum lot size is proposed. The Proposal is consistent with Regional and Strategic plans as detailed.
9.3 - Oyster Aquaculture	Not applicable.
9.4 - Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.

Section C - Environmental, Social and Economic Impact

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Q8: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The provisions proposed are not site-specific. The amendments seek to make temporary workers' accommodation permissible in the RU1 and RU5 zones. It is considered likely that temporary workers' accommodation will be sought in rural areas, the specific constraints of the site will be considered at development application stage.

Q9: Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

As set out in Local Environmental Plan Making Guideline, the purpose of this question is to ascertain the likely environmental effects that may be relevant. The nature of the planning proposal is such that no technical information is required.

Q10: How has the planning proposal adequately addressed any social and economic effects?

The Planning Proposal is intended to support the development of the REZ and encourage the positive social outcome for the region of minimising the impact on housing and tourist accommodation supply.

Section D - State and Commonwealth Interests

Q11: Is there adequate public infrastructure for the planning proposal?

Not applicable as the Planning Proposal will not trigger an upgrade or reliance on public infrastructure.

Q12: What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Any consultation will be undertaken in accordance with any future Gateway Determination condition.

Part 4 – Mapping

Not applicable.

Part 5 – Community Consultation

Community consultation has not been carried out prior to the preparation of the Planning Proposal.

The Planning Proposal is considered 'standard' in accordance with the Local Environmental Plan Making Guideline and requires a public exhibition period of 20 days.

Public exhibition will be undertaken in accordance with any issued Gateway Determination.

Part 6 – Project Timeline

The Planning Proposal is a housekeeping amendment to the *Mid-Western Local Environmental Plan 2012* and should be able to be achieved within 3 - 6 months of the date of the Gateway Determination.

Proposed Timeline

MILESTONE	DATE
Gateway Determination	October 2022
Completion of Technical Information	N/A
Agency Consultation	N/A
Public Exhibition	November 2022
Consideration of Submissions	December 2022
Legal Drafting & Opinion	December 2022 / January 2023
Finalisation	January 2023

8.3 Australia Day Awards Selection Panel

REPORT BY THE DIRECTOR COMMUNITY
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, CMR200046

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Australia Day Awards Selection Panel;**
2. **endorse the Mayor, Deputy Mayor and Cr Shelley to be representatives on the Australia Day Awards Selection Panel; and**
3. **delegate decisions on Award recipients to the Australia Day Awards Selection Panel.**

Executive summary

As part of the Australia Day ceremony in January 2023, a number of Awards are presented. A selection panel is required to decide on award recipients and this report seeks Council's endorsement of the proposed panel.

Disclosure of Interest

Nil

Detailed report

As part of the Australia Day Awards ceremony, a number of Awards are presented.

These Awards are:

- Citizen of the Year
- Young Citizen of the Year
- Community Event of the Year
- Glen Johnston Memorial Award – Music & Arts
- Sports Award
- Volunteer Services Awards
- Wall of Reflections

It is important that Council determines a selection panel to determine the Award recipients.

Convention over many years has been that the selection panel has included the Mayor, Deputy Mayor and a Councillor from the town in which the Australia Day ceremony will be held. In 2023, the Award ceremony will be held in Rylstone. In line with this convention, Cr Peter Shelley has been recommended for inclusion on the Selection Panel.

Announcements on the award winners will remain embargoes until the Awards ceremony on 26 January 2023.

Community Plan implications

Theme	Looking After Our Community
Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Support programs which strengthen the relationships between the range of community groups

Strategic implications

Council Strategies

Community Plan

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

There are no financial implications in relation to this report.

Associated Risks

It is recommended that Council endorses the selection panel and the process by which the Australia Day Awards are coordinated. This enables the process to be transparent for the community.

SIMON JONES
DIRECTOR COMMUNITY

2 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.4 Acceptance of Grant Funding - for development of a strategy to help manage impacts of State Significant Development (SSD) Projects in the Mid-Western Region

REPORT BY THE DIRECTOR DEVELOPMENT
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, LAN900072

RECOMMENDATION

That Council:

1. **receive the report by the Director Development on the Acceptance of Grant Funding - for development of a strategy to help manage impacts of State Significant Development (SSD) Projects in the Mid-Western Region;**
2. **if successful accept \$154,078 in grant funding from the NSW Government's Regional NSW Business Case and Strategy Development Fund (Stream 1 – Regional Significance);**
3. **if successful create a 2022/23 Budget for the strategy development project with \$154,078 grant funding; and**
4. **if successful authorise the General Manager to finalise and sign the funding agreement with the NSW Government.**

Executive summary

In August 2022, Council applied for \$154,078 in grant funding from Stream 1 of the NSW Government's Regional NSW Business Case and Strategy Development Fund to engage a consultant to develop a strategy to help manage the impacts of State Significant Development (SSD) projects in the Mid-Western Region. The purpose of this report is to accept the grant funding, authorise the General Manager to sign the funding agreement, and create a project budget for 2022-23 with grant funding of \$154,078 toward the strategy development project, if grant application is successful.

Disclosure of Interest

Nil

Detailed report

The Mid-Western Region will be impacted by State Significant Development (SSD) projects over the next 10 years with particular demands and impacts on the region's housing, workforce, infrastructure services and community services. Council applied for \$154,078 in grant funding through Stream 1 of the NSW Government's Regional NSW Business Case and Strategy Development Fund to support the development of a of a strategy to help manage the impacts of State Significant Development (SSD) projects in the Mid-Western Region.

Stream 1 of the NSW Government's Regional NSW Business Case and Strategy Development Fund supports local councils, joint organisations of councils, not-for-profit, industry and Aboriginal community groups with funding to develop business cases or strategies for regionally significant

projects and initiatives. The funding will help organisations build their capacity to plan for and deliver projects and regional development initiatives.

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

- Development of a strategy to help manage the impacts of State Significant Development (SSD) projects in the Mid-Western Region

It is recommended that if the grant application is successful, Council accept the grant funding, authorise the General Manager to sign the funding agreement, and create a project Budget for 2022-23 with grant funding of \$154,078.

Community Plan implications

Theme	Looking After Our Community
Goal	Vibrant towns and villages
Strategy	Work with key stakeholders to minimise the impacts of state significant development in the region

Strategic implications

Council Strategies

Council's Towards 2040 Community Plan has a range of strategies supported by this activity including maintain the provision of high quality, accessible community services that meet the needs of our community; work with key stakeholders to minimise the impacts of state significant development in the region; provide infrastructure and services to cater for the current and future needs of our community; provide leadership on economic development initiatives and identify resources and infrastructure required to drive investment and economic growth in the region, and promoting the region as a great place to live, work, invest and visit.

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Nil

Associated Risks

Nil

ALINA AZAR
DIRECTOR DEVELOPMENT

5 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.5 Acceptance of Grant Funding - Transport NSW Alternative Transport Seed Pathway

REPORT BY THE EVENTS COORDINATOR
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, GRA600052

RECOMMENDATION

That Council:

1. **receive the report by the Events Coordinator on the Acceptance of Grant Funding - Transport NSW Alternative Transport Seed Pathway;**
2. **if successful, accept the grant funding of \$1800 from the NSW Government;**
3. **if successful, amend the 2022/23 Flavours of Mudgee Budget to increase expenditure budget by \$1800 to be funded by grant funding; and**
4. **if successful, authorise the General Manager to finalise and sign the funding agreements with the NSW Government.**

Executive summary

The Transport NSW Alternative Transport Seed Funding Pathway (ATSFP) supports initiatives to improve community transport schemes in rural and remote communities. ATSF provides funding to eligible groups to assist people who are affected by a lack of transport options in their communities where there is limited or no access to public transport. Funding is granted with the primary aim of increasing transport availability to the target group/s within community

Disclosure of Interest

Nil

Detailed report

Council has applied to the ATSFP pathway for funding of \$1,800 to operate buses from the towns of Gulgong, Lue, Rylstone and Kandos to Mudgee, for the annual Flavours of Mudgee event. The buses will be heavily subsidised for members of the community, to encourage people to attend the event and to mitigate the risk of drink-driving.

It is recommended, if Council is successful in its application for any of the above pathway funding, that it accepts the funding, authorises the General Manager to sign the funding agreement and amends Council's Budget for 2022/23 by amounts noted.

Community Plan implications

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

Strategic implications

Council Strategies

The identified projects support a number of Council strategies as identified in the Community Plan including promoting the region as a great place to live, work, invest and visit.

Council Policies

Nil

Legislation

Nil

Financial implications

If application is successful, the following adjustments are required to the 2022/23 budget to increase the Flavours of Mudgee expenditure budget of \$1,800 funded by grant funding.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2022/23	X	-	-
Future Years	-	-	-

Associated Risks

Nil

JOANNA LINDSAY
EVENTS COORDINATOR

ELLE WATSON
ACTING MANAGER ECONOMIC
DEVELOPMENT

1 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.6 Temporary Suspension of Alcohol Free Zones for Sections of Cudgegong and Louee Streets, Rylstone

REPORT BY THE MANAGER BUILDING AND DEVELOPMENT
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0130008

RECOMMENDATION

That Council:

1. **receive the report by the Manager Building and Development on the Temporary Suspension of Alcohol Free Zones for Sections of Cudgegong and Louee Streets, Rylstone; and**
2. **suspend the alcohol free zones located in Cudgegong and Louee Streets, Rylstone between the hours of 10am to 5pm on Saturday 5th November 2022 for the purposes of the Rylstone StreetFeast 2022.**

Executive summary

The purpose of this report is to seek Council approval for the temporary suspension of the Alcohol Free Zone in the nominated pedestrian areas of Cudgegong and Louee Streets Rylstone in order to host the annual *Rylstone StreetFeast* (refer to Attachment 1 - Event road closure for *Rylstone StreetFeast 2022* with nominated areas shown in green).

It is proposed that this temporary suspension will occur on Saturday 5th November 2022 between the hours of 10am to 5pm. These hours are within the requested street closure times.

Disclosure of Interest

Nil

Detailed report

Rylstone StreetFeast is one of Rylstone-Kandos District's premier annual events allowing patrons to enjoy the scenic beauty of the district and sample the diverse range of local foods, produce, wines, art and craftwork.

Mid-Western Regional Council will be closing sections of Cudgegong and Louee Streets between the hours of 7am to 6pm on 5th November 2022. The area will be closed to vehicles only, with pedestrian access not affected. The event will commence at 10am and run until approximately 4pm. It is expected that Cudgegong and Louee Streets will be re-opened by 6pm.

In order for this event to occur, the Alcohol Free Zones located in the nominated pedestrian area shown in green (see Attachment 1) are required to be temporarily suspended, between 10am and 5pm.

The *Rylstone StreetFeast* committee have been in consultation with the Local Police regarding the event. As in previous years, it is proposed to provide security staff to entry points to ensure that the consumption of alcohol is restricted to within the nominated areas identified in this report.

Community Plan implications

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

Strategic implications

Council Strategies

The *Rylstone StreetFeast* is recognised as a major event for the Mid-Western Region, which encourages increased visitation.

Council Policies

Not Applicable

Legislation

Local Government Act 1993.

Financial implications

Not Applicable

Associated Risks

There is a risk of alcohol related incidents; however, this risk is mitigated by the presence of the NSW police force, additional security staff and the RSA obligations of individual stallholders. If Council does not approve the temporary suspension of the Alcohol Free Zone for this event, the event will not be able to proceed as planned.

TY ROBSON
MANAGER BUILDING AND DEVELOPMENT

ALINA AZAR
DIRECTOR DEVELOPMENT

7 September 2022

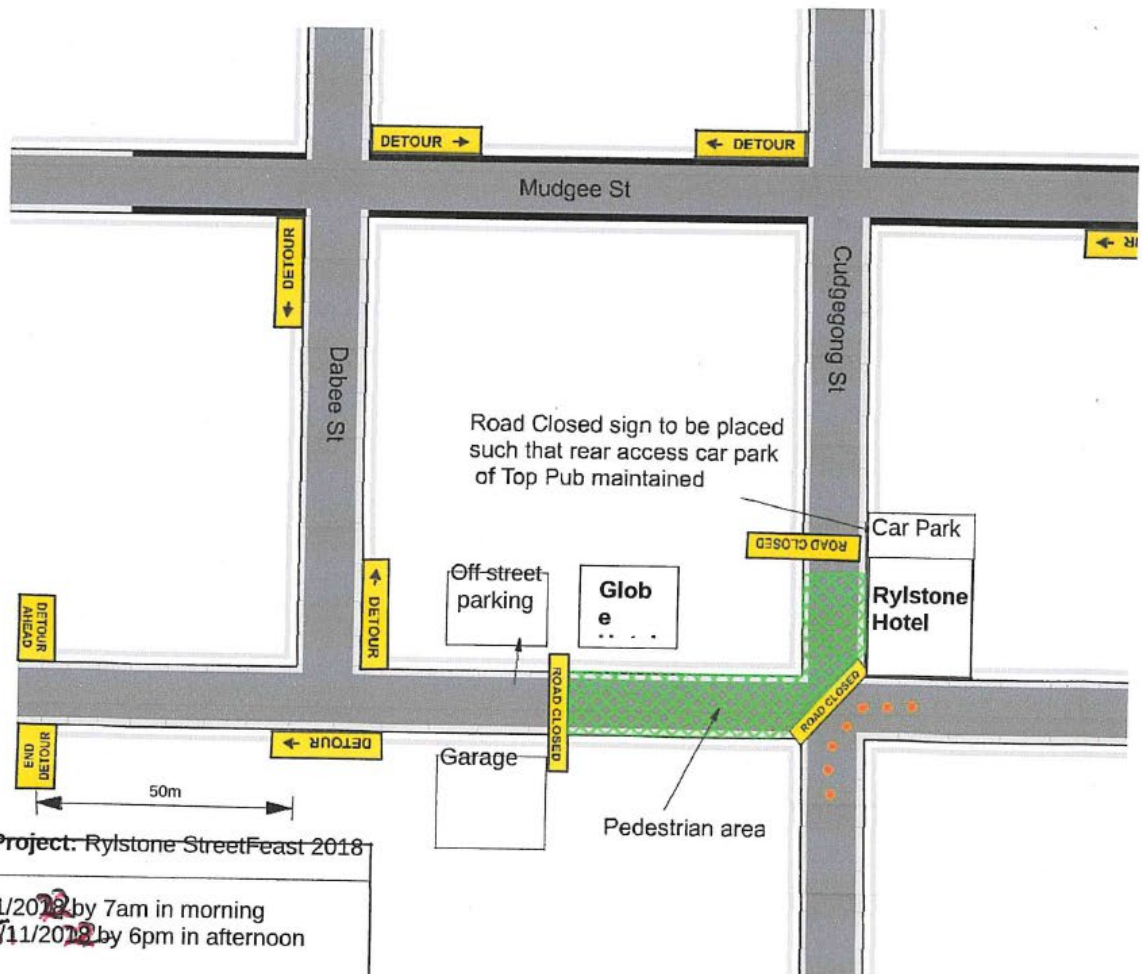
Attachments: 1. Road Closure Plan.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

MID-WESTERN OPERATI TRAFFIC CONTROL PLAN

Posted Speed Limit 50km



Date: 30/7/18 Project: Rylstone StreetFeast 2018
Comments:
Install TCP 5/11/2018 by 7am in morning
Remove TCP 5/11/2018 by 6pm in afternoon

8.7 Monthly Development Applications Processing and Determined

REPORT BY THE MANAGER, PLANNING
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, GOV400088, A0420109

RECOMMENDATION

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

Executive summary

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

Disclosure of Interest

Nil

Detailed report

Included in this report is an update for the month of August 2022 Development Applications determined and Development Applications processing. The report will detail:

- Total outstanding development applications indicating the proportion currently being processed and those waiting for further information.
- Median and average processing times for development applications.
- A list of determined development applications.
- Currently processing development applications and heritage applications.
- Variations to the Mid-Western DCP.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

LINDSAY DUNSTAN
MANAGER, PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

1 September 2022

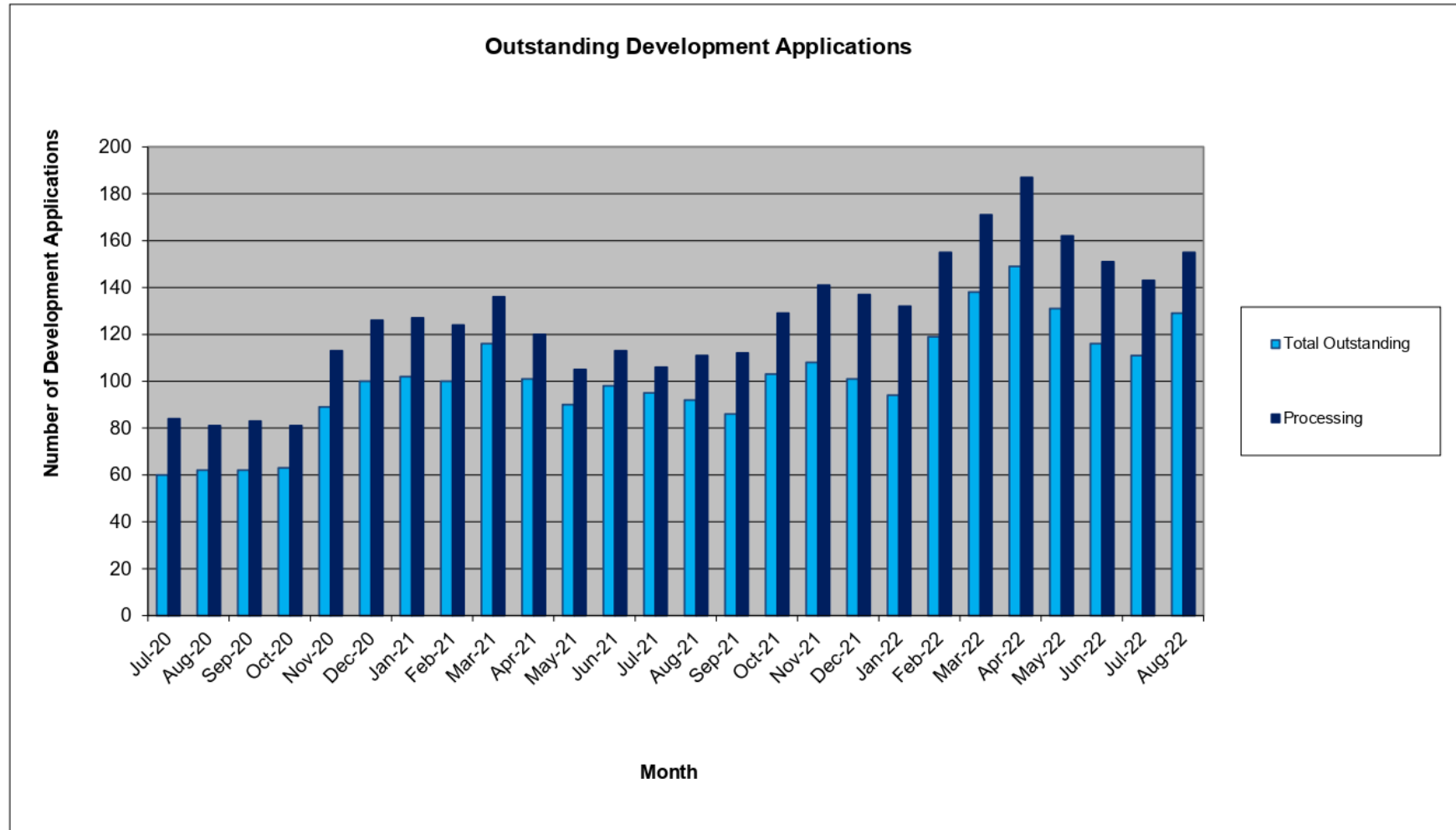
Attachments: 1. DA applications processing and determined ATTACHMENT August 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

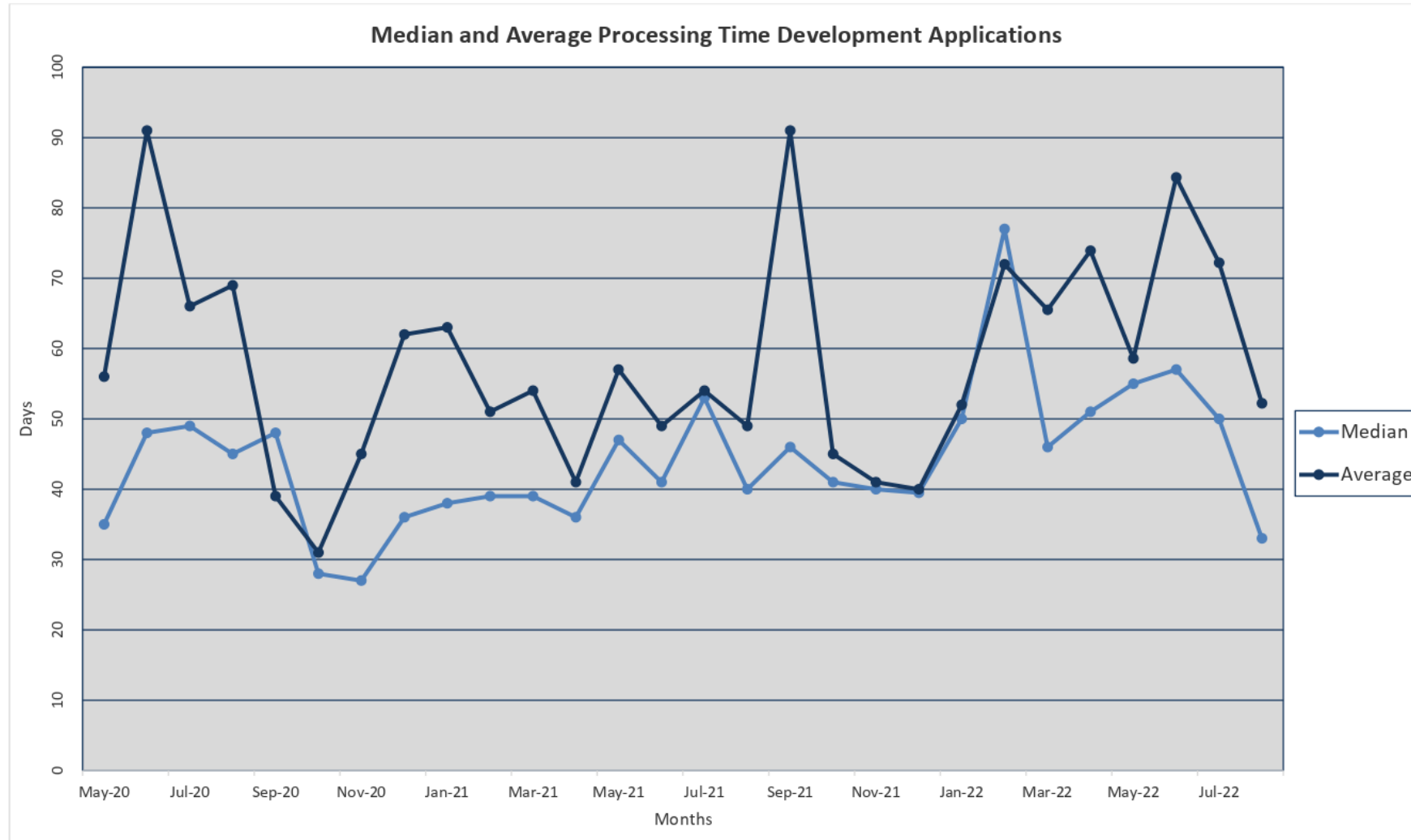
Monthly Development Application Processing Report – August 2022

This report covers the period for the month of August 2022. Graph 1 indicates the processing times up to 31 August 2022 with the month of August having an average of 52.23 days and a median time of 33 days.



Monthly Development Application Processing Report – August 2022

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



Monthly Development Application Processing Report – August 2022

The Planning and Development Department determined 26 Development Applications either by Council or under delegation during August 2022.

Development Applications Determined – August 2022

Appl/Proc ID	Description	House No	Street Name	Locality
DA0369/2021	Alterations & Additions	22	Queen Street	GULGONG
DA0170/2022	Other (DA)	33	Blain Road	CAERLEON
DA0178/2022	Dual Occupancy	21	Robertson Street	MUDGEE
DA0241/2022	Secondary dwelling	257	Melrose Road	MOUNT FROME
DA0277/2022	Ancillary Residential Development	15	Mudgee Street	RYLSTONE
DA0279/2022	Secondary dwelling	41	Medley Street	GULGONG
DA0315/2022	Semi-detached dwelling	1858	Cudgegong Road	CUDGEGONG
DA0319/2022	Dwelling House	251	Cuthel Lane	BERYL
DA0334/2022	Dual Occupancy	4	Suttor Avenue	CAERLEON
DA0373/2022	Other (DA)	391	Brogans Creek Road	CLANDULLA
DA0394/2022	Shed >150m2	65	Drews Lane	HOME RULE
DA0408/2022	Other (DA)	115	Eurunderee Lane	EURUNDEREE
DA0422/2022	Shed >150m2	115	Coxs Creek Trail	COXS CREEK
DA0428/2022	Subdivision - Torrens Title	19	Waterworks Road	MUDGEE
DA0436/2022	Shed >150m2	17	Belmore Street	GULGONG
DA0446/2022	Dwelling House	31	Wurth Drive	BOMBIRA
DA0449/2022	Shed >150m2	9	Kellett Drive	MUDGEE
DA0004/2023	Garage	20	Honey Lane	MUDGEE
DA0010/2023	Garage	45	Winter Street	MUDGEE
DA0015/2023	Dwelling House	69	Barneys Reef Road	GULGONG
DA0017/2023	Shed >150m2	4	Butler Circle	BOMBIRA
DA0020/2023	Dwelling House	30	Webster Street	BOMBIRA
DA0026/2023	Residential Shed	1500	Spring Creek Road	YARRAWONGA
DA0026/2023	Shed >150m2	1500	Spring Creek Road	YARRAWONGA
DA0028/2023	Farm building	433	Maitland Bar Road	MAITLAND BAR
DA0029/2023	Dwelling House	18	Coxs Creek Road	RYLSTONE

Monthly Development Application Processing Report – August 2022

Development Applications currently being processed – August 2022.

App/Proc ID	Description	House No	Street Name	Locality
DA0001/2023	Other (DA)	42	Angus Avenue	KANDOS
DA0002/2023	Other (DA)	1062	Blue Springs Road	COPE
DA0006/2023	Alterations & Additions	53	Denison Street	MUDGEE
DA0007/2023	Dwelling House	24	Peru Lane	GULGONG
DA0008/2023	Secondary dwelling	604	Wallawaugh Road	HARGRAVES
DA0012/2023	Change of use - to food and drink premises	82	Mortimer Street	MUDGEE
DA0019/2023	Dwelling House	13	Goodlet Lane	MUDGEE
DA0021/2023	Dwelling House	35	Wurth Drive	BOMBIRA
DA0023/2023	Dwelling House	38	Rifle Range Road	MUDGEE
DA0024/2023	Other (DA)	209	Pipeclay Lane	BUDGEE BUDGE
DA0030/2023	Dwelling House	14	Zimmler Lane	GULGONG
DA0034/2023	Subdivision - Torrens Title	845	Henry Lawson Drive	EURUNDEREE
DA0037/2023	Other (DA)	49	Old Grattai Road	ERUDGERE
DA0038/2023	Dwelling House	1930	Bylong Valley Way	KANDOS
DA0043/2023	Ancillary Residential Development	61	Court Street	MUDGEE
DA0047/2023	Farm building	592	Black Springs Road	BUDGEE BUDGE
DA0048/2023	Secondary dwelling	68	Perry Street	MUDGEE
DA0049/2023	Swimming Pool	126	Mortimer Street	MUDGEE
DA0050/2023	Subdivision - Torrens Title	5	Xavier Court	MUDGEE
DA0052/2023	Dwelling House	15	Loy Avenue	MUDGEE
DA0053/2023	Farm building	488	Ginghi Road	GINGHI
DA0055/2023	Dwelling House	39	Webster Street	BOMBIRA
DA0059/2023	Dwelling House	45	Webster Street	BOMBIRA
DA0089/2019	Change of use - Shed to habitable dwelling	2037	Coxs Creek Road	RYLSTONE
DA0164/2022	Change of use - retail premises	9	Sydney Road	MUDGEE
DA0166/2021	water storage facility	51	Oaklands Road	MOUNT FROME
DA0216/2022	Dwelling House	1858	Cudgegong Road	CUDGEGONG
DA0218/2022	Demolition	1858	Cudgegong Road	CUDGEGONG
DA0226/2022	Garage	12	Wandoona Court	MUDGEE
DA0234/2022	Dwelling House	64	Lawson Street	MUDGEE

Monthly Development Application Processing Report – August 2022

DA0243/2022	Emergency Services/Bushfire Hazard Reduction	3	Garner Street	LUE
DA0247/2022	Ancillary Residential Development	25	Burrundulla Avenue	MUDGEE
DA0266/2017	Residential Shed	3	Cudgegong Street	RYLSTONE
DA0270/2022	Dual Occupancy	64	Inglis Street	MUDGEE
DA0301/2022	Dual Occupancy	25	Fairydale Lane	MUDGEE
DA0302/2022	Shed >150m2	6	Worobil Street	GULGONG
DA0311/2022	Dwelling House	31	McLachlan Street	KANDOS
DA0312/2022	Subdivision - Torrens Title	55	Iford Road	KANDOS
DA0335/2022	Garage	163	Narrango Road	DABEE
DA0338/2022	Dual Occupancy	9	Goodlet Lane	MUDGEE
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTA BUCCA
DA0344/2022	Subdivision - Torrens Title	49	White Street	GULGONG
DA0361/2022	Other (DA)	131	Buckaroo Road	BUCKAROO
DA0388/2022	Subdivision - Torrens Title	52	Nicholson Street	MUDGEE
DA0390/2022	Subdivision - Torrens Title	7	Lovett Court	SPRING FLAT
DA0391/2022	Secondary dwelling	7	McLachlan Street	KANDOS
DA0392/2022	secondary dwelling	31	Gladstone Street	MUDGEE
DA0393/2022	Educational Establishment	70	Court Street	MUDGEE
DA0396/2022	Subdivision - Torrens Title	227	Melrose Road	MOUNT FROME
DA0401/2022	Dual Occupancy	41	Suttor Avenue	CAERLEON
DA0403/2022	Subdivision - Torrens Title	7	Madeira Road	MUDGEE
DA0406/2022	Subdivision - Torrens Title	36	Tinja Lane	PUTTA BUCCA
DA0409/2022	Dual Occupancy	151	Wattlegrove Lane	LINBURN
DA0411/2022	Other (DA)	28	Market Street	MUDGEE
DA0413/2022	Subdivision - Torrens Title	900	Castlereagh Highway	BERYL
DA0414/2022	Subdivision - Torrens Title	5056	Hill End Road	HARGRAVES
DA0416/2022	Garage	15	Mudgee Street	RYLSTONE
DA0419/2022	Subdivision - Torrens Title	53	Cox Street	MUDGEE
DA0425/2022	Shed >150m2	56	Rocky Waterhole	MOUNT FROME
DA0426/2022	Dual Occupancy	49	Suttor Avenue	CAERLEON
DA0427/2022	Subdivision - Torrens Title	161	Gladstone Street	MUDGEE
DA0433/2022	Earthworks	16	Robert Jones Street	MUDGEE
DA0434/2022	Dwelling House	685	Coxs Creek Road	RYLSTONE

Monthly Development Application Processing Report – August 2022

DA0437/2022	Dwelling House	233	Upper Botobolar Road	BOTOBOLAR
DA0439/2022	Subdivision - Torrens Title	1329	Pyramul Road	PYRAMUL
DA0445/2022	Dwelling House	320	Beechworth Road	HARGRAVES
DA0447/2022	Alterations & Additions	19	Nashs Flat Place	MUDGEE
DA0448/2022	Subdivision - Torrens Title	151	Robertson Street	MUDGEE
DA0453/2022	Secondary dwelling	209	Mortimer Street	MUDGEE
DA0005/2023	Demolition	127	Gladstone Street	MUDGEE
DA0011/2023	Farm building	200	Lesters Lane	PIAMBONG
DA0014/2023	Dual Occupancy	4078	Twelve Mile Road	TWELVE MILE
DA0016/2023	Dwelling House	1368	Castlereagh Highway	CULLENBONE
DA0018/2023	Shed >150m2	18	Bumberra Place	BOMBIRA
DA0032/2023	Shed >150m2	19	Spring Creek Road	GULGONG
DA0033/2023	Shed >150m2	3	Saleyards Lane	GULGONG
DA0036/2023	Dwelling House	235	Gladstone Street	MUDGEE
DA0039/2023	Alterations & Additions	74	Gladstone Street	MUDGEE
DA0042/2023	Other (DA)	5964	Castlereagh Highway	RUNNING STREAM
DA0044/2023	Dwelling House	157	Melrose Road	MOUNT FROME
DA0045/2023	Other (DA)	21	Robertson Street	MUDGEE
DA0046/2023	Demolition	13	Horatio Street	MUDGEE
DA0046/2023	Demolition	11	Horatio Street	MUDGEE
DA0054/2023	Demolition	844	Castlereagh Highway	MENAH
DA0057/2023	Ancillary Residential Development	17	Florence Close	MUDGEE
DA0058/2023	Alterations & Additions	1476	Henry Lawson Drive	ST FILLANS
DA0060/2023	Farm building	687	Springfield Lane	GULGONG
DA0061/2023	Dwelling House	661	Black Springs Road	BUDGEE BUDGE
DA0063/2023	Dwelling House	3	Mustang Road	RYLSTONE
DA0064/2023	Residential Shed	20	Industrial Avenue	MUDGEE
DA0065/2023	Shed >150m2	3	Florence Close	MUDGEE
DA0066/2023	Dwelling House	26	Hone Creek Drive	CAERLEON
DA0067/2023	Shed >150m2	129	Herbert Street	GULGONG
DA0068/2023	Shed >150m2	688	Queens Pinch Road	MULLAMUDDY
DA0069/2023	Dwelling House	71	Guntawang Road	GALAMBINE
DA0070/2023	Shed >150m2	11	McLachlan Street	KANDOS

Monthly Development Application Processing Report – August 2022

DA0071/2023	Subdivision - Torrens Title	2	Banjo Paterson Avenue	MUDGEE
DA0072/2023	signage	62	Church Street	MUDGEE
DA0073/2023	Other (DA)	99	Mount Pleasant Lane	BUCKAROO
DA0074/2023	Industrial Building	38	Hill End Road	CAERLEON
DA0075/2023	Subdivision - Torrens Title	6	Flirtation Hill Lane	GULGONG
DA0076/2023	Dwelling House	435	Kaludabah Road	PIAMBONG
DA0077/2023	Dwelling House	38	Meramie Street	CAERLEON
DA0078/2023	Multi dwelling housing	232	Mortimer Street	MUDGEE
DA0079/2023	Alterations & Additions	17	Belmore Street	MUDGEE
DA0080/2023	pub	49	Church Street	MUDGEE
DA0081/2023	Change of use - Shed to residential dwelling	2349	Castlereagh Highway	GULGONG
DA0166/2022	Subdivision - Torrens Title	15	Cainbil Street	GULGONG
DA0009/2023	Secondary dwelling	14	Baskerville Drive	MUDGEE
DA0013/2023	Bed and breakfast accommodation	81	Market Street	MUDGEE
DA0022/2023	Shed >150m2	1	Mountain View Road	MUDGEE
DA0024/2021	Subdivision - Community Title	20	Sydney Road	MUDGEE
DA0031/2023	Alterations & Additions	800	Castlereagh Highway	MENAH
DA0041/2023	secondary dwelling	16	Bumberra Place	BOMBIRA
DA0051/2023	Other (DA)	90	Market Street	MUDGEE
DA0056/2023	Other (DA)	1141	Crudine Road	CRUDINE
DA0094/2022	Dwelling House	96	Madeira Road	MUDGEE
DA0201/2022	Garage	74	Gladstone Street	MUDGEE
DA0288/2022	Shed >150m2	10	Robert Jones Street	MUDGEE
DA0313/2022	Subdivision - Torrens Title	194	Hill End Road	CAERLEON
DA0336/2022	Shed >150m2	44	Burrundulla Road	BURRUNDULLA
DA0380/2022	Secondary dwelling	62	Rodgers Street	KANDOS
DA0423/2022	Dual Occupancy	155	Suzanne Road	TALLAWANG
DA0432/2022	Secondary dwelling	17	Buckaroo Road	BUCKAROO
DA0440/2022	Demolition	70	Court Street	MUDGEE
DA0450/2022	Dwelling House	344	Castlereagh Hwy	BURRUNDULLA
DA0451/2022	Other (DA)	1403	Blue Springs Road	BUNGABA
DA0455/2022	Ancillary Residential Development	48	Court Street	MUDGEE
DA0456/2022	Dwelling House	111	Adams Lead Road	GULGONG

Monthly Development Application Processing Report – August 2022

Heritage Development Applications currently being processed – August 2022.

App/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEES
DA0198/2021	Change of use - flat building to serviced apartments	110	Church Street	MUDGEES
DA0224/2021	Commercial Alterations/Additions	23	Louee Street	RYLSTONE
DA0087/2022	Demolition	33	Horatio Street	MUDGEES
DA0201/2022	Garage	74	Gladstone Street	MUDGEES
DA0234/2022	Dwelling House	64	Lawson Street	MUDGEES
DA0303/2022	Other (DA)	103	Lawson Street	MUDGEES
DA0344/2022	Subdivision - Torrens Title	49	White Street	GULGONG
DA0392/2022	Secondary dwelling	31	Gladstone Street	MUDGEES
DA0393/2022	Educational Establishment	70	Court Street	MUDGEES
DA0398/2022	Secondary dwelling	15	Mudgee Street	RYLSTONE
DA0411/2022	Other (DA)	28	Market Street	MUDGEES
DA0416/2022	Garage	15	Mudgee Street	RYLSTONE
DA0418/2022	Dual Occupancy	12	Little Bayly Street	GULGONG
DA0440/2022	Demolition	70	Court Street	MUDGEES
DA0455/2022	Ancillary Residential Development	48	Court Street	MUDGEES
DA0005/2023	Demolition	127	Gladstone Street	MUDGEES
DA0006/2023	Alterations & Additions	53	Denison Street	MUDGEES
DA0025/2023	Dwelling House	82	Belmore Street	GULGONG
DA0041/2023	Secondary dwelling	16	Bumberra Place	BOMBIRA
DA0043/2023	Ancillary Residential Development	61	Court Street	MUDGEES
DA0046/2023	Demolition	13	Horatio Street	MUDGEES
DA0046/2023	Demolition	11	Horatio Street	MUDGEES
DA0049/2023	Swimming Pool	126	Mortimer Street	MUDGEES
DA0051/2023	Other (DA)	90	Market Street	MUDGEES
DA0052/2023	Dwelling House	15	Loy Avenue	MUDGEES
DA0067/2023	Shed >150m2	129	Herbert Street	GULGONG
DA0072/2023	Signage	62	Church Street	MUDGEES
DA0079/2023	Alterations & Additions	17	Belmore Street	MUDGEES
DA0080/2023	Pub	49	Church Street	MUDGEES

Item 9: Finance

9.1 Draft Plan of Management Old Gulgong Fire Station

REPORT BY THE MANAGER PROPERTY AND REVENUE

TO 21 SEPTEMBER 2022 ORDINARY MEETING

GOV400098, COU5000102, 4532, 8586, 13084

RECOMMENDATION

That Council:

1. receive the report by the Manager Property and Revenue on the Draft Plan of Management Old Gulgong Fire Station;
2. endorse the draft Plan of Management for the Old Gulgong Fire Station as appended as Attachment 1 to this Report;
3. note that Native Title Manager's advice has been received for the draft Plan of Management for the Old Gulgong Fire Station as appended as Attachment 2 to this Report;
4. refer the draft Plan for the Old Gulgong Fire Station as appended as Attachment 1 to this Report to the Minister administering the Crown Land Management Act 2016 for consideration in accordance with s39 Local Government Act 1993 to seek written consent to adopt the draft Plan in accordance with s3.23(6) Crown Land Management Act 2016;
5. require a further report for consideration if any significant changes are made to the draft Plan by the Minister administering the Crown Land Management Act 2016;
6. upon written consent of the draft Plan from the Minister administering the Crown Land Management Act 2016, place the draft Plan on public exhibition, as per s38 of the Local Government Act 1993;
7. receive a further report at the conclusion of the public exhibition to consider any submissions received or if substantial changes are recommended for any reason:
 - 7.1 seek the Minister administering the Crown Land Management Act 2016 further consent if necessary, to adopt the draft Plan; or
 - 7.2 recommend that Council adopt the draft Plan of Management for the Old Gulgong Fire Station as appended as Attachment 1 to this Report pursuant to s40 Local Government Act 1993 in accordance with s3.23 (6) Crown Land Management Act 2016, if there are no submissions or substantial changes;
8. authorise Lands Advisory Services P/L to:
 - 8.1 act on Council's behalf to provide written advice in accordance with s39 Local Government Act 1993 to the Minister administering the Crown Land

Management Act 2016, in relation to the draft Plan of Management for the Old Gulgong Fire Station; and

- 8.2 receive queries and information directly from; and to send information and queries to the Minister administering the Crown Land Management Act 2016, during the course of the Minister's deliberation and assessment of the draft Plan of Management.**

Executive summary

The purpose of this Report is to seek Council's endorsement of the draft Plan of Management for the Old Gulgong Fire Station (Fire Station PoM) and its subsequent referral to the NSW Department of Planning, Industry & Environment – Crown Lands (Crown) as the landowner of the Crown Reserves (the Reserves) for consideration and consent.

Council's endorsement is also sought to place the Fire Station PoM on public exhibition after Crown's approval has been received.

Disclosure of Interest

Nil

Detailed report

The commencement of the CLMA in 2018 required councils across NSW to manage Crown land under their control under the established Public Land Management requirements of the Local Government Act (LGA). Prior to the land management changes introduced in the CLMA there were two distinct legislative systems for the management of Council-owned *Community* lands and Council-managed Crown lands.

In many locations in the Mid-Western Regional Council area, there are contiguous areas comprising Council-owned and Crown-owned reserves that previously had quite variable management and administrative requirements. The changes introduced in the CLMA aid Council and the community in streamlining and clarifying the management of public lands.

The key requirement of the changes to the CLMA is the need to incorporate all Crown land for which Council is the appointed Crown Lands Manager in a Plan of Management (POM).

As part of the change-over process, Council was required to classify all Crown land under its control as either *Operational* land or *Community* land, with the *Community* land then categorised as either Park, Sportsground, Natural Area, Area of Cultural Significance or General Community Use.

Council endorsed the nominated proposed classification and categorisation for each of the Crown land parcels it manages on 15 April 2020 after receiving concurrence from Crown (Council Minute 127-20).

REQUIREMENTS OF A PLAN OF MANAGEMENT

Section 36 of the LGA sets out the requirements.

A PoM provides strategic planning and governance for the management and use of the land. It establishes directions for planning, resource management and maintenance of the land, categorises land, authorise leases, licenses, or granting of any other estate and determines what development can take place. It also outlines the manner in which a council proposes to assess its performance with respect to the PoMs objectives and performance targets. The inclusion of these sections

provides clarity for internal stakeholders and the wider community and should result in a streamlined development, public land use and land management administrative decision-making process.

The LGA allows a PoM to cover one or multiple parcels of land. Where multiple parcels of land are covered in one plan (Generic Plan), the LGA specifically states what needs to be included. Where a PoM covers one area of land or a contiguous site (Specific Plan), there is greater detail on what has to be prescribed in the plan. A Generic Plan sets the framework of how the land is to be managed. A Specific Plan clearly outlines very precise management proposals as in the case of the Fire Station PoM but, it is not designed to provide detailed capital work or maintenance programs.

PoMs for *Community* land are periodically reviewed to enable changing social, economic and ecological conditions to be taken into account and consequent amendments to the PoMs may occur.

NATIVE TITLE MANAGER'S ADVICE

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

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

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

NOTIFICATION AND EXHIBITION

Sections 38, 39, 40A LGA and section 3.23 CLMA set out the requirements.

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

If significant amendments are made to a draft PoM in relation to a reserve, the PoM must be referred back to the Crown with further public exhibition if required. If proposed changes are not substantial, a draft PoM may be adopted without further Crown referral or public exhibition.

DRAFT PLAN OF MANAGEMENT FOR ENDORSEMENT

The Fire Station PoM incorporates 3 Reserves:

- R520110 – being the Old Gulgong Fire Station site;
 - Categorized as *General Community Use* for the purposes of *Fire Brigade Station, Community Purposes, Government Purposes* and *Heritage Purposes*.
- R90877 – being the public carpark adjoining the Old Fire Station and the Gulgong Town Trail shelter and tourist signage on the Herbert Street frontage of the site;
 - Categorized as *General Community Use* for the purpose of *Parking*.
 - The Fire Station PoM proposes an additional Reserve purpose of *Community Purposes* to facilitate the existing Gulgong Town Trail shelter and tourist signage.
- R90876 – being an area of 64m² located on the western boundary of the public car park;
 - Categorized as *Area of Cultural Significance* for the purpose of *Preservation of Historical Sites and Buildings* (in relation to the old police stables).

- The Fire Station PoM proposes a change from the initial categorisation of Area of Cultural Significance to General Community Use with the additional purposes of Parking and Community Purposes as any items of cultural significance on this site have, for many years, been removed.

A description of each category of land is provided in the Fire Station PoM.

The current use patterns, infrastructure assets and their condition, emerging trends, constraints and influences have been considered within the Fire Station PoM.

Consultation has been undertaken with Council's Executive and Directorate Managers on the approach to, and the content of, the Fire Station PoM.

Public consultation was also undertaken via:

- Survey
 - open to the community for online opinion conducted between 31 Oct 2018 – 9 Aug 2020.
- Workshop Consultation
 - registered participants representing an array of Gulgong based interest groups on 28 September 2020.

Summaries of the outcomes of the public consultations are incorporated in the Fire Station PoM.

Community Plan implications

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

Strategic implications

Council Strategies

The Fire Station PoM will provide strategic direction for Community Land and Crown Land and is consistent with Council's responsibilities under the LGA and the CLMA. The Fire Station PoM identifies the permissible uses and possible development for the land parcels cited. Identified possible development may be considered through the normal operational planning and budget processes and constraints.

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

Council Policies

Not Applicable

Legislation

Crown Land Management Act 2016

Division 3.4 – Crown Land managed by Councils.

Division 3.6 – Plans of Management and other plans.

Section 8.7 - When advice of Native Title Manager is required.

Local Government Act 1993

Part 2 Division 2 – Use and Management of Community Land.

Native Title Act 1993 (Commonwealth)
Section 233 – Future Act.

Financial implications

The Fire Station PoM will not have an immediate financial impact. Any future priorities identified as part of the Fire Station PoM will be considered through the normal operational planning and budget processes.

Council received funding from the NSW Government through the *Plans of Management Funding Support Program* of \$94,087 to develop compliant PoMs under the LGA for all Council managed Crown reserves. The costs of preparing the Fire Station PoM by the consultant will be partly funded from this resource and an existing budget.

Associated Risks

The Fire Station PoM was prepared by a consultant in consultation with management and the general public and addresses Council's various public land management obligations under the LGA and CLMA and clearly sets out these requirements.

One of the key aims of a PoM is to ensure that management of Crown Reserves is conducted in accordance with requirements of the NSW *Aboriginal Land Rights Act 1983* and *Native Title Act 1993*, reducing the potential for Council to be in breach of either piece of legislation.

There is a risk of delay for the use or development of the Fire Station or adjoining Reserve sites due to the lengthy process if an amendment is required to the Fire Station PoM.

DIANE SAWYERS
MANAGER PROPERTY AND REVENUE

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

22 August 2022

Attachments: 1. Draft Plan of Management Old Gulgong Fire Station. (separately attached)
2. Native Title Manager's Advice August 2022. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.2 Policy Review - Fraud Control

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, FIN300032

RECOMMENDATION

That Council:

1. **receive the report by the Acting Chief Financial Officer on the Policy Review - Fraud Control;**
2. **place the Fraud and Corruption Control Policy on public exhibition for 28 days; and**
3. **adopt the Fraud and Corruption Control Policy if no submissions are received during the public exhibition period.**

Executive summary

The Fraud Control Policy has been reviewed incorporating the Australian Standard Fraud and Corruption Control (AS 8001-2021), the NSW Audit Office's (NSWAO) Fraud Control Improvement Kit and ICAC Policy template.

The Audit Risk and Improvement Committee (ARIC) has a role is advising the General Manager and governing body on the adequacy of the fraud and corruption prevention framework, of which the Policy is an important document. This Policy revision was supported by the ARIC on 12 August, and is now presented to the Council.

Disclosure of Interest

Nil

Detailed report

The policy will replace the previous policy adopted in 2015 and there are wholesale changes so track changes was not applied. The policy covers the 10 attributes per the NSWAO fraud control improvement kit and is the highest level document in the fraud control framework. The Fraud Control Framework is attached for reference and it is noted that some internal documents will still need to be developed to complete the framework in its entirety. Development of online training for at risk employees will commence once the draft policy has been accepted at Council.

Community Plan implications

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

Strategic implications

Council Strategies

Council's Delivery Program 2022/23 – 2025/26 under the action of Monitor and review Council's risk includes a project to develop a Fraud Control Framework. The Policy is the highest level document in the framework.

Council Policies

Proposed revision of the Fraud Control Policy.

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

18 August 2022

Attachments:

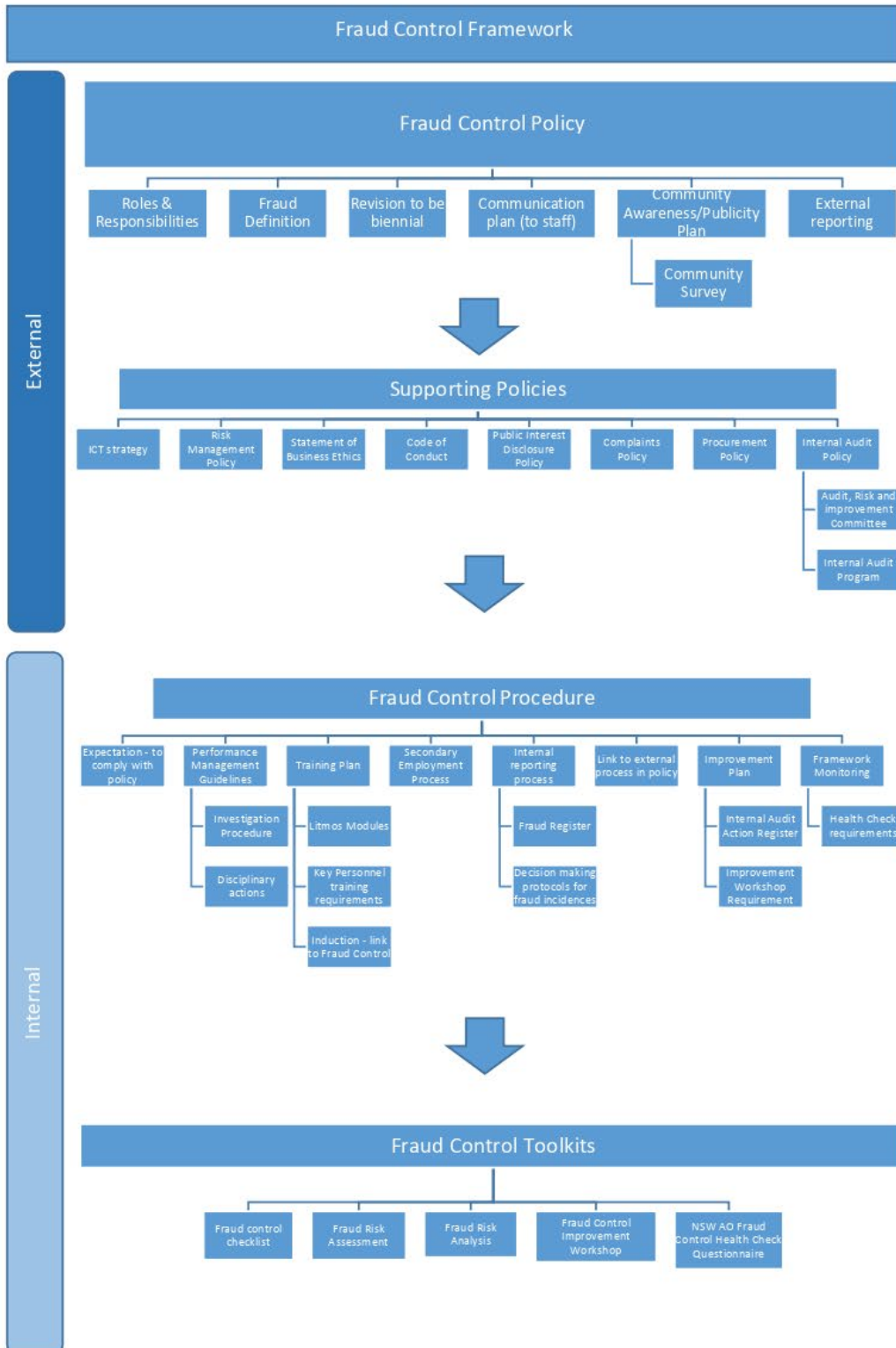
1. Fraud Control Framework structure.
2. Draft Fraud and Corruption Control Policy 2022.
3. Policy fraud control 2015.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Fraud Control Framework
 Proposed Structure





POLICY

Fraud and Corruption Control

*A prosperous
and progressive
community.*

ADOPTED	VERSION NO	VERSION 1
COUNCIL MEETING MIN	REVIEW DATE	SEPTEMBER 2023
DATE:	FILE NUMBER	A0100021

Objective/ Policy Statement

The public, our fellow employees and other people we deal with are entitled to expect each of us act with integrity and to protect resources, information, revenues, reputation and the public interest. Therefore, Mid-Western Regional Council is committed to an honest and ethical environment that minimises fraud and corruption. Fraud and corruption are incompatible with our values and present a risk to the achievement of our objectives and the provision of our services to the public. Mid-Western Regional Council has a zero-tolerance approach to fraud and corruption.

This policy sets standards and provides guidance on how Mid-Western Regional Council aims to prevent, detect and respond to fraud and corruption.

FRAUD DEFINITION

Council has adopted the following definition of fraud based on the definition in AS 8001-2021:

Dishonest activity causing actual or potential gain or loss to any person or organisation including theft of moneys or other property by persons internal and/or external to the organisation and/or where deception is used at the time, immediately before or immediately following the activity.

This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position for personal financial benefit. (Ref. AS8001-2021 1.4.13)

CORRUPTION DEFINITION

Council has adopted the following definition of corruption based on the definition in AS 8001-2021:

Dishonest activity in which a person associated with an organisation (eg: Councillor, director, executive, manager, employee or contractor) acts contrary to the interests of the organisation and abuses their position of trust in order to achieve personal advantage or advantage for another person or organisation. This can also involve corrupt conduct by the organisation, or a person purporting to act on behalf of and in the interests of the organisation, in order to secure some form of improper advantage for the organisation either directly or indirectly (Ref. AS8001-2021, 1.4.8)

Scope

This Policy applies to all Council employees including permanent, fixed-term, temporary and casual as well as to Councillors, consultants, contractors to council and volunteers.

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022

Legislative requirements

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Independent Commission Against Corruption Act 1988
- Public Interest Disclosures Act 1994
- Crimes Act NSW 1900
- Australian Standards AS 8001-2021 including normative references

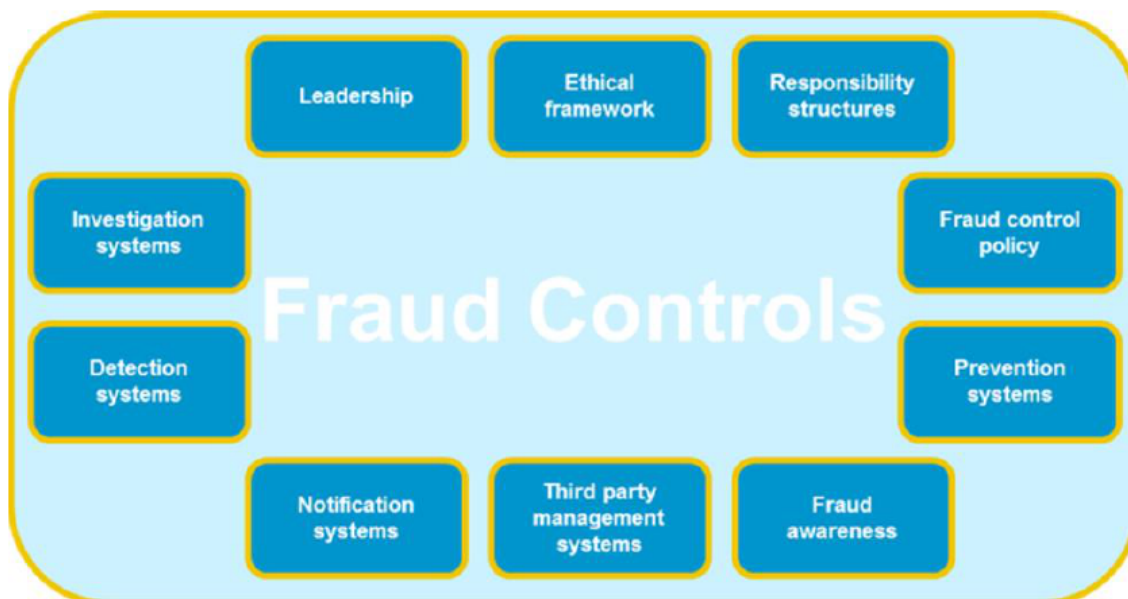
Related policies and documents

- Code of Conduct
- Complaints Policy
- Contractor Management Policy
- Statement of Business Ethics
- Public Interest Disclosure Internal Reporting Policy
- Enterprise Risk Management Policy
- Procurement Policy
- Audit Risk and Improvement Committee Charter
- ICT Strategy
- Internal Audit Policy
- Fraud Control Framework & Procedure
- Conflicts of Interest Declarations
- Notification of Secondary Employment Procedure
- Volunteers Procedure

Policy approach

In developing this policy Mid-Western Regional Council has embedded the 10 key attributes from the Fraud Control Improvement Kit published by Audit Office of New South Wales. These ten attributes are shown in the diagram below.

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022



ATTRIBUTE 1: LEADERSHIP

A successful fraud control framework is led by a committed and accountable executive. The General Manager has ultimate responsibility for the fraud control framework and endorses the fraud control activities within Mid-Western Regional Council.

The Chief Financial Officer is accountable for monitoring the implementation of the fraud control framework.

Council's Delivery Program includes the requirement to develop a Fraud Control Framework and regularly review.

The NSW Local Government Capability Framework includes 'acting with integrity' as a key personal attribute. This framework provides the structure to incorporate the management of fraud into an individual's role expectations.

ATTRIBUTE 2: ETHICAL FRAMEWORK

This framework promotes and encourages a culture and the systems that support ethical behaviour.

Council has adopted a Code of Conduct that clearly sets out acceptable standards of ethical behaviour and these are provided to all councillors at the start of each term of Council. All employees are introduced to the Code of Conduct during their induction training.

Other documents that contribute to an ethical framework to set standards of behaviour and guide decision making include the Statement of Business Ethics, Conflict of Interest Declarations and Notification of Secondary Employment Procedure. These documents are reviewed regularly to ensure they are up to date and in line with the relevant standards.

ATTRIBUTE 3: RESPONSIBILITY STRUCTURES

Assigned responsibility in this framework ensures that councillors and all employees understand clearly their role and accountabilities.

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022

Responsibilities within the Council

Councillors are responsible for:

- approving the Fraud and Corruption Control Policy
- raising community awareness of the Council's commitment to fraud and corruption prevention
- promoting awareness and compliance with Council's Code of Conduct
- supporting the General Manager in the implementation of adequate prevention measures for fraud and corruption
- reporting all instances of suspected or actual fraud or corrupt conduct in accordance with Council's Code of Conduct and Public Interest Disclosure Internal Reporting Policy

The General Manager is responsible for:

- ensuring an effective Fraud and Corruption Control Policy and framework is in place that minimises the incidence of fraud and corruption
- under section 11 of the ICAC Act 1988, to report to the ICAC any matter that they reasonably suspects involves or may involve corruption or fraudulent conduct
- determining who shall investigate and report upon allegations of fraud and corruption
- ensuring results of investigations are acted upon, including referral to the Police under Section 316 of the Crimes Act 1900 in cases of serious offence
- appointing the Disclosure Officers for Council
- embedding fraud control and ethical behaviours into employee position descriptions

Executive and Managers have the following responsibilities, in addition to their responsibilities as Council employees:

- promoting a highly ethical environment and culture where fraud and corruption is discouraged
- ensuring staff are aware of their responsibilities and the consequences from fraud and corruption
- ensuring that internal controls are operating effectively
- leading by example to promote ethical behaviour
- promote fraud awareness and ensure staff complete relevant training
- alert the General Manager of emerging fraud and corruption risks

All Council employees are responsible for:

- performing their functions and duties with skill, care, diligence, honesty, integrity and impartiality
- being aware of their individual responsibilities under this Policy
- complying with the requirements of this Policy and legislative requirements to not participate in fraudulent and corrupt behaviour
- reporting in accordance with this Policy any suspicion of fraudulent and corrupt behaviour

Audit, Risk and Improvement Committee responsibilities

The Audit, Risk and Improvement Committee is responsible for advising the General Manager and governing body of the Council of the adequacy and effectiveness of the Council's fraud and corruption prevention framework and activities.

Internal Audit

Internal audit must be alert to the possibility of fraud within the Council. Internal audit assists in deterring fraud by examining and evaluating the adequacy and effectiveness of internal controls. It

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022

is also expected to evaluate whether the senior management is properly overseeing the fraud control policies and practices.

Internal audit is not specifically responsible for detecting fraud but is expected to obtain assurance that any material control deficiencies are detected. Internal audit must report known or suspected fraud to the General Manager and Audit, Risk and Improvement Committee if they detect it.

Internal audit regularly examines risk processes across the council to detect irregularities. Internal audit recommendations are recorded and are followed up regularly, with responsibility assigned to individuals and clear time tables set for response. Outcomes of reviews are reported to the senior management and the Audit, Risk and Improvement Committee on a periodic basis.

Management uses internal audit findings as an opportunity to improve processes.

The General Manager and the Audit, Risk and Improvement Committee annually review the internal audit program.

External Audit

The responsibility of an external auditor in detecting and preventing fraud subject to a financial statement audit is set out in Australian Auditing Standard 240 (ASA 240). The external auditor is concerned with fraud that causes a material misstatement in the financial report.

ATTRIBUTE 4: FRAUD CONTROL POLICY

This Policy is part of the Fraud and Corruption Control Framework of Council which provides initiatives aimed at preventing, detecting and responding to fraud and corruption. This Policy has been developed based on the Audit Office of New South Wales Fraud Control Improvement Kit and the Australian Standards Fraud and Corruption Control (AS 8001-2021).

The Fraud and Corruption Control Policy does not operate in isolation and has strong links to the Code of Conduct and the Statement of Business Ethics.

This Policy will be updated on a biennial basis.

ATTRIBUTE 5: PREVENTION SYSTEMS

Fraud and corruption prevention controls are focused on areas identified with the highest risk. As part of Councils enterprise risk management we will identify areas of risk, evaluate the effectiveness of controls and determine where actions are necessary to reduce risk.

Managing Conflicts of Interest

Disclosures of interest are managed in accordance with the Code of Conduct. Requiring staff, councillors, advisors and committee members to disclose actual, potential or perceived conflicts of interest can assist to manage risks of fraud and corruption posed by a conflict with their duties. Identifying concealed conflicts of interest is part of the detection program.

Managing Risks Associated with Gifts and Benefits

Procedures to manage the fraud and corruption risk associated with gifts and benefits are found in the Code of Conduct. The Code of Conduct aims to avoid any influence or appearance of influence on a person connected to gifts, hospitality or benefits of any kind.

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022

Internal Controls

Appropriately designed internal controls can be effective at preventing fraud and corruption. The council maintains appropriate controls based on the degree of risk including:

- segregation of duties
- approvals and authorisation
- financial delegations
- payment file and employee master file reviews
- internal review of transactions
- stocktake on inventory
- internal audit review of controls

Controls are embedded into computerised systems where possible and procedures made available to the appropriate staff in order to implement controls.

Workforce Screening

Council is committed to employing people who support our ethical values. Pre-employment screening is used to verify information supplied by candidates on their resumes and applications, and includes two reference checks prior to a position being offered. This aims to give Council a higher level of assurance as to the identity, qualifications and honesty of the applicant before appointment.

Security of Physical Assets

Council has controls in place to protect the value of significant tangible assets such as property, plant and equipment and inventory. Measures that are in place include locks and access controls, alarms, security fencing and gates, video surveillance and security service contractors.

Technology-enabled Fraud

Mid-Western Regional Council (MWRC) relies on its Information Communication Technology systems to provide critical services to its stakeholders. Cyber security controls are key to preventing the risk of fraud from external sources.

The ICT Strategy supports the interests of Mid-Western Regional Council by aiming to provide a secure, reliable and available ICT environment.

ATTRIBUTE 6: FRAUD AWARENESS

All Council representatives are expected to act in in line with the standards of behaviour set out in our Code of conduct.

Staff need to understand fraud is not tolerated and the consequences of committing fraud. They need to be aware of:

- what fraud is
- common types of fraud they may encounter their responsibilities
- how to report suspected frauds
- their responsibility to contribute to eliminating fraud and corruption

Staff training

Awareness training will be implemented through the following programs:

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022

- induction Program for all new Councillors and Council employees to include awareness training on this Policy and the Code of Conduct;
- training in fraud and corruption prevention is undertaken based on an assessment of risk;
- sharing corruption prevention information through management meetings, newsletters and other internal publications;
- refresher awareness training for the Executive, Managers and Co-ordinators on Council's Code of Conduct on a biennial basis.; and
- an ongoing awareness initiative to inform relevant staff when corruption cases are made public, in order to educate and discourage corrupt and fraudulent behaviour

Customer and Community Awareness

Fraudulent activity may be detected as a result of complaints from Council customers or other members of the public. It is essential that the community understands the impact of fraudulent and corrupt activity and the importance of exposing such behaviour. In order to increase community awareness and encourage the reporting of fraudulent and corrupt conduct, Council will:

- a) publish this Policy, the Code of Conduct, Business Ethics Statement, and Complaints Policy on Council's website; and
- b) promptly acknowledge the receipt of a report of suspected corrupt or fraudulent conduct

ATTRIBUTE 7: THIRD PARTY MANAGEMENT SYSTEMS

Council will mitigate the risk of fraud and corruption by having appropriate controls in place to manage dealings with third parties. These controls include:

- Code of Conduct, Statement of Business Ethics and Procurement Policy being available on our website to inform customers, the community and suppliers of the standards of behaviour expected, by both our staff and the third party, when conducting business with Council.
- Requirements for third party due diligence before engaging contractors. Council's Contractor Management Policy and contract management systems are in place to manage contracts when in place.
- Providing ways that third parties can report allegations of fraud within Council's Complaints Policy.
- Conflict of Interest Declaration requirements and Notification of Secondary Employment Procedure.
- Targeted training for employees involved in procurement and contract management.

ATTRIBUTE 8: NOTIFICATION SYSTEM

The Council encourages its stakeholders and suppliers to report known or suspected fraud or corruption. Staff should be aware of the provision in section 316(1) of the Crimes Act 1900 which says that failure to report a serious offence (which could include fraud) is an offence.

As stated in the Public Interest Disclosure Internal Reporting Policy, Council is committed to:

- continuing to create a climate of trust, where staff are comfortable and confident about reporting wrongdoing
- encouraging staff to come forward if they have witnessed what they consider to be wrongdoing within the council
- keeping the identity of the staff member disclosing wrongdoing confidential, wherever possible and appropriate
- protecting staff who make disclosures from any adverse action motivated by their report
- dealing with reports thoroughly and impartially and if some form of wrongdoing has been found, taking appropriate action to rectify it

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022

- keeping staff who make reports informed of their progress and the outcome

All staff are encouraged to report general wrongdoing to their supervisor. However the Public Interest Disclosures Act requires that for a report to be a protected disclosure, it must be made to a public official in accordance with Council's Public Interest Disclosure Internal Reporting Policy. Council encourages reports to be made in writing, as this helps to avoid any confusion or misinterpretation, but reports can be made verbally.

In most instances, reports of fraud can be dealt with internally. However, if staff have concerns that their report of corruption will not be dealt with appropriately then they have the option of reporting directly to the Independent Commission Against Corruption (ICAC).

If a council employee suspects that another organisation or person is defrauding the council, the suspicion can be discussed with their manager in the first instance or directly with the Manager Governance and Customer Service.

Our stakeholders, suppliers and members of the public are encouraged to report suspected or actual cases of fraud or corruption to Council or directly to the ICAC.

Protection against Reprisals

Mid-Western Regional Council will not tolerate any reprisal action against staff who report wrongdoing. The criminal penalties that can be imposed include imprisonment or fines. Detrimental action is also misconduct that justifies disciplinary action. People who take detrimental action against someone who has made a disclosure can also be required to pay damages for any loss suffered by that person.

If you believe that detrimental action has been or is being taken against you or someone else who has reported wrongdoing in reprisal for making a report, you should tell your supervisor, your Director or the General Manager immediately.

For further information refer to the Public Interest Disclosure Internal Reporting Policy.

Complaint management

Council may receive notification of fraud and corruption from a complaint. Council's Complaints Policy provides a system for staff to receive a complaint and escalate to the appropriate area. It also lists alternative avenues for dealing with complaints such as reporting to the Independent Commission Against Corruption.

ATTRIBUTE 9: DETECTION SYSTEM

Council has established a number of detection systems to identify fraud and corruption events. It is noted that detection systems may also have a prevention effect as the threat of detection can act as a deterrent. Detection systems include:

Post- transactional review

Council undertakes the following reviews in order to detect fraudulent transactions:

- reviewing a random sample of transactions monthly
- regular general ledger account reconciliations
- regular reviews of high risk activities

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022

Management Reports

Management reporting can give warning signs or identify trends leading to detection of fraudulent and corrupt activity. Management regularly review financial reports such as:

- Monthly capital works program
- Quarterly budget review
- Contracts register

Review of data

Retrospective review of data is undertaken in high risk areas such as accounts payable and procurement to identify potential fraud and corruption.

Exit Interviews

Under Council's resignation and retirement procedure Human Resources will contact the employee and invite them to complete an Exit Questionnaire or to participate in an Exit Interview. Exits interviews may produce information about fraudulent or corrupt activity that departing employees have knowledge about or have been involved in.

ATTRIBUTE 10: INVESTIGATION SYSTEMS

Council recognises that it will not always be successful in its efforts to prevent fraud. It will therefore investigate all reported instances of fraud and corrupt conduct as thoroughly as possible. Depending upon the circumstances of the case, an internal investigation may be undertaken or the matter referred to an external body such as NSW Police, ICAC or the NSW Ombudsman.

If a matter is reported under the Public Interest Disclosure Internal Reporting Policy the investigation will follow those procedures.

Other investigations will be guided by the below principals.

Preliminary Assessment

When an allegation of fraud or corruption is made it should be referred immediately to Council's Chief Financial Officer or Executive Manager People and Performance. These employees will conduct preliminary enquiries to determine whether it is recommended to commence a more formal investigation. If the preliminary investigation suspects on reasonable grounds the matter concerns or may concern corruption, it will be communicated to the General Manager to be immediately referred to an external body. A formal investigation may still be undertaken even though another agency, such as the NSW Police Force or the ICAC, is also investigating. If the allegation implicates the Chief Financial Officer or Executive Manager People and Performance it should be referred to the alternate employee or General Manager instead.

Formal Investigation

Following the preliminary assessment, if a more formal investigation is recommended this must be reported to the General Manager to request approval. The ICAC's publication Factfinder – A guide to conducting internal investigations (April 2022) may be used as a tool for guidance in the investigation where considered appropriate.

Investigations must be undertaken by an appropriately qualified investigator who is independent of the business unit in which the event occurred. The investigator may be a manager with appropriate

POLICY: | FRAUD AND CORRUPTION CONTROL AUGUST 2022

skills or qualifications or an external specialist or law enforcement agency. During the investigation the suitability of the investigator may be reviewed.

Record Keeping

Complete and accurate records will be made during all investigations and any evidence gathered will be secured and preserved.

Maintaining Confidentiality

Every endeavour will be made to ensure that any allegations of fraud and subsequent investigations are handled confidentially. This is designed to help prevent any action being taken against internal reporters. However, there may be situations where confidentiality may not be possible or appropriate.

While anonymous reports are not encouraged, there may be situations where someone may not want to identify themselves. Council will accept anonymous reports, however, anonymity may limit our ability to seek further information to assess the report adequately. When the identity of the internal reporter is known, Mid-Western Regional Council is able to obtain any further necessary information, provide the person with protection and support and give feedback about the outcome of any investigation into the allegations.

Disciplinary Procedures


During the investigation, where disciplinary proceedings are required the Executive Manager People and Performance will be involved to ensure the disciplinary procedures are properly followed and to ensure that any personnel issues affecting the staff members involved are properly addressed.

Making Vexatious, Frivolous or Misleading Allegations

Any report that turns out to be vexatious, frivolous or misleading will result in disciplinary action against the reporter.

Documenting Fraud Events

The Chief Financial Officer will maintain a database of all reports of fraud. The database will help Council determine where it should focus its efforts and where changes to controls, policies or procedures are required. The register shall be reported to the Audit, Risk and Improvement Committee.

	POLICY	ADOPTED C/M August 2015 Minute No. 252/15
	Fraud Control	REVIEW: JUN 2017 FILE No. A0100021

OBJECTIVE

Mid-Western Regional Council is committed to the prevention, detection and investigation of all fraudulent and corrupt activity. Fraud and corruption wastes scarce public resources and damages organisational reputation. Council does not and will not tolerate fraudulent or corrupt practices either by staff, contractors or others working on behalf of Council.

The objective of this policy is to provide a framework for the prevention, detection, investigation and correction of fraudulent activity.

RELEVANT LEGISLATION

- Local Government Act 1993
- Local Government (General) Regulation 2005
- Independent Commission Against Corruption Act 1988
- Protected Disclosures Act 1994
- Crimes Act NSW 1900

RELATED POLICIES

- Code of Conduct
- Complaints Policy
- Statement of Business Ethics
- Public Interest Disclosure Internal Reporting Policy
- Risk Management Policy

DEFINITIONS

Fraud is defined in Australian Standards AS 8001-2008 as:

Dishonest activity causing actual or potential financial loss to any person or entity including theft of money or other property by employees or persons external to the entity and whether or not deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal business purpose or the improper use of information or position.

For the purposes of this policy, corruption and corrupt conduct will have the same meanings as defined in the Independent Commission Against Corruption Act 1988. Corrupt conduct means any conduct which could affect the honest or impartial exercise of official functions, or may be a breach of trust, or may involve the misuse of any Council information by any Council officer.

FRAUD PREVENTION

Council's fraud prevention strategy involves:

1. Organisational Integrity and Leadership

The most effective form of fraud prevention is the establishment of an organisational culture that rejects fraudulent and corrupt practices. Commitment from Senior Management and Councillors is essential in establishing a behaviour model for all staff, committee members and volunteers.

Council will establish and maintain a fraud-resistant culture by:

FRAUD CONTROL POLICY

- (a) employing managers and supervisors who will be positive role models for ethical behaviour;
- (b) adopting and enforcing policies that emphasise the importance of ethical behaviour;
- (c) issuing clear standards and procedures to minimise opportunities for fraudulent and corrupt behaviour, and enhance detection mechanisms; and
- (d) ensuring all staff are accountable for their own actions.

2. Employee Education and Awareness

Employees will be made aware of Council's ethical conduct expectations by:

- (a) The inclusion of this policy and the Code of Conduct information packages for new employees to inform new starters of ethical conduct requirements;
- (b) The inclusion of ethical behaviour expectations and Code of Conduct competencies in the performance appraisal process for all staff ;
- (c) Refresher awareness training for all staff on Council's Code of Conduct on a biennial basis.; and
- (d) An ongoing awareness initiative to inform staff when relevant corruption cases are made public, in order to educate and discourage corrupt and fraudulent behaviour (eg ICAC Operation Jarek Investigation Report)

Staff with particular responsibilities, such as cash handling and purchasing authority, will be given specific training in approved cash handling and purchasing procedures.

3. Customer and Community Awareness

Fraudulent activity may be detected as a result of complaints from Council customers or other members of the public. It is essential that the community understands the impact of fraudulent and corrupt activity and the importance of exposing such behaviour. In order to increase community awareness and encourage the reporting of fraudulent and corrupt conduct, Council will:

- (a) Publish the Code of Conduct, Business Ethics Statement, and Complaints Policy on Council's website; and
- (b) Provide feedback to all persons who report suspected corrupt or fraudulent conduct on any action that has been taken.

4. Regular Review of Policies and Procedures

In addition to ongoing policy development directed at emphasising ethical behaviour and fraud prevention and detection, Council is committed to the ongoing review of existing policies and procedures. The following policies and procedures are to be included in those reviewed on a biennial basis:

- (a) Code of Conduct;
- (b) Fraud Control Policy;
- (c) Complaints Policy;
- (d) Public Interest Disclosure Internal Reporting Policy;
- (e) Risk Management Policy.
- (f) Procurement Policy
- (g) Disposal of Assets Policy

FRAUD DETECTION & RISK MANAGEMENT

Council's fraud detection strategy involves:

1. Encouraging Disclosure

FRAUD CONTROL POLICY

It is recognised that most fraudulent activity is detected by employees of Council, and to a lesser extent, by members of the public. Council will encourage the reporting of fraudulent conduct by:

- (a) The inclusion of training on fraud awareness and reporting procedures in induction of new employees;
- (b) Refresher awareness training for all staff on Council's Code of Conduct and reporting of fraudulent and corrupt activity on a biennial basis;
- (c) Advertising on Council's website of the various methods by which members of the public can report instances of fraudulent conduct that they may become aware of; and
- (d) Providing feedback to people who report suspected fraud on the action that has been taken.

2. Internal Auditing

Council will minimise opportunities for undetected fraudulent activity via a robust internal audit program. The General Manager shall establish and implement a detailed strategy and procedures, incorporating internal audit guidelines in order to give this policy effect. Such a program shall include:

- (a) Monthly audits of purchasing and disposal transactions;
- (b) Annual audits of financial system security;
- (c) Annual audits of cash float and petty cash balances;
- (d) Semi-annual stock takes of Council inventory;
- (e) Annual reviews of physical asset security;
- (f) Annual audits of compliance with adopted cash handling procedures; and
- (g) Implementation and monitoring of recommendations by Council's external auditors.

3. External Auditing

Council is required under section 415 of the Local Government Act 1993 to have its financial reports audited and to present those audited financial reports to the Director-General of the Department of Local Government, the Australian Bureau of Statistics and the public.

FRAUD INVESTIGATION

Council recognises that it will not always be successful in its efforts to prevent fraud. It will therefore investigate all reported instances of fraud and corrupt conduct as thoroughly as possible. Depending upon the circumstances of the alleged fraud, an internal investigation may be undertaken or the matter referred to an external body such as NSW Police, ICAC or the Ombudsman.

FRAUD CORRECTION

Once a fraudulent act has been identified and investigated, strategies and procedures will be implemented to ensure that the act will not be repeated. This may include:

- (a) Disciplinary action and/or dismissal of employees, committee members, volunteers or contractors involved in fraudulent conduct;
- (b) Review and alteration of operating procedures;
- (c) Additional training for employees, committee members, volunteers or contractors;
- (d) Making other employees aware of the situation in general terms in order to discourage similar conduct in the future; or
- (e) Improvements in the physical security of assets.

NON COMPLIANCE

Non-compliance with this policy may result in disciplinary action and/or dismissal.

FRAUD CONTROL POLICY

VARIATION

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

9.3 Purchase Cards Policy

REPORT BY THE FINANCIAL OPERATIONS COORDINATOR
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, FIN300032, A0140316

RECOMMENDATION

That Council:

1. **receive the report by the Financial Operations Coordinator on the Purchase Cards Policy;**
2. **place the Purchase Cards Policy on public exhibition for a period of 28 days; and**
3. **adopt the Purchase Cards Policy for a further period of two years, if no submissions are received during the public exhibition period.**

Executive summary

In September 2021 the Office of Local Government released the document titled Guideline on the use and management of credit cards. Council's finance team have reviewed the guidelines and considered them against the existing Corporate Cards Procedure. We are recommending the following actions:

- Introduction of a Purchase Cards Policy; and
- Revision of our internal Purchase Cards Procedure and have it renamed to Corporate Cards Procedure.

Disclosure of Interest

Nil

Detailed report

The Local Government Act 1993 (section 8B) and the Local Government (General) Regulation 2021 (clause 209) require all councils to establish effective internal control mechanisms for financial management, expenditure and accounting records. The guidelines were issued under section 23A of the Local Government Act 1993; where section 3 states that a council must take any relevant guidelines issued under this section into consideration before exercising any of its functions.

Council's finance team have reviewed the guidelines against our existing Purchase Cards Procedure. A summary of notable changes are:

- Introduction of a Purchase Cards Policy. This policy incorporates the two types of purchase cards Council currently have, which are credit cards and fuel cards. The policy is a high level document that will demonstrate how Council will manage and control the use of cards.
- Update of credit card management internal procedures (Corporate Cards Procedure) to improve controls.
- Development of internal training module for all Corporate Card users to complete.

Please note on the 19th of July 2022 the Executive adopted the updated Corporate Card Procedure and the internal training module for all Corporate Card holders is currently being rolled out.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Procurement Policy
Code of Conduct
Fraud Control Policy

Legislation

The Local Government Act 1993 (section8B) and the Local Government (General) Regulation 2021 (clause 209).

Financial implications

Not Applicable

Associated Risks

This policy addresses Financial risks associated with fraud and improper use of Council assets by setting the standards and obligations of council officers with delegated authority to purchase goods and services using a purchase card.

TRISH ELSEGOOD
FINANCIAL OPERATIONS COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

18 August 2022

Attachments: 1. Draft Purchase Cards Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY Purchase Cards

*A prosperous
and progressive
community.*

ADOPTED		VERSION NO	VERSION 1
COUNCIL MEETING MIN	[xx/xx]	REVIEW DATE	[DATE TO REVIEW]
DATE:	[INSERT DATE]	FILE NUMBER	[INSERT FILE NO]

Policy statement

The use of a Purchase Card can be an efficient procurement method, saving the Council time and money. Additionally, some services and suppliers, such as booking flights, accommodation and online subscriptions mandate use of a credit card.

Purchase cards must be subject to appropriate controls in order to protect Council funds, maintain the integrity of governance processes and maintain public confidence in Council operations. The Council is obliged to maintain an effective system of internal control, in accordance with the Local Government (General) Regulation 2021 to address the significant risks of fraud and misuse of purchase cards.

Objective

The objective of this policy is to detail standard purchase card practices across Mid-Western Regional Council and to highlight the obligations of council officers with the delegated authority to purchase goods and services of any value or type on behalf of Council by way of a purchase card. Purchase card usage is a function that is high risk in terms of corruption and therefore it is subject to internal controls and processes.

Successful purchase card usage provides great flexibility and potentially increases efficiency of services, expediting lead times and reducing administrative burden.

Council currently has two types of purchase cards that are regulated by this Policy. These are:

- Corporate Card
- Fuel Card

Legislative requirements

- Local Government Act 1993 - Section 8B
- Local Government (General) regulation 2021 – Clause 209

Related policies, plans and procedures

Related policies and plans

- Code of Conduct
- Procurement Policy

POLICY: PURCHASE CARDS | VERSION 1, [INSERT DATE]

- Fraud Control Policy
- Corporate Cards Procedure
- Light Fleet Procedure

Corporate Card Policy Implementation

Eligibility

The provision of a corporate card is a facility offered by Council to officers occupying certain positions. These positions must have an existing financial delegation. The General Manager has delegated the oversight and management of corporate cards to the Chief Financial Officer. All requests for corporate cards must be approved by the Chief Financial Officer (CFO).

The CFO or General Manager reserves the right to amend, alter or vary eligible positions from time to time. Cards are for the use of designated officers only and must not be given to another employee to use.

The Mayor is the only elected member who holds a corporate card.

Credit Limits

The CFO shall have the authority to determine the credit limits and transaction limits for individual card holders. These limits will not exceed a determined maximum amount or the cardholders financial delegation. This determination will be based on the purchasing requirements for the position and risk. Temporary credit limit increases can also be approved upon request where it is deemed operationally appropriate. A temporary credit limit increase can be approved by the CFO or General Manager.

Appropriate Use

Corporate cards must only be used for the payment of goods and services associated with Council business.

- Each individual credit limit must be strictly adhered to, each month, with no over expenditure, and purchases must not be split to avoid the transaction limit.
- Card holders must ensure funds are available within the budget prior to purchasing goods and services and the expenditure is justified.
- Cards will be blocked for cash advances.
- Cards shall not be used for private or personal expenditure.
- Cardholders will not be entitled to any rewards program or access to rewards that may be offered as part of the expenditure.
- Cardholders must not purchase tools or items that are stocked in Council's store.
- Cardholders must not pay fines with a corporate card, for example a parking fine or a speeding offence which was incurred whilst on Council business.

Formal Acknowledgement

Council officers issued with corporate cards are in a position of trust with regard to the use of public funds. Improper use of the card may render the cardholder liable to disciplinary action, legal action or criminal prosecution. All corporate cardholders are to acknowledge receipt of the corporate card and instructions for use. The acknowledgement will include a signed agreement to abide by the Council's Policy and Procedures and the card supplier guidelines and conditions of use.

Internal Control and Reconciliation Procedures

Council will put in place appropriate internal controls in a Corporate Cards Procedure to reduce the risk of fraud and misuse. These controls include:

- Identification procedures for new cardholders
- Maintaining a register of cardholders
- Requirements to provide documentation for all purchases
- Timely costing of transactions
- Supervisor approval of all transactions
- Review of policy compliance
- Procedures for lost, stolen and damaged cards and for cessation of employment

Review of Corporate Card Facility

Review of Councils corporate card facility will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines. The standard review period will be on an Annual basis and will cover the following aspects:

- Any matters indicating the efficiency or effectiveness of the corporate card e.g. card not used;
- Credit Limits and Transaction Limits for individual card holders;
- Action taken in response to issues raised; and
- The results of action taken in response to issues raised in previous reports.
- Any inactive card not used for six months should be reviewed and discussed with cardholder and manager.

Training and Induction

Training Cardholders on their responsibilities is an important control that reduces the risk of credit card misuse. Training will be provided to Cardholders with the knowledge and

POLICY: PURCHASE CARDS | VERSION 1, [INSERT DATE]

skills to effectively deliver on their responsibilities and understand their accountability for corporate card use. Training will be provided before a cardholder takes custody of a corporate card.

Fuel Card Policy Implementation

Eligibility

Fuel cards issued are associated with a Council vehicle. Cards are issued to pool vehicles, some minor equipment such as mowers and vehicles with approved private use.

The custodian of that vehicle is responsible for the card. In the case of a pool car or shared use, the custodian is the driver at the time or if not in use the administration support allocated to the vehicle.

Appropriate Use

Fuel cards must only be used for the purchase of fuel for the identified plant and equipment associated with the card.

- Fuel cards shall not be used for private or personal expenditure
- Cardholders will not be entitled to any rewards program or access to rewards that may be offered as part of the expenditure
- Fuel card settings will only allow purchase of a fuel type appropriate to that vehicle. All other purchases will be blocked.

Internal Control and Reconciliation Procedures

Council will put in place appropriate internal controls in a Light Fleet Procedure to reduce the risk of fraud as misuse. These controls include:

- Custodian to ensure the fuel card is only used for fuel, oil or other fluids required for the associated vehicle only
- Custodian to provide the odometer reading of the vehicle when refuelling
- Expenditure review of monthly invoicing is performed by Fleet Administration
- Acknowledgement of the Light Fleet Procedure will be required
- Procedures for lost, stolen and damaged cards and for cessation of employment

9.4 Realignment of Part of Henry Lawson Drive Home Rule

REPORT BY THE PROPERTY OFFICER
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, GOV400043, R4013001

RECOMMENDATION

That Council:

1. **receive the report by the Property Officer on the Realignment of Part of Henry Lawson Drive Home Rule be received;**
2. **note Council's previous report and resolution at its Ordinary Meeting on 17 June 2015 to consider the realignment of those sections of Henry Lawson Drive by the opening and dedication of a public road over allotments 1 and 2 (Plan "A") and to proceed with the formalisation procedures in relation to the closing of those parts of Henry Lawson Drive, being allotments 3 and 4, as cited in the report of 17 June 2015 and appended to this Report as Attachment 1;**
3. **note that there were no objections received during the notice period; and**
4. **authorises the closure of those parts of Henry Lawson Drive being allotments 3 and 4, as cited in the report of 17 June 2015 and appended to this Report as Attachment 1.**

Executive summary

The purpose of this Report is to notify Council that there were no objections to the realignment that was completed on Part of Henry Lawson Drive at the Home Rule Bridge over Cooyal Creek between 2004 and 2005.

Disclosure of Interest

Nil

Detailed report

At the 17 June 2015 Ordinary Meeting, Council received a report on a proposal to formalise the realignment of Part of Henry Lawson Drive Home Rule. The report is appended as Attachment 1.

Henry Lawson Drive was realigned between 2004 and 2005 where it crosses Cooyal Creek at the new Home Rule Bridge. Through negotiations with the affected property owner, the matter entailed Council formalising a road opening over parts of the property known as "Old Gulgong" in conjunction with the closure of sections of Henry Lawson Drive road reserve that were to be transferred to the affected property owner as part of the agreed compensation. The formal road closure and road dedication processes however, were not commenced at the time of the road realignment construction in 2004/2005.

Council resolved to formalise the realignment of those sections of Henry Lawson Drive by the opening and dedication of a public road over allotments 1 and 2 as cited in proposed plan "A" detailed in the 2015 Council Report (as attached) and; to proceed with the formalisation procedures in relation to the closing of those parts of Henry Lawson Drive, being allotments 3 and 4 as cited in proposed plan "A"; and authorised the General Manager and Mayor to sign all documentation, where

necessary, in relation to the proposed closure and subsequent transfer of the closed road to Council ownership.

The road closing process is governed by the Roads Act 1993 (s 38). Part of the process requires Council to advertise, for a period of 28 days, the intention to close a road to allow for any submissions and objections from the public to be received. Council is then required to consider all submissions and objections and take any action to resolve any objections.

Council advertised the intention to close the road in the Friday 20 May 2022 edition of the Mudgee Guardian. The proposal was also advertised on Council's website.

Notifications were sent to all notifiable authorities. No objections were received. Council will therefore proceed with formal closure of the road and the land, upon closure, will be transferred to the adjoining land owner in compensation for the area required for road opening.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Roads Act 1993

Financial implications

The road closure process will be funded from current 2022/2023 Rural Sealed Roads Land Matters budget

Associated Risks

The road realignment was completed in 2004 to 2005 period. If the road realignment is not formalised, that part of a sealed Council road will remain within privately owned land.

LILIAN MUKWEWA MUTYIRI
PROPERTY OFFICER

24 August 2022

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

Attachments: 1. 2015 Council Report on Realignment of Part of Henry Lawson Drive at Home Rule.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

1.1.1 Realignment of Part of Henry Lawson Drive Home Rule

REPORT BY THE REVENUE & PROPERTY MANAGER TO 17 JUNE 2015 COUNCIL MEETING
Realignment of Part Henry Lawson Drive Home Rule
GOV400043, R0790175

RECOMMENDATION

That:

1. the report by the Revenue & Property Manager on the Realignment of Part Henry Lawson Drive Home Rule be received;
2. Council agrees to proceed with the formalisation procedures in relation to the realignment of those sections of Henry Lawson Drive by the opening and dedication of a public road over allotments 1 and 2 as cited in proposed plan "A" appended to this Report and; to proceed with the formalisation procedures in relation to the closing of those parts of Henry Lawson Drive, being allotments 3 and 4 as cited in proposed plan "A" appended to this Report;
3. compensation to the landowner is to be in the form of a land exchange of allotments 3 and 4 in proposed plan "A", being the land forming those parts of Henry Lawson Drive to be closed for, allotments 1 & 2 of the proposed plan "A" being the lands required for the road opening and dedication;
4. the General Manager negotiate all terms of agreement with the landowners in relation to the land exchange compensation and any other matters that may arise during the road closure and opening process;
5. Council is to incur all costs in relation to the road closure, road opening and transfer of allotments 3 and 4 to the landowner, including any reasonable costs incurred by the landowner for legal costs and the transfer of allotments 3 and 4 to the landowner;
6. the General Manager and Mayor be authorised to sign all documents necessary in relation to the formalisation of the closure and realignment of that part of Henry Lawson Drive by way of road closure and opening, and all documents necessary to complete the transfer of allotments 3 and 4 to the landowner;
7. Council authorises the affixing of the Common Seal to all documents necessary in relation to the formalisation of the closure and realignment of that part of Henry Lawson Drive by way of road closure and opening, and all documents necessary to complete the transfer of allotments 3 and 4 to the landowner.

Executive summary

The purpose of this report is to seek Council's approval to formalise the road realignment that was completed along Henry Lawson Drive at the Home Rule Bridge over Cooyal Creek between 2004 and 2005.

Detailed report

Henry Lawson Drive was realigned between 2004 and 2005 where it crosses Cooyal Creek at the new Home Rule Bridge. Through negotiations with the affected property owner, the matter entailed Council formalising a road opening over parts of the property known as "Old Gulgong" in conjunction with the closure of sections of Henry Lawson Drive road reserve that were to be transferred to the affected property owner as part of the agreed compensation. The formal road closure and road dedication processes however, were not commenced at the time of the road realignment construction in 2004/2005.

A survey plan has now been prepared to facilitate the road closure and road opening, and to enable the subsequent transfer of the sections of land pertaining to the road closure to the owner of "Old Gulgong".

Attachment 1 to this Report details proposed plan "A", citing allotments 1 and 2 as being required for the realignment of Henry Lawson Drive. These allotments will be dedicated as public road upon the registration of the plan. Allotments 3 and 4 comprise those parts of the former Henry Lawson Drive that are to be acquired by Council upon finalisation of formal closure and then transferred to the affected landowner as compensation for allotments 1 and 2.

Should Council consent to the road closure application, the matter will be progressed through the formal process of road closure as stipulated by the Roads Act. The ultimate decision however, to close that part of the road reserve will be made by NSW Trade & Investment – Crown Lands after a public process, where the proposed road closure will be advertised publically.

The road closing processes that are to be progressed by Council are expected to take between 16-20 weeks to complete. Once Council has lodged the road closure application with NSW Trade & Investment – Crown Lands, it may take up to 12 months for the Crown to process and finalise.

Section 38(2)(b) and (c) Roads Act 1993 stipulates the circumstances upon which the land, upon closure of a road, is to vest in either Council or the Crown. Henry Lawson Drive is a formed road that has had value added to it by Council over many years and as such, it is anticipated that the land, upon the closure of that part of the road will vest in Council.

The procedural road opening process is expected to take between 16-20 weeks to complete.

Financial and Operational Plan implications

The procedural road closing and road opening costs and the legal costs associated with the transfer of the relevant allotments to the landowner will amount to approximately \$4,000. This amount will be funded from the current 2014/2015 Rural Sealed Roads Land Matters budget.

Community Plan implications

This report meets Community Plan Theme 4 Connecting Our Region:

Goal 4.1: High Quality road network that is safe and efficient

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

DIANE SAWYERS
REVENUE & PROPERTY MANAGER


CLARE PHELAN
DIRECTOR, CORPORATE

26 May 2015

- Attachments:*
1. Proposed plan “A” – road closure and opening
 2. Plan overview - road closure and opening

APPROVED FOR SUBMISSION:

A handwritten signature in black ink, consisting of a large, stylized capital letter 'B' followed by a horizontal line extending to the right.

BRAD CAM
GENERAL MANAGER

ATTACHMENT 1

WARNING: GREASING OR FOLDING WILL LEAD TO REJECTION

Proposed Plan "A"

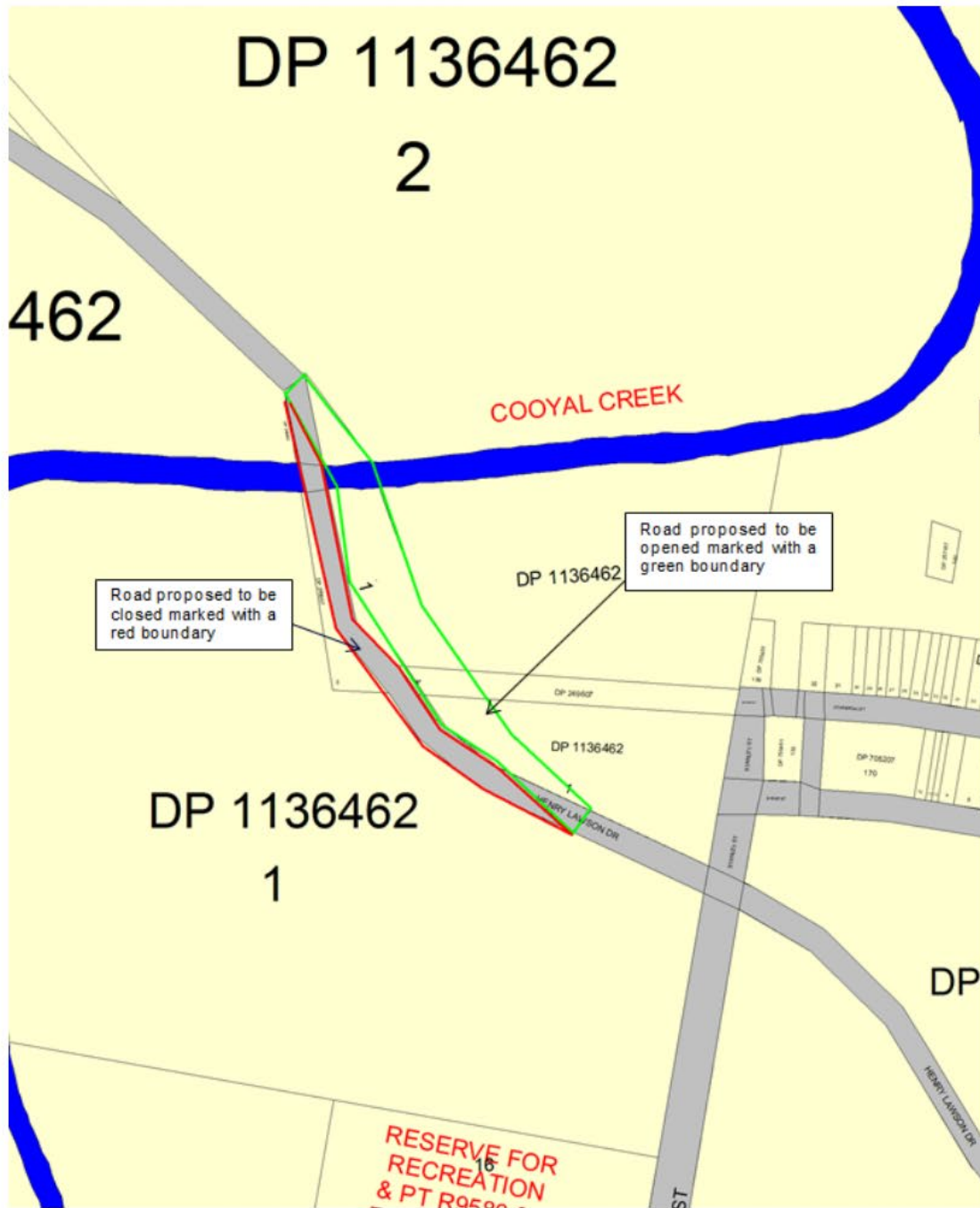
Sheet 2 of 2 sheets

SCHEDULE OF PERMANENT MARKS				
MARK	EASTING	NORTHING	CLASS	L
PM 85992	746 545.436	6 410 375.975	B	2
PM 85993	746 322.245	6 410 318.385	B	2



LEGEND
 F1 - OLD NETTING WITH 2 BARB
 F2 - NEW HINGE JOINT, 2 BARB, 1 PLAIN
 X - NEW STEEL POST AT CORNER
 ○

ATTACHMENT 2



9.5 Draft Long Term Financial Plan 2022-2032

REPORT BY THE ACTING CHIEF FINANCIAL OFFICER
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, FIN300201

RECOMMENDATION

That Council:

1. **receive the report by the Acting Chief Financial Officer on the Draft Long Term Financial Plan 2022-2032;**
2. **endorse the draft Long Term Financial Plan 2022-2032 to go on public exhibition for a period of 28 days;**
3. **request a report be returned to Council after the period of exhibition, if any submissions are received for consideration; and**
4. **if no submissions are received adopt the Long Term Financial Plan 2022-2032.**

Executive summary

Following completion of the Operational Plan 2022/2023 the draft Long Term Financial Plan 2022-2032 is presented to Council to be placed on public exhibition, to better inform Council and the community.

Disclosure of Interest

Nil

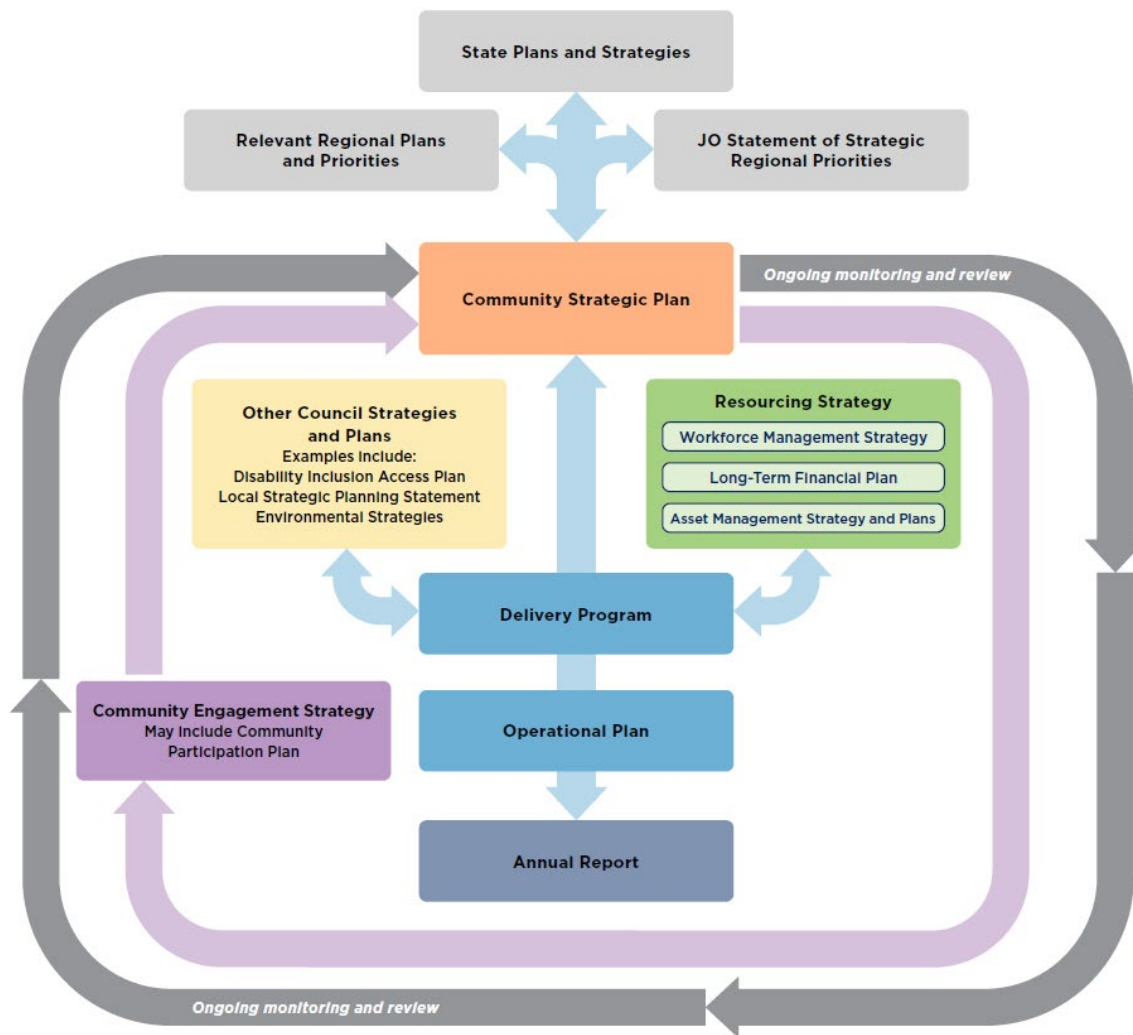
Detailed report

The Long Term Financial Plan is a requirement of the Integrated Planning and Reporting process, as a component of the Resourcing Strategy.

The Long-Term Financial Plan must project financial forecasts for the council for at least ten years, and be updated annually to further inform the Operational Plan. The Long-Term Financial Plan must be used by the council to inform its decision-making during the finalisation of the Community Strategic Plan and the development of the Delivery Program.

The Long-Term Financial Plan must include:

- Planning assumptions used to develop the plan
- Projected income and expenditure, balance sheet and cash flow statement
- Sensitivity analysis (factors/assumptions most likely to affect the plan)
- Financial modelling for different scenarios
- Methods of monitoring financial performance



Community Plan implications

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

Strategic implications

Council Strategies

The Long Term Financial Plan makes up a part of Councils Resourcing Strategy, and links to the Asset Management Plans and Delivery Program.

Council Policies

Not Applicable

Legislation

Local Government Act 1993 Section 430 Resourcing Strategy:

1. A council must have a long-term strategy (called its "resourcing strategy") for the provision of the resources required to implement the strategies established by the community strategic plan that the council is responsible for.

2. The resourcing strategy is to include long-term financial planning, workforce management planning and asset management planning.

Financial implications

The Operational Plan 2022/23 sets out Council's planned activities, major projects and strategic direction for the financial year ended 30 June 2023. The Long Term Financial Plan 2022-2032 identifies Council's planned financial path for the next ten years.

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

26 August 2022

Attachments: 1. Draft Long Term Financial Plan 2022-2032. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.6 Monthly Budget Review - August 2022

REPORT BY THE FINANCIAL PLANNING COORDINATOR
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, FIN300315

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the Monthly Budget Review - August 2022; and
2. amend the 2022/23 budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report.

Executive summary

This report provides Council with information on the progress of the 2022/22 capital works program at 31 August 2022.

Please note that this report does not include revotes.

Disclosure of Interest

Nil

Detailed report

Over the period of the financial year, Council has an opportunity to review and approve variances to the Budget. The attachment to this report provides the detailed information of recommended variations.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

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

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

Financial implications

The budget variations proposed will impact the below financial ratios.

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

Associated Risks

Not Applicable

AMANDA COVER
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

30 August 2022

Attachments: 1. Monthly Budget review - August.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET
REVIEW -
31 AUGUST 2022

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

21 SEPTEMBER 2022

MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



1. PROPOSED BUDGET VARIATIONS

FUNDING SUMMARY

Fund	Funding Source	22/23	23/24	Grand Total
General	ASSET REPLACEMENT RESERVE	-50,000		-50,000
	GRT - BUSHFIRE & EMERGENCY SERVICES - CAPITAL	-416,728		-416,728
	GRT - BUSHFIRE & EMERGENCY SERVICES -OP	416,727		416,727
	PLANT REPLACEMENT RESERVE	-42,200		-42,200
	Unrestricted Cash	-137,504	40,000	-97,504
General Total		-229,705	40,000	-189,705
Grand Total		-229,705	40,000	-189,705

2022/23 VARIATIONS

Community Plan	Fund	Variation	Expenditure Budget Variation \$	Revenue Funding Source 1	Revenue Funding Source 1 Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Restricted Funding Source 2	Restricted Funding Source 2 Variation \$	Unrestricted Cash Variation \$
LOOKING AFTER OUR COMMUNITY	General	Kandos Community Hall - Flooring Refurbishment - Budget added to cover the cost for flooring repair, external water diversion & extraction system.	50,000	-	0	ASSET REPLACEMENT RESERVE	(50,000)	-	0	0
GOOD GOVERNMENT	General	Plant Purchases - Replacement trailer to retain small roller temporarily for roads backlog, replace roads mower with commercial spec, minor price adjustments to ute replacement	42,200	-	0	PLANT REPLACEMENT RESERVE	(38,000)	PLANT REPLACEMENT RESERVE	(4,200)	0
GOOD GOVERNMENT	General	Corporate Buildings Admin - Building Evacuation plans	41,000	-	0	-	0	-	0	(41,000)

CORPORATE FINANCE | MONTHLY BUDGET REVIEW – AUGUST 2022

Community Plan	Fund	Variation	Expenditure Budget Variation \$	Revenue Funding Source 1	Revenue Funding Source 1 Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Restricted Funding Source 2	Restricted Funding Source 2 Variation \$	Unrestricted Cash Variation \$
		review adding extra budget to cover the cost.								
LOOKING AFTER OUR COMMUNITY	General	Social & Cultural Plan - Budget incorrectly added to 2024 Fy	40,000	-	0	-	0	-	0	(40,000)
GOOD GOVERNMENT	General	Staff Recruitment & Retention - Extra funding required to cover the cost of using recruitment agency for hiring hard to fill professional position.	30,000	-	0	-	0	-	0	(30,000)
GOOD GOVERNMENT	General	Corporate Development - Budget required for adjustment in the work team and for graphic design trainee position.	21,900	-	0	-	0	-	0	(21,900)
GOOD GOVERNMENT	General	Council Works Depots - Buildings - Adding budget for roller door guard installation in Rylstone workshop.	4,604	-	0	-	0	-	0	(4,604)
LOOKING AFTER OUR COMMUNITY	General	Emergency Services - Flood Feb 2022 (Drfa) - Splitting Budget for DRFA Feb 2022 Flood Grant	-416,727	GRT - BUSHFIRE & EMERGENCY SERVICES -OP	416,727	-	0	-	0	0
CONNECTING OUR REGION	General	Seal Extension - Coricudgy Road - Splitting Budget for DRFA Feb 2022 Flood Grant	179,728	GRT - BUSHFIRE & EMERGENCY SERVICES - CAPITAL	(179,728)	-	0	-	0	0
LOOKING AFTER OUR COMMUNITY	General	Sammy'S Flat Fence Replacement (Rylstone Showground) - Splitting Budget for DRFA Feb 2022 Flood Grant	105,000	GRT - BUSHFIRE & EMERGENCY SERVICES - CAPITAL	(105,000)	-	0	-	0	0

CORPORATE FINANCE | MONTHLY BUDGET REVIEW – AUGUST 2022

Community Plan	Fund	Variation	Expenditure Budget Variation \$	Revenue Funding Source 1	Revenue Funding Source 1 Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Restricted Funding Source 2	Restricted Funding Source 2 Variation \$	Unrestricted Cash Variation \$
LOOKING AFTER OUR COMMUNITY	General	Rylstone Showground Access Road - Splitting Budget for DRFA Feb 2022 Flood Grant	56,000	GRT - BUSHFIRE & EMERGENCY SERVICES - CAPITAL	(56,000)	-	0	-	0	0
CONNECTING OUR REGION	General	Rural Unsealed Roads - Nullo Mt Rd Repair - Splitting Budget for DRFA Feb 2022 Flood Grant	40,000	GRT - BUSHFIRE & EMERGENCY SERVICES - CAPITAL	(40,000)	-	0	-	0	0
CONNECTING OUR REGION	General	Rural Unsealed Roads - Nullo Mt Rd Tree Removal - Splitting Budget for DRFA Feb 2022 Flood Grant	25,000	GRT - BUSHFIRE & EMERGENCY SERVICES - CAPITAL	(25,000)	-	0	-	0	0
LOOKING AFTER OUR COMMUNITY	General	Jack Tindale Park Roads - Splitting Budget for DRFA Feb 2022 Flood Grant	11,000	GRT - BUSHFIRE & EMERGENCY SERVICES - CAPITAL	(11,000)	-	0	-	0	0
	Total		229,705		(1)		(88,000)		(4,200)	(137,504)

2023/24 VARIATIONS

Community Plan	Fund	Variation	Expenditure Budget Variation \$	Revenue Funding Source 1	Revenue Funding Source 1 Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Restricted Funding Source 2	Restricted Funding Source 2 Variation \$	Unrestricted Cash Variation \$
LOOKING AFTER OUR COMMUNITY	General	Social & Cultural Plan - Budget incorrectly added to 2024 Fy	-40,000	-	0	-	0	-	0	40,000
	Total		(40,000)		0		0		0	40,000

2. CAPITAL WORKS PROGRAM

Summary of capital works program as at 31 August 2022.

\$ 5.39 M

Actual YTD

232

Capital Projects

\$100.84 M

Budget

\$10.29 M

Commitments

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Looking after our Community							
RURAL FIRE SERVICE - COOKS GAP STATION (CAPITAL)	1	0	1	0	0%	0	Construction
RURAL FIRE SERVICE - LUE STATION (CAPITAL)	111	0	111	0	0%	54	Construction
RURAL FIRE SERVICE - WATER TANK MAINTENANCE	15	0	15	0	0%	0	Consultation
MUDGEE POUND UPGRADE - RENOVATION & EXTENSION	164	0	164	36	22%	99	Construction
FAMILY DAY CARE - EXTERNAL WORKS	60	0	60	0	0%	0	Procurement
COMM. TRANSPORT - VEHICLE PURCHASE	85	0	85	0	0%	37	Procurement
COUNTRY UNIVERSITY CENTER	894	0	894	4	1%	0	Design
CEMETERY CAPITAL PROGRAM	16	0	16	0	0%	9	Procurement
GULGONG CEMETERY ROAD UPGRADE	30	0	30	0	0%	0	Project Scope
PUBLIC TOILETS - ROTARY PARK KANDOS UPGRADE	98	0	98	0	0%	0	Project Scope
PUBLIC TOILETS - ST JOHN'S ANGLICAN CHURCH	80	0	80	0	0%	0	Design
LIBRARY BOOKS	95	0	95	12	13%	0	Construction
MUDGEE LIBRARY AIR CONDITIONING	11	0	11	0	0%	6	Final works
HARGRAVES COURT HOUSE BUILDING - EXTERNAL WORKS	57	0	57	0	0%	0	Deferred/Cancelled
COMMUNITY CENTRE - COURT STREET CAPITAL WORKS	80	0	80	6	8%	14	Procurement
TOWN HALL - EXTERNAL BRICKWORK	50	0	50	0	0%	0	Budget only
CAPITAL UPGRADE - RYLSTONE GUIDE HALL ROOF REPLACEMENT	25	0	25	0	0%	0	Procurement
KANDOS HALL & LIBRARY - EXTERNAL PAINTING & KITCHEN UPGRADE	94	0	94	12	13%	0	Procurement
KANDOS HALL & LIBRARY - TOILETS	59	0	59	0	1%	0	Final works
RYLSTONE SHOWGROUND - AMENITIES CHANGE ROOM UPGRADE	45	0	45	0	0%	0	Design
KANDOS COMMUNITY HALL - FLOORING REFURBISHMENT	52	50	102	50	50%	0	Project Scope
GULGONG MEN'S SHED - EXTERNAL WALL REPLACEMENT	35	0	35	0	0%	0	Final works

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
GOOLMA HALL - FLOORING & WINDOW REFURB	20	0	20	11	56%	5	Consultation
TOWN HALL THEATRE - DRESSING ROOM AMENITIES UPGRADE	40	0	40	0	0%	0	Final works
CAP UPGRD- SWIMMING POOLS BUDGET ONLY	(0)	0	(0)	0	0%	0	Budget only
GULGONG/ KANDOS POOL - LOCKERS	10	0	10	0	0%	0	Design
KANDOS POOL - EXTERNA WORKS	55	0	55	0	0%	10	Initial works
POOL SHADE PROGRAM	46	0	46	5	10%	38	Construction
LIGHTING UPGRADE - POOLS	50	0	50	0	0%	0	Design
GULGONG POOL HEATERS	105	0	105	0	0%	0	Procurement
ACTIVE PARKS - GLEN WILLOW ACCESSIBLE AMENITIES BUILDING	103	0	103	0	0%	5	Consultation
MUDGEE SHOWGROUNDS - REDEVELOPMENT	107	0	107	0	0%	124	Construction
GLEN WILLOW SPORTS GROUND UPGRADES	777	0	777	225	29%	156	Construction
CAHILL PARK SYNTHETIC CRICKET WICKET	30	0	30	0	0%	0	Design
MUDGEE SHOWGROUND TREE PLANTING (REQUIRES GRANT)	20	0	20	0	0%	0	Consultation
GLEN WILLOW NETBALL AREA BUBBLER (REQUIRES GRANT)	10	0	10	0	0%	0	Consultation
VICTORIA PARK MUDGEE - FENCING	60	0	60	0	0%	0	Procurement
GULGONG TENNIS COURTS	130	0	130	0	0%	0	Procurement
GLEN WILLOW FIELD ONE REFURBISHMENT	550	0	550	0	0%	0	Design
CLANDULLA RECREATION PARK AMENITIES	120	0	120	0	0%	0	Consultation
VICTORIA PARK GULGONG- GRANDSTAND IMPROVEMENTS	20	0	20	0	0%	0	Procurement
GLEN WILLOW - NETWORK ACCESS FIBRE CONNECTIVITY	120	0	120	0	0%	0	Consultation
RYLSTONE & KANDOS DOG PARK	90	0	90	0	0%	0	Procurement
GLEN WILLOW STORMWATER RETICULATION SYSTEM	266	0	266	12	5%	121	Construction
PUTTA BUCCA TRAINING CAMP FACILITY - STAGE 1	996	0	996	65	7%	65	Initial works

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
PUTTA BUCCA TRAINING CAMP FACILITY -STAGE 2	953	0	953	125	13%	75	Initial works
PUTTA BUCCA TRAINING CAMP FACILITY - STAGE3 (REQUIRES GRANT)	1,166	0	1,166	0	0%	0	Design
MUDGEE SHOWGROUNDS - PATHWAY IMPROVEMENTS	40	0	40	0	0%	0	Procurement
GLEN WILLOW - PUMP TRACK	700	0	700	0	0%	0	Project Scope
WALKERS OVAL MUDGEE CARPARK UPGRADES	20	0	20	0	0%	0	Project Scope
MUDGEE SHOWGROUNDS - ROAD REHAB AND FENCING	75	0	75	0	0%	0	Project Scope
MUDGEE SHOWGROUNDS - GRANDSTAND FIT-OUT	196	0	196	1	0%	180	Construction
VICTORIA PARK MUDGEE - SIGHT SCREENS & SEATING	70	0	70	0	0%	0	Procurement
VICTORIA PARK GULGONG - SHOT PUT/DISCUS REPLACEMENT	25	0	25	0	0%	0	Procurement
VICTORIA PARK GULGONG - STORAGE SHED (REQUIRES GRANT)	30	0	30	0	0%	0	Consultation
VICTORIA PARK GULGONG - ROAD AND CAR PARK SEAL	85	0	85	0	0%	0	Project Scope
MUDGEE SHOWGROUND EQUIPMENT	47	0	47	51	108%	0	Complete
RYLSTONE SHOWGROUND ARENA - UPGRADE	30	0	30	0	0%	0	Consultation
RYLSTONE SHOWGROUND ACCESS ROAD	0	56	56	0	0%	0	Consultation
SAMMY'S FLAT FENCE REPLACEMENT (RYLSTONE SHOWGROUND)	0	105	105	0	0%	53	Initial works
RED HILL - PATHWAY AND LANDSCAPING UPGRADE	40	0	40	0	0%	0	Procurement
RED HILL EXHIBITION SPACE	50	0	50	0	0%	0	Consultation
ROBERTSON PARK - EQUIPMENT UPGRADE	159	0	159	0	0%	0	Design
JACK TINDALE PARK RYLSTONE - UPGRADE	40	0	40	0	0%	0	Project Scope
SHADE SAIL - MUDGEE DOG PARK	12	0	12	0	0%	0	Procurement
SCULPTURES ACROSS THE REGION	61	0	61	1	2%	0	Construction
RYLSTONE RIVER WALK - IMPROVEMENT	20	0	20	0	0%	0	Consultation
JACK TINDALE PARK ROADS	0	11	11	0	0%	0	Consultation
ROTUNDA PARK KANDOS - IRRIGATION RENEWAL	21	0	21	0	0%	0	Procurement

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
APEX PARK GULGONG - IRRIGATION RENEWAL	20	0	20	0	0%	0	Procurement
GILBEY PARK - FENCING	10	0	10	0	0%	0	Procurement
MEMORIAL PARK MUDGEES - IRRIGATION RENEWAL	20	0	20	0	0%	0	Design
PLAYGROUND SHADING PROGRAM	152	0	152	0	0%	0	Project Scope
RED HILL CAPITAL WORKS	312	0	312	7	2%	3	Initial works
CORONATION PARK FENCE	35	0	35	0	0%	0	Procurement
PLAYGROUND EQUIPMENT UPGRADE - LAWSON PARK MUDGEES	30	0	30	0	0%	27	Complete-awaiting invoices
CORONATION PARK GULGONG - IRRIGATION RENEWAL	30	0	30	0	0%	0	Procurement
LAWSON PARK MUDGEES -IRRIGATION RENEWAL	30	0	30	0	0%	0	Procurement
PLAYGROUND EQUIPMENT UPGRADE - RYLSTONE SHOWGROUND	292	0	292	0	0%	0	Initial works
BRIDGE AND STEPS REPLACEMENT - RYLSTONE COMMON	40	0	40	0	1%	0	Procurement
MUDGEES RIVERSIDE - WALKING TRACK IMPROVEMENTS	35	0	35	0	0%	0	Design
PASSIVE PARK SIGNAGE REPLACEMENT	21	0	21	0	0%	0	Design
FLIRTATION HILL MUDGEES - MASTER PLAN WORKS	750	0	750	0	0%	0	Design
ART GALLERY FACILITY	821	0	821	182	22%	214	Construction
STREET SCAPE IMPROVEMENTS	31	0	31	0	0%	0	Project Scope
STREETSCAPE - STREET BINS	7	0	7	0	3%	8	Consultation
Total	12,356	222	12,578	808	6%	1,302	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	340	0	340	0	0%	0	Project Scope
MUDGEES WASTE DEPOT UPGRADES	53	0	53	0	0%	1	Procurement

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
NEW TIP CELL CONSTRUCTION	3,293	0	3,293	67	2%	202	Initial works
NEW RECYCLING BINS	30	0	30	0	0%	0	Consultation
WASTE SITES REHABILITATION	2,340	0	2,340	0	0%	8	Initial works
REMOTE SECURITY CAMERAS AT WTS	39	0	39	0	0%	39	Construction
LEACHATE POND ENLARGEMENT	11	0	11	0	0%	2	Final works
KANDOS WTS OFFICE REPLACEMENT	12	0	12	0	0%	0	Project Scope
DRAINAGE CAPITAL IMPROVEMENTS	259	0	259	0	0%	11	Budget only
CAUSEWAY IMPROVEMENT - TALLAWAY ST GULGONG	23	0	23	0	1%	1	Complete
PUTTA BUCCA WETLANDS CAPITAL	17	0	17	0	0%	0	Consultation
PUTTA BUCCA WETLANDS TOILET	95	0	95	0	0%	87	Initial works
PUTTA BUCCA WETLANDS -PATHWAYS AND CAR PARK (REQUIRES GRANT)	25	0	25	0	0%	0	Deferred/Cancelled
PUTTA BUCCA WETLANDS INFRASTRUCTURE - CAPITAL	379	0	379	1	0%	184	Initial works
WATER NEW CONNECTIONS	97	0	97	12	13%	0	Construction
WATER AUGMENTATION - MUDGEES HEADWORKS	2,950	0	2,950	2	0%	0	Initial works
WATER DISTRIBUTION - MUDGEES	2,800	0	2,800	0	0%	0	Project Scope
WATER AUGMENTATION - RYLSTONE & KANDOS	500	0	500	0	0%	0	Project Scope
WATER MAINS - CAPITAL BUDGET ONLY	1,080	0	1,080	0	0%	0	Budget only
WATER MAINS - MAYNE STREET	207	0	207	35	17%	0	Construction
WATER MAINS - NICHOLSON ST COURT ST EAST ROAD CROSSING	17	0	17	0	0%	0	Construction
WATER MAINS - HORATIO ST COURT TO COX	27	0	27	44	162%	13	Construction
WATER PUMP STATION - CAPITAL RENEWALS	175	0	175	0	0%	1	Project Scope
RAW WATER SYSTEMS RENEWALS	78	0	78	0	0%	0	Procurement
WATER TREATMENT PLANT - RENEWALS	120	0	120	0	0%	8	Project Scope
SEWER NEW CONNECTIONS	38	0	38	5	13%	0	Construction
SEWER AUGMENTATION - RYLSTONE & KANDOS	4,417	0	4,417	3	0%	33	Design

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
SEWER AUGMENTATION - MUDGEE	1,000	0	1,000	0	0%	0	Project Scope
SEWER MAINS - CAPITAL BUDGET ONLY	1,745	0	1,745	0	0%	0	Budget only
RISING MAIN ULAN RD TO PUTTA BUCCA	387	0	387	0	0%	0	Project Scope
SEWER PUMP STATION - CAPITAL RENEWALS	1,130	0	1,130	0	0%	0	Consultation
SEWER PUMP STATION - RACECOURSE MUDGEE	125	0	125	0	0%	0	Project Scope
SEWER TREATMENT WORKS - RENEWALS	62	0	62	0	0%	0	Project Scope
SEWER TREATMENT WORKS - GULGONG STP SPILLWAY	30	0	30	0	0%	0	Consultation
Total	23,901	0	23,901	170	1%	589	

Building a Strong Local Economy

CUDGEGONG WATERS CARAVAN PARK - KIOSK & OFFICE	501	0	501	14	3%	59	Construction
RYLSTONE CARAVAN PARK - CAPITAL	466	0	466	32	7%	348	Final works
RIVERSIDE CARAVAN PARK FIRE SERVICES	1	0	1	0	0%	2	Consultation
MUDGEE VALLEY PARK UPGRADE	8	0	8	0	2%	0	Initial works
CUDGEGONG WATERS PARK CAMP KITCHEN (REQUIRES GRANT)	60	0	60	0	0%	0	Consultation
CUDGEGONG WATERS PARK HOUSE	233	0	233	90	38%	152	Construction
MUDGEE VALLEY PARK EXPANSION	3,235	0	3,235	1,284	40%	642	Construction
CUDGEGONG WATERS - PUBLIC TOILETS	375	0	375	0	0%	0	Design
MUDGEE VALLEY PARK EXPANSION ROADS	350	0	350	0	0%	0	Project Scope
DIGITAL SIGNAGE	161	0	161	0	0%	15	Initial works
ELECTRIC VEHICLE CHARGING STATION - CAPITAL	50	0	50	0	0%	0	Consultation
SALEYARDS - POST AND RAIL REPLACEMENT	11	0	11	0	0%	0	Consultation
TOOHEYS PARK - BUILDING	20	0	20	0	0%	0	Initial works
PROPERTY - EX SALEYARDS STAGE II	2,396	0	2,396	0	0%	50	Design
PROPERTY - DEVELOPMENT MORTIMER ST	10	0	10	1	15%	3	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Total	7,877	0	7,877	1,421	18%	1,272	

Connecting our Region

MUDGEES CDB HIGH PEDESTRIAN ACTIVITY AREA	26	0	26	0	0%	0	Construction
URBAN RESEALS - BELMORE ST GULGONG	52	0	52	0	0%	0	Design
URBAN RESEALS - BARIGAN STREET WOLLAR	14	0	14	0	0%	0	Design
URBAN RESEALS - BARNETT STREET WOLLAR	13	0	13	0	0%	0	Design
URBAN RESEAL - DABEE RD	12	0	12	0	0%	0	Design
RESEAL - HENRY BAYLEY DRIVE	23	0	23	0	0%	0	Design
URBAN RESEALS - JACQUES STREET KANDOS	39	0	39	0	0%	0	Design
URBAN RESEAL - MEDLEY STREET GULGONG	10	0	10	0	0%	0	Design
URBAN RESEAL - MORTIMER STREET MUDGEES	39	0	39	0	0%	0	Design
URBAN RESEALS - INGLIS ST MUDGEES	32	0	32	0	0%	0	Design
URBAN RESEALS - SALEYARDS LN GULGONG	14	0	14	0	0%	0	Design
URBAN ROADS KERB & GUTTER CAPITAL	17	0	17	0	2%	0	Project Scope
URBAN HEAVY PATCHING	21	0	21	1	4%	0	Project Scope
URBAN REHAB - DUNN STREET KANDOS SEG 10-30	176	0	176	22	13%	29	Construction
ROAD EXTENSION - BETWEEN PUTTA BUCCA & GLEN WILLOW	230	0	230	57	25%	121	Construction
URBAN REHAB - BROADHEAD RD SPRINGFL	150	0	150	0	0%	0	Procurement
URBAN REHAB - LAWSON/SHORT STREET INTERSECTION MUDGEES	105	0	105	0	0%	0	Project Scope
URBAN REHAB - LOVEJOY STREET MUDGEES	30	0	30	0	0%	0	Project Scope
URBAN REHAB - SHORT STREET	30	0	30	0	0%	0	Project Scope
URBAN RESEALS - ANDERSON STREET GULGONG	16	0	16	0	0%	0	Design
URBAN RESEALS - NANDOURA STREET GULGONG	27	0	27	0	0%	0	Design

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
URBAN RESEALS - WYNELLA STREET GULGONG	14	0	14	0	0%	0	Design
URBAN RESEALS - BENT STREET KANDOS	22	0	22	0	0%	0	Design
URBAN RESEALS - CROWN STREET KANDOS	21	0	21	0	0%	0	Design
URBAN RESEALS - MCLACHLAN STREET - KANDOS	12	0	12	0	0%	0	Design
URBAN RESEALS - CASSIN LANE MUDGEE	10	0	10	0	0%	0	Design
URBAN RESEALS - GRANT STREET MUDGEE	10	0	10	0	0%	0	Design
URBAN RESEALS - HARDY CRESCENT MUDGEE	19	0	19	0	0%	0	Design
URBAN RESEALS - HORATIO STREET MUDGEE	20	0	20	0	0%	0	Design
URBAN RESEALS - LANG STREET MUDGEE	15	0	15	0	0%	0	Design
URBAN RESEALS - MENCHIN STREET MUDGEE	13	0	13	0	0%	0	Design
URBAN RESEALS - MULGOA WAY MUDGEE	15	0	15	0	0%	0	Design
URBAN RESEALS - RAYNER STREET MUDGEE	10	0	10	0	0%	0	Design
URBAN RESEALS - CUDGEGONG STREET RYLSTONE	21	0	21	0	0%	0	Design
URBAN RESEALS - LOUEE STREET RYLSTONE	36	0	36	0	0%	0	Design
URBAN RESEALS - SHORT STREET - RYLSTONE	18	0	18	0	0%	0	Design
URBAN RESEALS - TONGBONG STREET RYLSTONE	14	0	14	0	0%	0	Design
RESHEETING - URBAN ROADS	11	0	11	0	0%	0	Initial works
URBAN SEALING - BRUCE ROAD	402	0	402	22	6%	81	Construction
MUDGEE SCHOOL ZEBRA CROSSING INFRASTRUCTURE UPGRADE	127	0	127	69	54%	43	Construction
KERB AND GUTTER REPLACEMENT KANDOS & RYLSTONE	100	0	100	0	0%	0	Project Scope
URBAN ROADS LAND MATTERS CAPITAL	15	0	15	0	0%	0	Initial works
RURAL RESEAL - LUE RD	436	0	436	0	0%	0	Project Scope
RURAL RESEAL - YARRAWONGA RD	171	0	171	0	0%	0	Design
RURAL RESEAL - WINDEYER RD GRATTAI	110	0	110	0	0%	0	Design
RURAL RESEAL - CUDGEGONG RD	192	0	192	0	0%	0	Design
RURAL RESEAL - BOTOBOLAR RD	148	0	148	0	0%	0	Design

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
RURAL RESEAL - BROGANS CREEK RD CLANDULL	34	0	34	0	0%	0	Design
RURAL REHAB - LUE ROAD MOUNTKNOW	500	0	500	7	1%	0	Initial works
RURAL REHAB - CUDGEGONG RD CARWELL	520	0	520	1	0%	0	Project Scope
RURAL REHAB - HENRY LAWSON DR	339	0	339	0	0%	0	Project Scope
HEAVY PATCHING	48	0	48	0	0%	0	Project Scope
RURAL RESEAL - BUDGEE BUDGEE	55	0	55	0	0%	0	Project Scope
RURAL RESEAL - CAMPBELLS CREEK ROAD WINDEYER	139	0	139	0	0%	0	Design
RURAL RESEALS - GREVILLEA GROVE RYLSTONE	15	0	15	0	0%	0	Design
RURAL RESEALS - KALUDABAH ROAD CULLENBO	34	0	34	0	0%	0	Design
RURAL RESEALS - LINBURN LANE	142	0	142	0	0%	0	Design
RURAL RESEALS - PYANGLE ROAD LUE	7	0	7	0	0%	0	Design
RURAL RESEALS - WHITE CEDARS ROAD TOTNESVA	27	0	27	0	0%	0	Design
RURAL RESEALS - CAMERONS ROAD RUNNINGS	3	0	3	0	0%	0	Design
BLUE SPRING ROAD UPGRADE - ACEA STUBBO SOLAR	3,912	0	3,912	0	0%	0	Design
RURAL SEALED ROAD LAND MATTERS	12	0	12	0	0%	0	Construction
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM 2021/22	336	0	336	178	53%	5	Construction
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM 2022/23	796	0	796	4	0%	0	Project Scope
MUNGHORN GAP REALIGNMENT & UPGRADE	1,321	0	1,321	69	5%	51	Construction
MUNGHORN GAP SHOULDER WIDENING BLACKSPOT	137	0	137	79	57%	22	Construction
HILL END ROAD SAFETY IMPROVEMENTS	2,340	0	2,340	4	0%	8	Design
BVW UPGRADE RNSW 2080	2,326	0	2,326	5	0%	60	Design
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	3	0	3	1	23%	5	Initial works
SEALING - GRIMSHAW LANE	18	0	18	16	89%	0	Construction
ZIMMER LANE	81	0	81	11	14%	0	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
BADGERS LANE	98	0	98	0	0%	0	Project Scope
SEAL EXTENSION - AARONS PASS RD	239	0	239	215	90%	21	Construction
SEAL EXTENSION - QUEENS PINCH RD	1,790	0	1,790	410	23%	35	Construction
SEAL EXTENSION - COXS CREEK RD	1,756	0	1,756	246	14%	233	Construction
SEAL EXTENSION - BOTOBOLAR RD	1,936	0	1,936	31	2%	8	Construction
SEAL EXTENSION - CORICUDGY ROAD	578	180	758	1	0%	0	Project Scope
RESHEETING	2,056	0	2,056	296	14%	36	Construction
UNSEALED ROADS LAND MATTERS CAPITAL	15	0	15	0	0%	0	Initial works
GOODIMAN CREEK BRIDGE REPLACEMENT	950	0	950	0	0%	599	Construction
DIXONS LONG POINT CROSSING	6,299	0	6,299	16	0%	30	Initial works
BRIDGE TO PUTTA BUCCA ROAD	3,102	0	3,102	22	1%	1,200	Construction
REGIONAL ROAD BRIDGE CAPITAL	62	0	62	0	0%	0	Project Scope
ULAN ROAD - REHABS, WIDENING AND CONFORMING RESEALS - BUDGET	235	0	235	0	0%	0	Budget only
ULAN ROAD - COPE RD TO ULAN WOLLAR RD	300	0	300	0	0%	0	Project Scope
ULAN ROAD - BLACKSPRINGS ROAD TO BUCKAROO LANE	174	0	174	0	0%	0	Project Scope
FOOTWAYS - CAPITAL WORKS	221	0	221	7	3%	4	Construction
PEDESTRIAN ACCESS AND MOBILITY PLAN WORKS	241	0	241	5	2%	0	Construction
SHARED PATHWAY - GLEN WILLOW TO PUTTA BUCCA WETLANDS AREA	42	0	42	0	0%	0	Construction
AIRPORT - AIRCRAFT PARKING	20	0	20	1	3%	3	Consultation
AIRPORT AMBULANCE TRANSFER BAY	50	0	50	1	1%	0	Design
AIRPORT HANGER AND STUDIO	249	0	249	1	0%	2	Procurement
CARPARK - MUDGEES COMMON	42	0	42	16	37%	16	Construction
CARPARK - GULGONG POOL	11	0	11	2	22%	0	Construction
Total	36,670	180	36,850	1,815	5%	2,613	

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Good Government							
CORPORATE BUILDINGS UPGRADE BUDGET ONLY	0	0	0	0	0%	0	Budget only
OLD POLICE STATION CAPITAL	50	0	50	0	0%	0	Procurement
BUILDINGS MASTER KEY SYSTEM	131	0	131	0	0%	0	Project Scope
MUDGEES ADMIN BUILDING EXTENSION	727	0	727	0	0%	399	Design
MUDGEES ADMIN BUILDING - PAINTING AND REPAIRS	27	0	27	0	0%	0	Project Scope
IT SPECIAL PROJECTS	28	0	28	0	0%	0	Consultation
IT - NETWORK UPGRADES	228	0	228	34	15%	35	Project Scope
IT CORPORATE SOFTWARE	186	0	186	4	2%	30	Consultation
IT - PAPER CUT SECURE PRINTING	25	0	25	0	0%	0	Consultation
PLANT PURCHASES	9,936	0	9,936	963	10%	3,929	Budget only
RYLSTONE DEPOT - CAPITAL UPGRADE	80	0	80	9	11%	8	Procurement
SOLAR FARM INITIATIVE	421	0	421	113	27%	107	Design
GULGONG DEPOT - CAPITAL UPGRADE	65	0	65	7	11%	3	Procurement
SOLAR FARM INITIATIVE - STAGE 3	8,082	0	8,082	0	0%	0	Project Scope
ROLLER BRAKING SYSTEM	53	0	53	42	80%	1	Construction
Total	20,039	0	20,039	1,171	6%	4,513	
Total Capital Works Program	100,843	402	101,245	5,385	5%	10,289	

9.7 Monthly Statement of Investments as at 31 August 2022

REPORT BY THE FINANCIAL PLANNING COORDINATOR
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, FIN300053

RECOMMENDATION

That Council:

1. **receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 31 August 2022; and**
2. **note the certification of the Responsible Accounting Officer.**

Executive summary

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

Disclosure of Interest

Nil

Detailed report

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 31 August 2022.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

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

Legislation

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

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

Financial implications

Not Applicable

Associated Risks

Not Applicable

AMANDA COVER
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

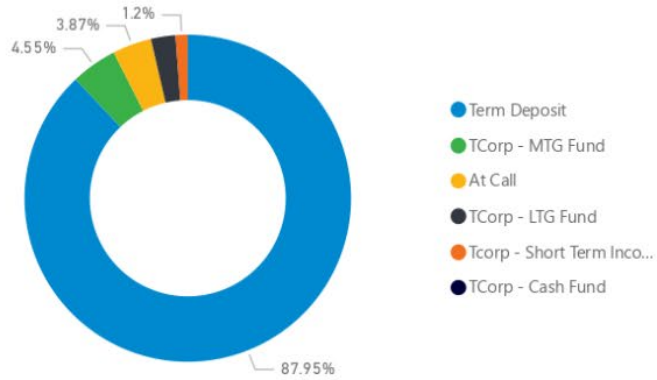
6 September 2022

Attachments: 1. Investment Report - August 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Investments by Type

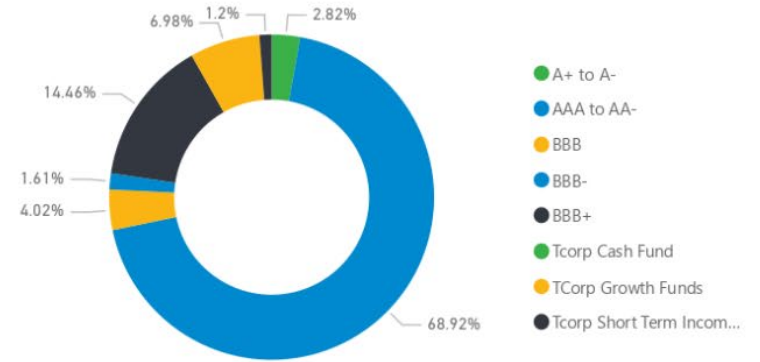


Mid-Western Regional Council Cash and Investments as at 31 August 2022

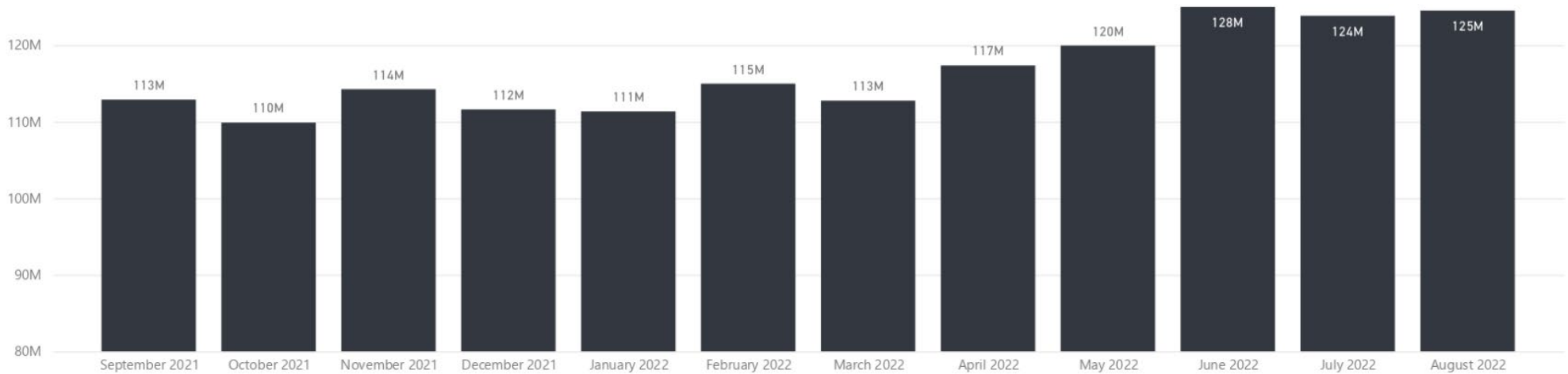
Total Investment Portfolio (\$)

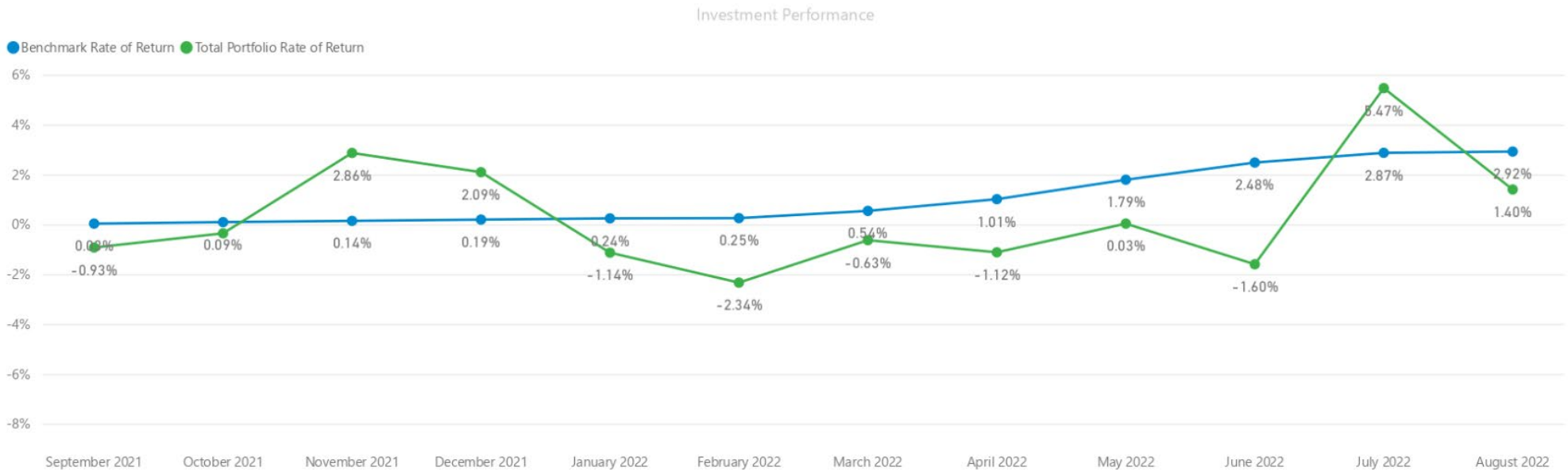
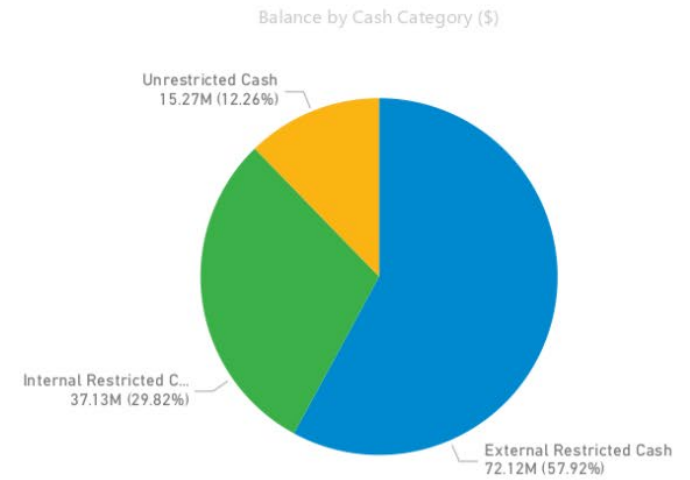
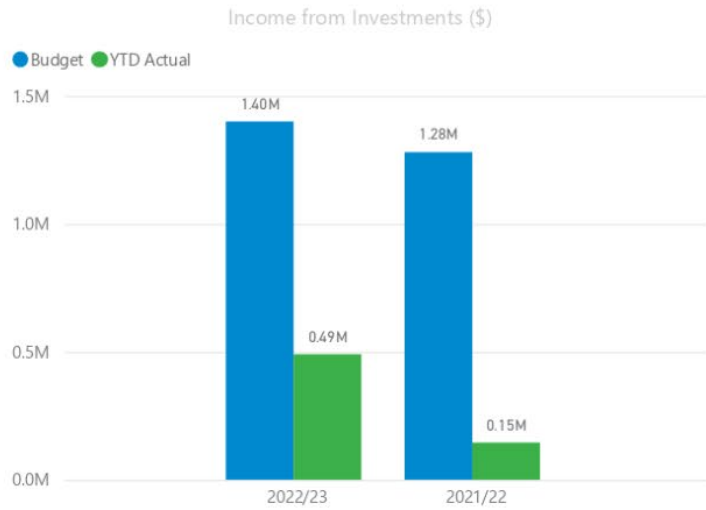
124.52M

Investments by Long Term Rating



Portfolio Balance at End of Month (\$)





At Call Fund and Managed Funds

Institution	Yield	Term to Maturity	Principal	Amount
NAB	2.00%	0	\$	4,822,047
TCorp - Cash Fund	0.50%	1	\$	-
TCorp - Long Term Growth Fund	0.50%	5	\$	3,020,933
TCorp - Medium Term Growth Fund	0.50%	5	\$	5,665,186
Tcorp - Short Term Income Fund	0.50%	5	\$	1,498,039
Total			\$	15,006,204

Current Term Deposits

Institution	Yield	Term to Maturity	Principal	Amount
AMP	1.00%	85	\$	2,000,000
AMP	1.10%	154	\$	1,500,000
Australian Unity	3.50%	476	\$	2,000,000
Australian Unity	4.35%	455	\$	2,000,000
Australian Unity	4.10%	546	\$	1,500,000
Australian Unity	4.30%	518	\$	2,000,000
Bank Of Queensland	0.90%	28	\$	1,500,000
Bank Of Queensland	0.50%	70	\$	1,500,000
Bank Of Queensland	0.61%	28	\$	1,000,000
Bank Of Queensland	0.85%	112	\$	1,000,000
Bank Of Queensland	1.20%	252	\$	2,000,000
Bank Of Queensland	3.92%	574	\$	1,000,000
Bank Of Queensland	4.25%	448	\$	1,000,000
CBA	0.72%	644	\$	2,000,000
CBA	0.50%	56	\$	1,500,000
CBA	0.47%	56	\$	1,000,000
CBA	0.77%	742	\$	1,000,000
CBA	0.47%	112	\$	1,500,000
CBA	0.85%	784	\$	2,500,000
CBA	0.48%	140	\$	2,000,000
CBA	0.73%	238	\$	1,500,000
CBA	3.05%	602	\$	2,000,000
CBA	2.63%	406	\$	1,500,000
CBA	2.31%	266	\$	1,500,000
CBA	2.75%	378	\$	1,500,000
CBA	3.15%	273	\$	1,000,000
CBA	4.15%	665	\$	2,000,000
CBA	3.68%	280	\$	1,500,000
CBA	4.17%	294	\$	1,000,000
CBA	3.94%	301	\$	1,000,000
CBA	3.72%	322	\$	1,500,000
CBA	3.99%	350	\$	1,500,000
CBA	4.20%	434	\$	1,500,000
Defence Bank	3.20%	273	\$	1,500,000
ING	3.21%	329	\$	1,500,000
Judobank	0.90%	56	\$	1,000,000
Judobank	1.01%	42	\$	1,000,000
Macquarie	1.40%	182	\$	1,014,077
Macquarie	1.15%	210	\$	1,000,000
MyState Bank	4.20%	308	\$	1,500,000
NAB	0.79%	14	\$	1,500,000
NAB	0.70%	42	\$	1,000,000

Institution	Yield	Term to Maturity	Principal	Amount
NAB	0.57%	182	\$	1,700,000
NAB	0.65%	301	\$	2,000,000
NAB	0.51%	113	\$	1,800,000
NAB	0.45%	84	\$	1,500,000
NAB	0.45%	98	\$	2,000,000
NAB	0.80%	728	\$	1,500,000
NAB	0.64%	420	\$	3,000,000
NAB	0.45%	126	\$	1,500,000
NAB	0.70%	392	\$	2,500,000
NAB	0.48%	154	\$	1,000,000
NAB	0.79%	168	\$	1,500,000
NAB	0.68%	91	\$	1,000,000
NAB	0.85%	210	\$	1,500,000
NAB	0.75%	91	\$	1,000,000
NAB	0.95%	210	\$	1,500,000
NAB	1.51%	364	\$	2,500,000
NAB	1.21%	238	\$	1,000,000
NAB	4.49%	840	\$	2,500,000
NAB	4.45%	756	\$	2,000,000
Westpac	0.65%	68	\$	2,000,000
Westpac	1.06%	532	\$	2,000,000
Westpac	0.70%	147	\$	1,500,000
Westpac	0.78%	196	\$	1,500,000
Westpac	0.90%	224	\$	2,500,000
Westpac	0.95%	175	\$	2,000,000
Westpac	2.28%	560	\$	1,500,000
Westpac	3.70%	700	\$	2,000,000
Total			\$	109,514,077

Investment Portfolio Summary

Term to Maturity	Amount	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	\$ 31,506,204	25%	25%	20%	OK
Between 3 months and 1 year	\$ 52,514,077	42%	67%	40%	OK
Between 1 year and 2 years	\$ 32,500,000	26%	94%	50%	OK
Between 2 years and 4 years	\$ 8,000,000	6%	100%	85%	OK
More than 5 years	\$ -	0%	100%	0%	OK
Total	\$ 124,520,281				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	CBA	40%	OK	24%	\$ 30,500,000
	NAB	40%	OK	32%	\$ 40,322,047
	Westpac	40%	OK	12%	\$ 15,000,000
A+	Macquarie	20%	OK	2%	\$ 2,014,077
A	ING	20%	OK	1%	\$ 1,500,000
BBB+	Australian Unity	10%	OK	6%	\$ 7,500,000
	Bank Of Queensland	10%	OK	7%	\$ 9,000,000
	MyState Bank	10%	OK	1%	\$ 1,500,000
BBB	AMP	5%	OK	3%	\$ 3,500,000
	Defence Bank	5%	OK	1%	\$ 1,500,000
Tcorp Cash Fund	TCorp - Cash Fund	30%	OK	0%	\$ -
	TCorp - Long Term Growth Fund	15%	OK	2%	\$ 3,020,933
TCorp Growth Funds	TCorp - Medium Term Growth Fund	15%	OK	5%	\$ 5,665,186
	Tcorp - Short Term Income Fund	15%	OK	1%	\$ 1,498,039
BBB-	Judobank	5%	OK	2%	\$ 2,000,000
Grand Total				100%	\$ 124,520,281

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
AAA to AA-	100%	OK	69%	\$ 85,822,047
A+ to A-	50%	OK	3%	\$ 3,514,077
BBB+	20%	OK	14%	\$ 18,000,000
BBB	10%	OK	4%	\$ 5,000,000
Tcorp Cash Fund	30%	OK	0%	\$ -
TCorp Growth Funds	15%	OK	7%	\$ 8,686,119
Tcorp Short Term Income Fund	15%	OK	1%	\$ 1,498,039
BBB-	5%	OK	2%	\$ 2,000,000
Grand Total			100%	\$ 124,520,281

Monthly Investment Portfolio Activity

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

Bank Accounts	Opening Balance	Redeemed Balance	Re-invested Balance
NAB (At call account)	4,086,827		4,822,047
TCorp - Cash Fund	-		-
TCorp - Long Term Growth Fund	3,036,092		3,020,933
TCorp - Medium Term Growth Fund	5,722,558		5,665,186
TCorp - Short Term Income Fund	1,495,333		1,498,039
Total	14,340,809	-	15,006,204

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Westpac	0.85%	5/08/2022	2,000,000	34,000
NAB	0.87%	17/08/2022	2,000,000	34,705
CBA	0.46%	3/08/2022	1,500,000	7,940
CBA	0.47%	31/08/2022	1,500,000	8,267
Judobank	0.65%	24/08/2022	1,500,000	8,975
Total			8,500,000	93,887

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Westpac	0.65%	7/11/2022	2,000,000	3,348
Bank Of Queensland	3.92%	27/03/2024	1,000,000	64,653
CBA	3.72%	19/07/2023	1,500,000	53,507
CBA	3.99%	16/08/2023	1,500,000	59,686
CBA	4.20%	8/11/2023	1,500,000	76,118
Bank Of Queensland	4.25%	22/11/2023	1,000,000	52,164
Total			8,500,000	309,476

Item 10: Operations

10.1 Acceptance of Grant Funding - Walking and Cycling Program

REPORT BY THE ASSET MANAGEMENT COORDINATOR
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0180023

RECOMMENDATION

That Council:

1. **receive the report by the Asset Management Coordinator on the Acceptance of Grant Funding - Walking and Cycling Program;**
2. **accept \$150,000 in funding from Active Transport, Transport for NSW (TfNSW) for Mid-Western Regional Council's Walking and Cycling Program Strategic Plan; and**
3. **provide the required co-contribution of \$37,500 from the existing Pedestrian Access Management Plan strategic review budget.**

Executive summary

The NSW Government is committed to encouraging people of all ages and abilities to walk or cycle as part of their everyday travel. This grant program by TfNSW is to help council develop a sustainable forward program of walking and cycling projects that provides tangible benefits for the communities.

Mid-Western Regional Council has been successful in the application for this grant funding.

Disclosure of Interest

Nil

Detailed report

MWRC has secured grant funding for "Walking and Cycling Program Strategic Plan" to address the accessibility and mobility requirements of our growing community. Council's previous Pedestrian & Mobility Plan 2016-2022 and Mudgee Bike plan 2008 plan are drawing to their conclusion, and it is time to assess and plan for the on-going requirements of our rapidly growing region. This strategy study will be funded on a 25:75 basis with Transport for NSW (Active Transport Division).

Council is committed to continue with the development of new and upgrade existing pathways around the shire, incorporating visions of Central West and Orana Regional Transport Plan alongside with MWRC Strategies, Policies and Plans. The project will identify and prioritise pathway design and construction projects within the region to guide Council spending over the next ten years. It includes both network expansion and taking into account local strategic planning. The community will benefit immensely from this project, as it will address different groups of pathway users and necessity measures to make their journey more accessible and comfortable.

The key objectives of this study are:

- Establish a strategy for shared pathways on existing and future pathways within the centres of Mudgee, Gulgong, Kandos and Rylstone.
- Identify the needs of pedestrians, cyclists, people with disabilities, seniors, children, commuters, fitness users, and tourists.
- Prioritise pedestrian movements in areas of high concentration.
- Reduce pathway severance, particularly between existing infrastructure and new pathways created on town fringes, and create safe and convenient crossing opportunities at major roads.
- Propose prioritised measures with associated costs that can be realistically implemented over a ten year period and can inform council spending.

The key outcomes of the feasibility study will:

- Identify the pedestrian network within Gulgong, Kandos, Mudgee and Rylstone and categorises routes as primary, secondary and tertiary routes. It will outline walking patterns, investigate accident clusters, note existing and proposed pedestrian facilities, and note pedestrian accessibility and mobility issues within areas of higher pedestrian concentration. It will also consider areas in which future development is planned.
- Identify the cycling network within Gulgong, Kandos, Mudgee and Rylstone and categories routes as primary, secondary and tertiary routes.
- Develop a strategic plan addressing:
 - Community needs of pedestrian and mobility access based on current and future regional growth.
 - Influx of aging population.
- Investigate the suitability of existing pathways for wheelchairs, walking aids, mobility scooters, guide dogs, prams and bicycles and recommend areas needing rectification.
- Complete key pedestrian routes.
- Provide appropriate design plans for safe pedestrian routes and convenient crossing opportunities on major roads for school students, the elderly, and the mobility impaired.
- Include conceptual design plans, risk assessments and measures required to reduce injuries to pedestrians.
- Be the outcome of engaging members of the public and key stakeholders through survey consultations and workshops.
- Be read in conjunction with NSW Government Plans including:
 - Future Transport Strategy 2056
 - NSW Long Term Transport Masterplan 2021
 - Central West & Orana Regional Transportation Plan 2021
 - Road Safety Plan

The study will also consider through its assessment the linkages of existing MWRC plans and policies including:

- Pedestrian Access and Mobility Plan
- Mudgee Bike plan 2008
- Local Environmental Plan (LEP) 2012

- Regional Draft Comprehensive Land Use Strategy 2010
- Development Control (DCP) 2013
- Road Asset Management Plan 2016 to 2026
- Mudgee Township Traffic Management Study 2014
- MWRC Community Plan
- Long Tern Financial Plan
- Asset Management Strategy
- Delivery and Operation Plan

Community Plan implications

Theme	Connecting Our Region
Goal	An active travel network within the region
Strategy	Develop and enhance walking and cycling networks across the region

Strategic implications

Council Strategies

Part of MWRC Asset Management Strategy
 MWRC Transport Asset Management Plan
 MWRC Community Plan

Council Policies

MWRC Asset Management Policy

Legislation

Not Applicable

Financial implications

The funding agreement will provide \$150,000 and \$37,500 contribution will be required to be made by council, providing a total budget of \$187,500 for the project.

Council has in its 2022/23 budget \$100,000 to funding the review of the PAMP and Cycle Strategy. Council required contribution is proposed to be funded from this existing budget.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2022/23	✘	-	-
Future Years	✘	-	-

Associated Risks

Strategic planning forms an integral part of planning for future infrastructure needs. Undertaking this study provides a basis for a consultative strategic approach to Councils active transport network and

pedestrian needs. Failure to undertake this study could mean future works are adhoc, may not meet best practice or the long term community needs.

RUSHA RAYAN
ASSET MANAGEMENT COORDINATOR

JULIAN GEDDES
DIRECTOR OPERATIONS

1 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.2 Gulgong Banner Poles

REPORT BY THE DIRECTOR OPERATIONS
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0100035, GOV400022

RECOMMENDATION

That Council:

1. **receive the report by the Director Operations on the Gulgong Banner Poles; and**
2. **complete the Gulgong Banner Poles matters in progress Resolution 308/19**

Executive summary

Staff have developed a system to allow the banner poles located along the highway in Mudgee and Gulgong to tilt allowing the placement and removal of banners from ground level.

This solution will cover the 20 freestanding banner poles that would otherwise require an elevated work platform (EWP) and significant cost to place and remove event banners.

Disclosure of Interest

Nil

Detailed report

The banner poles located on Horatio St in Mudgee and Castlereagh Hwy in Gulgong currently require an EWP to place and remove event banners safely. These banners are used to promote community events and are the responsibility of the relevant event organiser in accordance with Councils Street Banner Use Policy. The need to use an EWP adds significant costs to the use of the banner poles.

Staff have developed a solution so the banner poles can be lowered by pivoting at the base allowing banners to be placed and removed at ground level. The image below shows the mechanism to be installed on the base of the banner poles.

A single prototype has been installed in Gulgong and tested with stakeholders who use the banner poles. The feedback was positive on this solution. The remainder of the bases are currently being manufactured including powder coating and will be installed at the next suitable time when the poles are not being used.



Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Street Banner Use Policy

Legislation

Not Applicable

Financial implications

The cost of the banner pole bases is \$15,420.00 funded from an existing budget to upgrade the banner poles for this purpose.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2022/23	-	-	✓
Future Years	-	-	✓

Associated Risks

The use of the banner poles with the new bases that pivot removes physical risks associated with using an EWP or ladder to install banners. The new bases also remove the risk of the banner poles becoming unviable for the community to use due to the on-going costs associated with an EWP and labour hire to install banners. There is a manual handling component of the new system that will need a safe work method statement for their use.

JULIAN GEDDES
DIRECTOR OPERATIONS

9 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.3 Mudgee Flood Study Review

REPORT BY THE DIRECTOR OPERATIONS
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, SEW200053

RECOMMENDATION

That Council:

1. **receive the report by the Director Operations on the Mudgee Flood Study Review; and**
2. **amend the 2022/23 budget to provide \$75,000 for the technical review of the 2021 Mudgee Flood Study to be funded from unrestricted cash.**

Executive summary

Mid-Western Regional Council adopted the 2021 Mudgee Flood Study in March 2021. The primary objective of the Flood Study is to develop a robust hydrologic and hydraulic modelling that defines flood behaviour for the flood study area for a range of design flood events.

This report recommends as a result of recent community consultation for the Flood Risk Management Plan that a technical review of the flood study be undertaken including community consultation as part of that process.

The process to review the flood study is highlighted in the graphic below:



Disclosure of Interest

Nil

Detailed report

Mid-Western Regional Council adopted the 2021 Mudgee Flood Study in March 2021. The primary objective of the Flood Study is to develop a robust hydrologic and hydraulic modelling that defines flood behaviour for the flood study area for a range of design flood events.

This report recommends as a result of recent community consultation for the Flood Risk Management Plan that a technical review of the flood study be undertaken including community consultation as part of that process.

The technical review of the Flood Study is initially proposed to include the following key tasks however, there may some changes to this scope as the Flood Risk Management Committee (FRMC) works through the process:

1. Liaise with NSW Spatial Services regarding the availability of recent LiDAR survey data at Mudgee;
2. Prepare Flood Study Update related Community Newsletter and Questionnaire;
3. Collate responses from community consultation process and extract flood data that is suitable for validating/calibrating flood models;
4. Locate and map stormwater drainage infrastructure that is not contained in Council's stormwater asset data base and provide Council with a GIS database of missing drainage infrastructure;
5. Refine the sub-catchment boundaries in the vicinity of the urbanised part of Mudgee and potential future growth areas;
6. Develop new hydrologic model of affected areas (Updated Hydrologic Model);
7. Update structure of Mudgee Flood Study hydraulic model (Updated Hydraulic Model) as follows:
 - a. Incorporate details of additional drainage infrastructure;
 - b. Revise inflow boundaries to reflect the revised sub-catchment layout incorporated in the Updated Hydrologic Model;
 - c. Incorporate new LiDAR survey data / finished ground level data for recent developments in underlying topography; and
 - d. Expand model extent in order to define flooding patterns in potential future growth areas.
8. Calibrate/validate Updated Hydrologic and Hydraulic Models to floods data obtained as of item iii;
9. Run updated Hydrologic and Hydraulic Models for design storm events with Average Exceedance Probabilities (AEPs) of 20%, 10%, 5%, 2%, 1%, 0.5% and 0.2%, as well as the Probable Maximum Flood (PMF);
10. Prepare maps showing the following:
 - a. Design flood envelopes for the 20%, 10%, 5%, 2%, 1%, 0.5% and 0.2% AEP storm events, as well as the PMF;
 - b. Categorisation of the floodplain into floodway, flood storage and flood fringe for the 1% AEP storm event;
 - c. Flood hazard vulnerability classification of the flood plain for the 5%, 1% and 0.2% AEP storm events; and
 - d. Flood emergency response planning classification for the 5%, 1% and 0.5% AEP storm events, as well as PMF.
11. Undertake sensitivity analysis to assess the impact the hydraulic model parameters (i.e. hydraulic roughness values) and a partial blockage of the drainage system has on flood behaviour;
12. Prepare an appendix to the Mudgee Floodplain Risk Management Study and Plan report that sets out the details of the model updates (Updated Flood Study);

13. Preparation for and attendance at the following meetings:

- a. Present the results of the model calibration/validation process to the Floodplain risk Management Committee (FRMC);
- b. Present the draft Updated Flood Study report to the FRMC;
- c. Prepare for and present the finding of the Updated Flood Study at a community workshop during the public exhibition period; and
- d. Attend monthly progress meetings with the Technical Working Group.

Community Plan implications

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

Strategic implications

Council Strategies

The review is part of the process to update the Mudgee Flood Study 2021 overland flow component.

Council Policies

At the conclusion of the Flood Risk Management Plan process and adoption by Council there may be changes to Councils DCP in terms of the development controls that are applied to flood affected land.

Legislation

NSW Flood Prone Land Policy

Financial implications

This report recommends the allocation of the \$75,000 towards the technical review of the Mudgee 2021 Flood Study. This will be fully funded by Council as grant opportunities for this type of review are not available. Council has already received NSW Government grants for the original flood study development and the Flood Risk Management Study.

It is recommended the \$75,000 be funded from unrestricted cash reserves.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2022/23	✗ -	✗ -	-
Future Years	✗ -	-	-

Associated Risks

Undertaking this review will provide additional data and provide greater accuracy of the current flood model and identify opportunities to reduce flood risk through the Flood Risk Management Plan. This review will also allow Council to undertake further community consultation. This reduces the risk of

community members not previously being aware of the study having the opportunity to do so and inform the Study.

JULIAN GEDDES
DIRECTOR OPERATIONS

5 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 11: Community

11.1 Key Worker Housing Project

REPORT BY THE DIRECTOR COMMUNITY
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, P1369111

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Key Worker Housing Project;**
2. **provide in principle support for the Key Worker Housing Project;**
3. **support the concept plan for Key Worker Housing on the old Bowling Club site at 10-12 Burrundulla Avenue Mudgee; and**
4. **provide an initial budget of \$500,000 for the 2022/23 financial year for the Key Worker Housing Project to be funded from the Land Development Reserve.**

Executive summary

This report seeks to update Council on plans for the Council owned site at 10-12 Burrundulla Avenue in Mudgee. These plans form part of Council's response to concerns over a range of issues related to housing in the region and across the State. Specifically, this project is designed to provide a range of affordable housing options for key workers needed in the Region.

Disclosure of Interest

Nil

Detailed report

The need for more affordable housing has been a key concern for Council and the community over many years. There are a number of significant construction projects happening or planned across the region over the next few years. In particular, the impact of the Renewable Energy Zone (as well as the construction of numerous other renewable projects) will be considerable. The amount of accommodation required for these projects over the next decade will have a massive influence of the residential rental market as well as the tourist accommodation market.

One of the major concerns is ensuring that there is affordable accommodation available for our expanding need for a range of key worker positions. This would include occupations such as teachers, nurses and police, but is not limited to these professions. There is already anecdotal evidence of people wanting to move to the area to take up new positions but being unable to find affordable rental accommodation.

By undertaking a project that focuses on the delivery of around 50 dwellings that can be rented by these key workers, Council is looking to make a significant investment in the future of the region to ensure that those positions that impact on the liveability of the region are supported. It is intended that this will also mean there is a positive flow on effect for other community members who are seeking rental accommodation by increasing the stock available.

In terms of addressing community concerns over the question of affordable and available accommodation for residents and construction workforces, this Key Worker Housing project is only a part of the overall solution that will be needed over the next decade. However, it is a demonstration of Council's intent to seek solutions to the problems that are being faced and to utilise Council owned land for the overall benefit of the community.

The Burrundulla site was the former home of the Mudgee Bowling Club. Council purchased the property in 2016 and it is now believed to be the right time for a development of the site.

Council has engaged an architect to develop a concept for the Burrundulla site. This is attached for the consideration of Council. The concept provides a range of studio, 1, 2 and 3 bedroom options across the 1.67 Ha site.

With Council's in principle support for this project, further work will be undertaken in relation to planning and approval processes. The majority of the site is zone RE2 Private Recreation with a small portion of R3 Medium Density Residential Zoning. The site is completely surrounded by R3 land and the intention would be for this land to be zoned R3 Medium Density Residential as well.

Preliminary discussions have also been held with the State Government with regard to possible funding opportunities for this project.

This is a project of critical importance to Council and the community. It is vital that as the region continues to grow there is accommodation options available that are affordable for residents.

This concept plan for Key Working Housing is recommended to Council for support with an initial budget provided to begin the necessary planning works. This will include the necessary business case and Capital Expenditure Review that is appropriate for a project of this scale.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Affordable Housing Policy

Legislation

Local Government Act 1993

Mid-Western Regional Local Environmental Plan 2012

State Environmental Planning Policy (Housing) 2021

Financial implications

If this project comes to fruition, it will be one of the largest pieces of infrastructure undertaken by Council. Initially a contribution of \$500,000 is sought from Council's Land Development Reserve. However, it is likely that the project will cost in excess of \$20 million. Grant funding will be sought and loans will also be considered.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2022/23	X	-	-
Future Years	-	-	-

Associated Risks

It is important that time is taken to undertake the relevant business case for this project and that the Council and the community can have assurance that the project will have a positive impact on both the economy and the liveability of the region. If the project does proceed to construction, then the relevant risk management processes will be undertaken.

SIMON JONES
DIRECTOR COMMUNITY

22 August 2022

Attachments: 1. Key Worker Housing_Burrundulla Rd.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mudgee - KEY WORKER HOUSING

Mid Western Regional Council



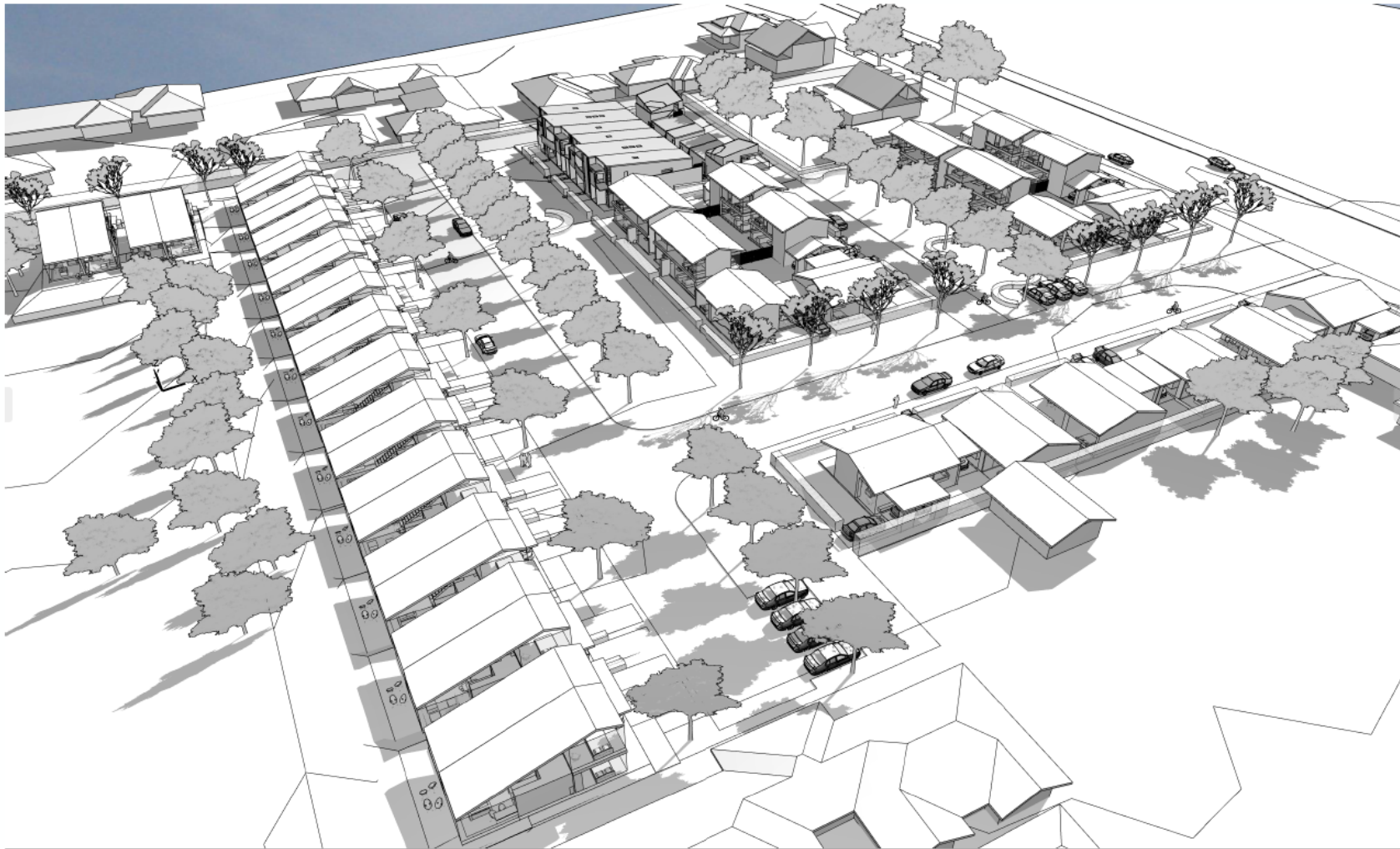
Mudgee - KEY WORKER HOUSING

Mid Western Regional Council



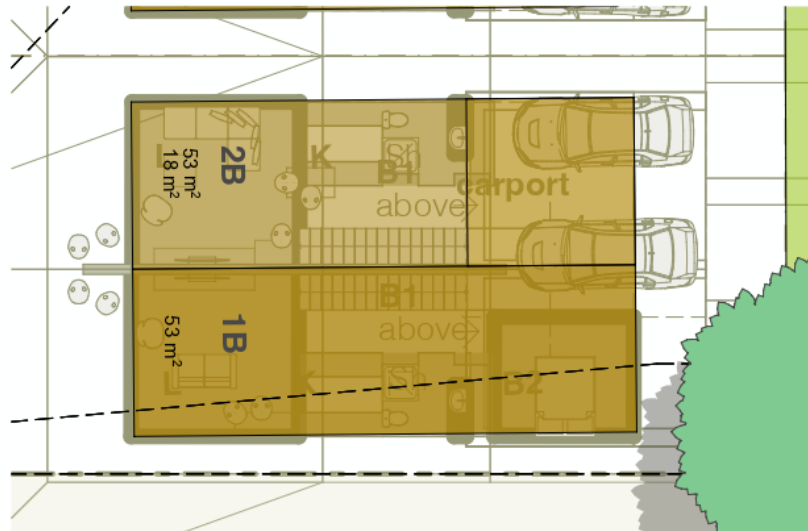
Mudgee - KEY WORKER HOUSING

Mid Western Regional Council



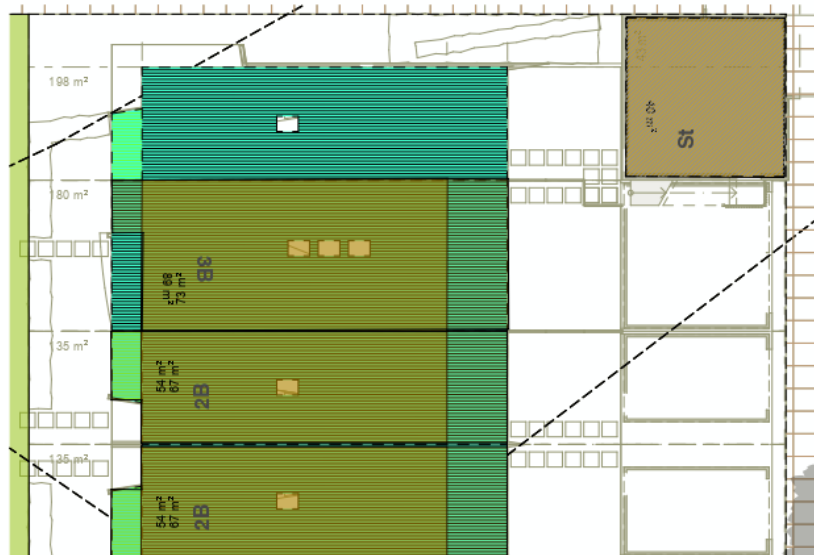
Mudgee - KEY WORKER HOUSING

Mid Western Regional Council



Mudgee - KEY WORKER HOUSING

Mid Western Regional Council



2&3 Bed Terrace Homes & Studio

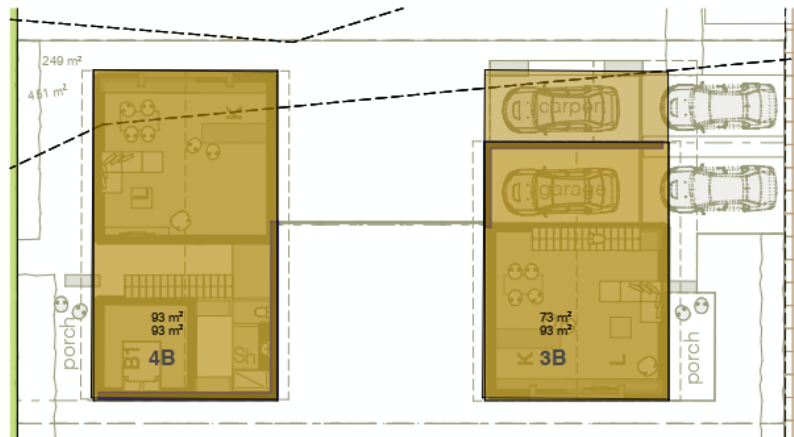
Mudgee - KEY WORKER HOUSING

Mid Western Regional Council



Mudgee - KEY WORKER HOUSING

Mid Western Regional Council



3&4 Bed Zipper Homes

Mudgee - KEY WORKER HOUSING

Mid Western Regional Council



Mudgee - KEY WORKER HOUSING

Mid Western Regional Council

SCHEDULE

- 10 x 2B Garden Homes @ ~ 83m² + carport
- 4 x 3B Zipper Homes @ ~ 122m² + garage
- 4 x 4B Zipper Homes @ ~ 186m² + carport
- 4 x 2B Terrace Homes @ ~ 121m² + garage
- 2 x 3B Terrace Homes @ ~ 162m² + double garage
- 2 x 1B Studios @ 40m² + garage
- 14 x 2B Lofted Homes @ ~ 71m² + partial carport
- 14 x 1B Lofted Homes @ ~ 53m² + partial carport

54 Dwellings Total

11.2 Disability Inclusion Action Plan - Post Exhibition Report

REPORT BY THE MANAGER, COMMUNITY & CULTURAL SERVICES
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, COS300797

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Community & Cultural Services on the Update on Disability Inclusion Action Plan following public exhibition;**
2. **note the feedback received during the public exhibition period; and**
3. **endorse the Disability Inclusion Action Plan 2022 with the recommended changes.**

Executive summary

At its July 2022, Council resolved to place the draft Disability Inclusion Action Plan 2022 on public exhibition for feedback. This report provides a summary of feedback received and proposed changes to the Plan for endorsement by Council.

Disclosure of Interest

Nil

Detailed report

The draft Disability Inclusion Action Plan was placed on public exhibition for 28 days from 22 July 2022. One submission was received on behalf of the Mid-Western Regional Council's Access Committee suggesting rewording of action items and indicators within the Plan, as follows:

1. Supporting an inclusive workforce – Set a target number for opportunities available for people with disability to work or volunteer within Council so that the indicator can be appropriately assessed.

Council encourages people with disability to work or volunteer within the organisation as and when opportunities arise. Indicator numbers may not be feasible at any given time in the employment marketplace, particularly if the supported employee program is ever discontinued.

2. Supporting an inclusive workforce – Establish a memorandum of understanding with at least one disability service provider to enhance employment opportunities.

It would not be advisable to establish a memorandum of understanding with a specific disability service provider given the number of services across the region. Rather, it is staff recommendation that Council continue to promote opportunities available for people with disability to work or volunteer within Council and this may be done via promotions through all local disability service providers.

3. Providing effective and efficient governance and leadership – Recommendation that all Mid-Western Regional Council advisory committees include disability inclusion within their terms of reference.

It is recommended that this amendment be considered by each Advisory Committee when the Terms of Reference for that Committee are next considered.

4. Supporting the community to promote and celebrate diversity and inclusion – Set a minimum target number of Council events and activities that incorporate or promote outreach and education relating to disability.

This recommendation would be challenging as the number of different Council events and activities vary in scope and size, as well as intended outcome, from year to year. This recommendation, therefore, is not supported by staff.

5. Supporting the community to promote and celebrate diversity and inclusion – Reword *‘Establish collaboration between Council’s Access Committee and all Council departments’* to read *‘Embed accessibility and inclusion requirements and content across Council’* and update the indicator to *‘Council Directorates to demonstrate consideration of accessibility and inclusion in decision making’*.

The measure for the proposed indicator could be onerous on Council departments and staff and is not recommended, however, the proposed amendment to the action is supported.

6. Council actively promotes meaningful communication and engagement with the community – Recommendation that a formal process be established for providing Council information in multiple accessible formats and that the indicator be a specific percentage increase in downloads in accessible formats.

A set percentage of downloads in any specific format is an indicator that is outside of Council’s control as it would depend upon online user statistics. It is staff recommendation however, that Council continues to provide information in multiple accessible formats.

7. Supporting improved physical access in the community – Recommendation that 100% of planned pathway infrastructure be implemented each financial year.

There already exists an action within Council’s Integrated Planning and Reporting Framework to *‘Implement the Pedestrian Access Mobility Plan.’*

8. Supporting improved physical access in the community – Recommendation that Council’s community grants process consider and align with inclusion and disability objectives.

This suggestion is recommended in theory but would require amendment to (and subsequent re-endorsement of) Council’s Community Grants Policy. It is staff recommendation that this be considered when this policy comes due for review in April 2026 (or sooner, if necessary).

Based on the staff recommendations above, the Disability Inclusion Action Plan has been reviewed again and is attached to this report.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

The *Disability Inclusion Action Act (NSW)* 2014 commenced in December 2014 and requires Council to maintain and regularly review its Disability Inclusion Action Plan.

Financial implications

Not Applicable

Associated Risks

A failure to endorse and report upon a Disability Inclusion Action Plan, would potentially leave Council liable for penalties under the *Disability Inclusion Action Act (NSW)* 2014.

FIONA SHEARMAN
MANAGER, COMMUNITY & CULTURAL
SERVICES

SIMON JONES
DIRECTOR COMMUNITY

29 August 2022

Attachments: 1. Disability Inclusion Action Plan 2022 - Final recommendation.
2. Submission on behalf of Access Committee - 8 July 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Disability Inclusion Action Plan 2022– 2026

21 SEPTEMBER 2022

MID-WESTERN REGIONAL COUNCIL
COMMUNITY SERVICES



COMMUNITY SERVICES | DISABILITY INCLUSION ACTION PLAN 2022–2026

THIS DOCUMENT HAS BEEN PREPARED BY COMMUNITY SERVICES, FOR MID-WESTERN REGIONAL COUNCIL.

ANY QUESTIONS IN RELATION TO THE CONTENT OF THIS DOCUMENT SHOULD BE DIRECTED TO:
COUNCIL@MIDWESTERN.NSW.GOV.AU OR (02) 6378 2850

DATE OF PUBLICATION: 21 SEPTEMBER 2022

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1. Introduction

This is the first formal review of Mid-Western Regional Council's Disability Inclusion Action Plan ('DIAP'). It is a tangible demonstration of Council's understanding of the need for it to be a role model for promoting the rights of those in the community living with disability, as well as its commitment to improving access and opportunity for everyone living in or visiting the region.

The DIAP provides a vision for the future and puts in place a number of proactive strategies intended to achieve and maintain community inclusion within the Mid-Western Regional area. Council accepts the responsibility of being the driving force for the plan, but the strategies also require the ongoing support of local community members, services and businesses to achieve those outcomes. By working together, we can continue to make our community an even better place to live, work, invest and visit.

This plan was initially prepared for Council by the University of Technology Sydney Institute for Public Policy and Governance in July 2016. It has now been reviewed and updated 'in house'.

2. The case for inclusion

Local government plays a key role in promoting the value of diversity and inclusion across the community. Council seeks to meet its obligations under the Disability Discrimination Act 1992 and the NSW Disability Inclusion Act 2014 and is committed to being a regional leader in disability inclusion.

Council is committed to advancing the social model of disability and seeks to break down the barriers between people with a disability and physical, attitudinal, communication and social environments. As part of this commitment, Council seeks to actively promote the rights of people with disability to fully participate within the community on an equal basis with other citizens.

A diverse and inclusive community benefits and strengthens Council's vision and enriches all aspects of community life. Through increasing inclusiveness in our community we can achieve greater social harmony, strong and diverse vibrant towns and communities, positive health impacts and provide a strong sense of belonging and community pride.

3. Disability Inclusion Action Plan

This DIAP was originally developed (and now reviewed) as part of Council's commitment to providing equitable opportunities for everyone to access services and participate in community life. The DIAP establishes actions that Council will undertake to achieve a more inclusive region for everyone. It is intended that the plan will have a positive impact on people living with disability, and benefits will extend to the broader community through positive effects of increased inclusion and access.

The term 'disability' is very broad. Improving disability inclusion is not just about increasing physical accessibility; it also includes creating opportunities for social engagement, improving the quality of personal, social and business interactions, and the methods through which information can be accessed.

The DIAP is a holistic document which applies to all areas of Council business: infrastructure, services and activities, events and community engagement. The DIAP outlines a framework and establishes actions, with embedded evaluative measures and indicators that will allow our community to achieve the benefits of an inclusive community.

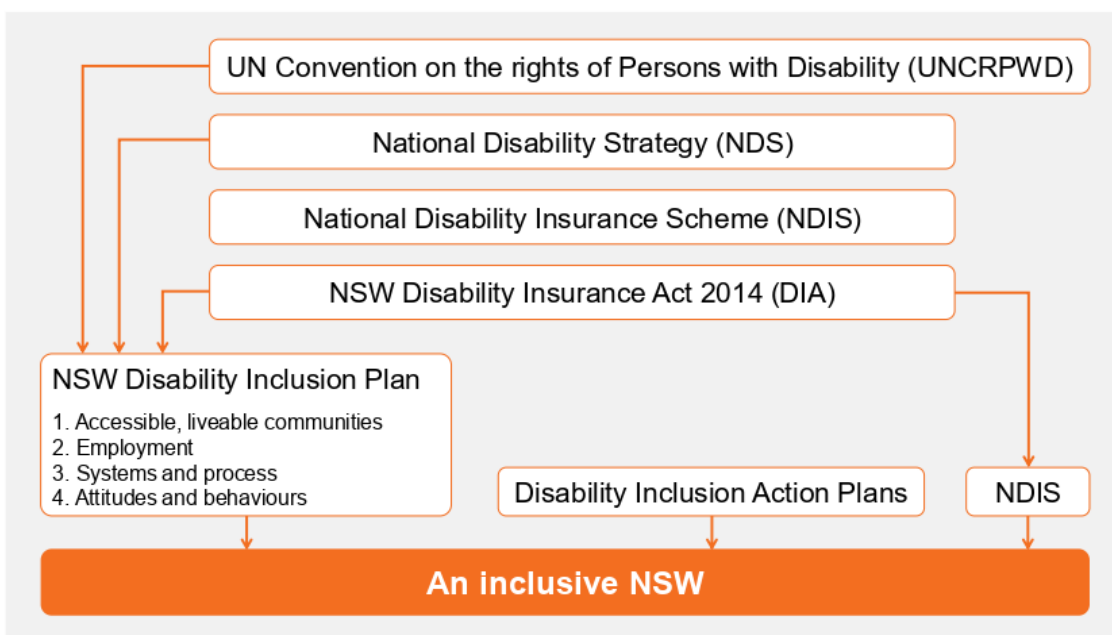
The DIAP forms part of Council’s integrated planning and reporting and will be monitored and reported on annually in Council’s Annual Reports.

It is important to note that the DIAP is a plan for the community. While a significant number of actions in the DIAP fall under Council’s lead or responsibility, Council alone does not have the power to affect the scale of change that the DIAP aspires to achieve. For example, by increasing community awareness and acknowledging local businesses that are actively undertaking inclusion activities, Council is promoting good practice. Council however is not able to enforce disability inclusion principles in areas outside of the building development process.

4. Legislative context

The New South Wales (NSW) Government is committed to improving the lives of people with disability, their carers and families. Changes and reforms over recent years have led to the NSW Government building upon national efforts to enhance the cohesion of society by ensuring that people living with disability can exercise their rights and prerogatives without barriers. The State and local policies below depict the legislative mechanisms with which government seeks to further the ability of people with disability to fully and meaningfully participate within their community.

FIGURE 1: LGNSW (2015) NSW DISABILITY INCLUSION ACTION PLANNING GUIDELINES



National context

In 2008, the Australian Government committed to promoting and exercising a rights-based approach to ensure that people with a disability can fully participate within the community without barriers as emphasised in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). The UNCRPD recognised that people with a disability have the same human rights as those without disability and reaffirmed the ‘universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for persons with a disability to be guaranteed their full enjoyment without discrimination’.¹ Along with acknowledging this universal human right, Australia in ratifying the UNCRPD pledged to ‘promote, protect and ensure the full and equal

¹ UNITED NATIONS (2006), CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES, PREAMBLE.

enjoyment of all human rights and fundamental freedoms by all persons with a disability and to promote respect for their inherent dignity'.²

The Commonwealth Government's National Disability Strategy 2010-2020 (NDS) was developed in partnership with all levels of Australian government. It outlines a national plan for improving the lives of Australian people with disability, their carers and families. The NDS identifies six priority areas that broadly encompass the outcomes set out by the UNCRPD. The principles of the NDS have been aligned with the Disability Inclusion Act 2014 and Disability Inclusion Plan.

State context

The New South Wales Disability Inclusion Act 2014 ('NSW DIA') is aimed at improving the lives of people with a disability and continues the efforts of the NSW government to build a truly cohesive society. The objectives of the NSW DIA are to promote the independence of people with a disability to exercise choice and control in pursuit of their goals and the planning and delivery of supports and services for people with disability.³ The NSW DIA sets forth a purpose of coordinating a whole of government approach towards the creation of a more inclusive society, in which community services and facilities are accessible to people with disability and assist people with disability actualise their full potential.

Local context

To achieve the abovementioned goals, the NSW DIA stipulates that all local governments develop a DIAP. The DIAP outlines measures to ensure that people with a disability are able to effectively access general support and services that allow them to meaningfully participate within their community. The DIAP also sets out strategies which Council will utilise to support people with a disability. The DIAP focuses on key outcome areas for priority action planning. The key outcome areas and action plans are developed collaboratively with key stakeholders, Council staff and the community have been included.

The DIAP is not a standalone document; it is an integral part of Council's Integrated Planning and Reporting ('IP&R') framework. Figure 2 demonstrates the placement of the DIAP in Council's IP&R requirements. Council is currently undertaking the development of their future Community Plan. Council will consider the alignment of the DIAP inclusion objectives as part of the development of the Community Plan.

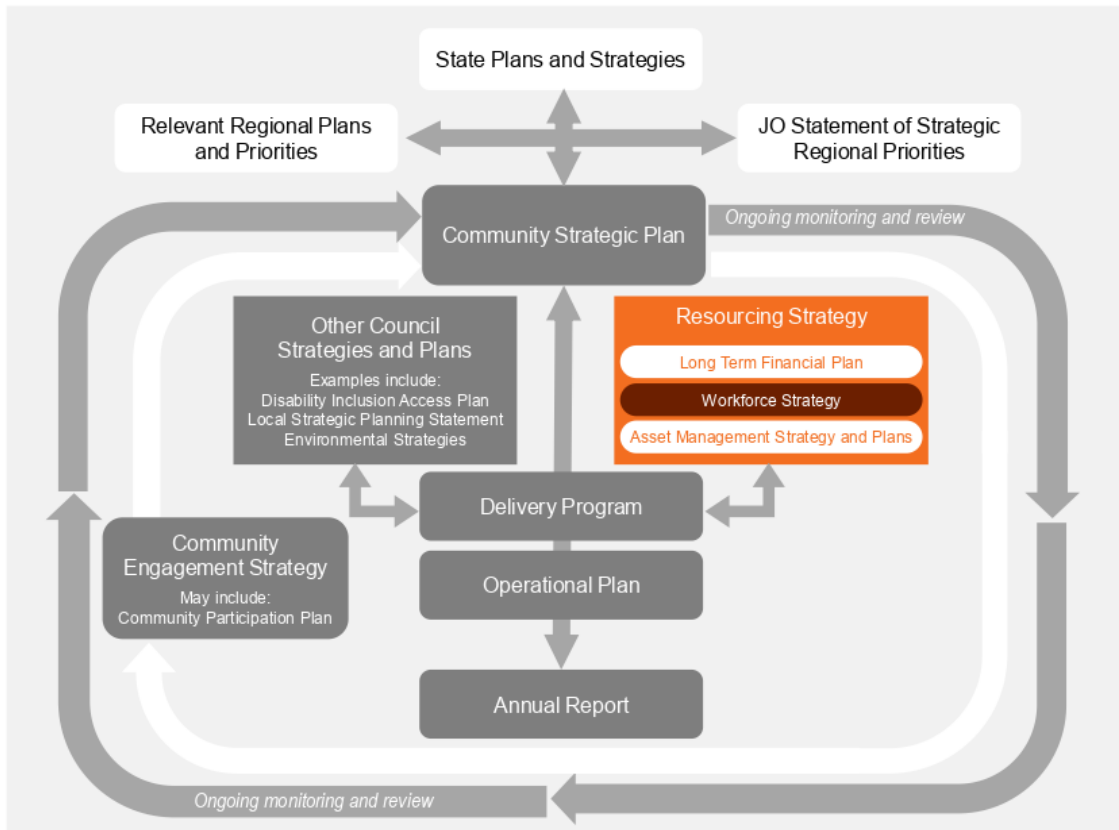
The DIAP reflects the values and principles of the community and promote Council's vision developed as part of the Community Plan. Strategies for inclusion inform Council's Delivery Program and inclusion actions are identified in Council's Operational Plan. Progress of the DIAP is monitored and reported in Council's Annual Report. Alongside annual monitoring, the DIAP is evaluated and reviewed every four years (or exceptionally five years in this case). Evaluation ensures that the DIAP remains a current reflection of the community's principles and acknowledges progress made towards inclusion in the community more broadly.

A key outcome of the DIAP involves the inclusion objectives traversing into all areas of Council planning. Council is committed to ensuring that our community is inclusive of all people with disability including people with physical, intellectual, cognitive sensory disabilities and those with mental health conditions. This also extends to those living within our community with dementia. Council aspires towards inclusion planning that is reflected in every area of Council practice and planning. The DIAP is an integral aspect of achieving this aspiration.

² UNITED NATIONS (2006). CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES, PREAMBLE.

³ DISABILITY INCLUSION ACT (2014) NSW NO 41, PART 1: PRELIMINARY.

FIGURE 2: HOW COUNCIL’S DIAP FITS WITHIN ITS IP&R FRAMEWORK



Source: Mid-Western Regional Council Workforce Strategy 2022-2026

5. Disability and inclusion in the Mid-Western Region

Council is committed to enhancing the lives of its community. It seeks to involve the community in the planning, implementation and monitoring of its DIAP. In implementing the Mid-Western Regional Council DIAP, Council wishes to extend the scope of disability inclusion beyond physical barriers to ensure that people with disability are included and able to meaningfully participate within the community.

Extending the scope of disability inclusion actioning involves reassessing how disability is interpreted within the community and ensuring all people with disability are understood and included. Council understands that genuine inclusion is never achieved in isolation. Effective disability inclusion actioning involves identifying existing Council visions, goals, principles and objectives that directly align with Council’s DIAP. The sections below have been developed to inform, assess and continue our commitment to fully support the members of our community by reviewing the demographics of the local government area and existing Council policies for disability inclusion.

Demographic context

The MWRC was established in 2004 when the former Mudgee Council and the majority of the former Rylstone Council along with a portion of Merriwa Council were merged.

The MWRC area is comprised of four main towns: Mudgee, Gulgong, Kandos and Rylstone as well as smaller surrounding rural villages. The MWRC area is home to a growing and diverse population with an economy based on agricultural, viticultural, mining, and tourism industries.

At the time of the 2016 Census, the usual resident population of the MWRC area was 24,076, with a median age of 42, higher than NSW (38 years). Table 1 below provides a snapshot of community characteristics of the MWRC region compared to NSW.

TABLE 1: MID-WESTERN REGIONAL COUNCIL – DEMOGRAPHIC PROFILE

	MID-WESTERN REGIONAL LGA	NEW SOUTH WALES
Total population	24,076	8,186,800
Aboriginal And Torres Strait Islander People	5.4%	2.9%
AGE		
Median age	42	38
MEDIAN WEEKLY INCOME		
Personal	\$547	\$664
Family	\$1,433	\$1,780
Household	\$1,131	\$1,486
HOUSING TYPE		
Owned outright	38.0%	32.2%
Owned with a mortgage	30.6%	32.3%
Rented	27.4%	31.8%
EMPLOYMENT		
Employed, full-time	56.4%	59.2%
Employed, part-time	31.6%	29.7%
Unemployed	6.5%	6.3%
BIRTHPLACE		
Australia	81.2%	65.5%
England	2.3%	3.0%
New Zealand	1.0%	1.6%
LANGUAGE		
English only spoken at home	87.4%	68.5%
DISABILITY		
Has need for assistance	5%	5.4%
Does not have need for assistance	84%	88%

Source: ABS, 2016

The MWRC has a higher percentage of people born in Australia (81%) compared to NSW (66%). This is also reflected in the number of people who only speak English at home (87%) compared to New South Wales (69%). At 2016, 5% of the MWRC population identified as Aboriginal and Torres Strait Islander people. There is a similar proportion of people who need assistance within the MWRC area compared to NSW generally.

Table 2 provides a breakdown of the age profile across each major town within MWRC.

TABLE 2: MID-WESTERN REGIONAL COUNCIL SUBURB BREAKDOWN - DEMOGRAPHIC PROFILE

	MID-WESTERN REGIONAL LGA	MUDGEES SUBURB	GULGONG SUBURB	KANDOS SUBURB	RYLSTONE SUBURB
Total population	24,070	10,923	2,530	1,310	926
GENDER					
Female	49.7%	51.2%	49.5%	49.1%	50.8%
Male	50.3%	48.8%	50.5%	50.9%	49.2%
AGE GROUPS					
0 to 9 years	14%	15.9%	15.1%	9.3%	9.4%
10 to 19 years	11.8%	11.9%	12.3%	10.8%	11%
20 to 29 years	9.9%	12.3%	10.4%	7.3%	8%
30 to 39 years	11.3%	13.7%	11%	7.5%	9.1%
40 to 49 years	13%	12.4%	11.7%	12.1%	11%
50 to 59 years	14.1%	11.9%	12.6%	17%	14.9%
60 to 69 years	12.5%	8.9%	13.2%	15.3%	17.9%
70 to 79 years	9%	7.8%	8.4%	15.3%	13.5%
80+ years	4.3%	5.2%	5.3%	5.3%	5.2%

Source: ABS, 2016

Generally, the MWRC is home to a higher percentage of older people compared to NSW, with 26% of the population aged 60 years and over, compared to 22% for NSW.

- **Mudgee** is home to just under half the MWRC population (10,923 people). Mudgee is home to MWRC Council Chambers and is a primary hub for the majority of services across the region. The median age in Mudgee is 37.
- **Gulgong** is the second most populated town with 2,530 residents. The median age in Gulgong is 41.
- **Kandos** has a population of 1,310 people. It is the third most populated town in the MWRC area and has the highest median age compared to other MWRC area towns (52).
- **Rylstone** has a population of 926 people. The median age in Rylstone is 50.

Disability assistance and carers

Data from the 2016 Census identifies that 1,288 people in the MWRC area need assistance with a core activity. Table 3 provides a breakdown of people across each major MWRC town that requires assistance.

TABLE 3: MWRC AND MAJOR TOWNS – DISABILITY ASSISTANCE

	MID-WESTERN REGIONAL LGA		MUDGEES SUBURB		GULGONG SUBURB		KANDOS SUBURB		RYLSTONE SUBURB	
	#	%	#	%	#	%	#	%	#	%
Need for assistance										
Has need for assistance	1,288	5%	605	6%	133	5%	142	11%	60	6%
Does not have need for assistance	20,223	84%	9,351	86%	2,083	83%	1,000	76%	800	87%
Not stated	2,562	11%	971	9%	308	12%	172	13%	64	7%

Source: ABS, 2016

Some key characteristics of people who require disability assistance include:

- 605 (47%) of people who require assistance across MWRC reside in Mudgee.
- The largest age group of people requiring assistance are people 75-84 (18%).

- 50% of people who require assistance with a core activity in the MWRC area are 55+ years.
- 77% of people in Rylstone who require assistance with a core activity were 55+ years old.
- 6% of Indigenous people who reside in the MWRC region require assistance with a core task.

The MWRC region has a total of 2,107 people who provide unpaid assistance to people with a disability. Some key characteristics of carers include:

- Out of the four main towns in the MWRC, Mudgee has the highest number (796) of people who provide unpaid care.
- The majority of unpaid carers of people with disability in the MWRC area are between the ages of 45 to 64.
- 21.7% of unpaid carers in the MWRC region are volunteers.

6. MWRC plans and policies

Community Plan: Towards 2040

In May 2022, Council endorsed its Community Plan Towards 2040 ('Towards 2040'), which is Council's highest level strategic plan. Towards 2040 sets out the community's vision of the future and outlines the community's goals, values and aspirations. Towards 2040 aligns with the NSW State Plan.

Towards 2040 provides five key themes that outline the community's vision for the future. Council has developed goals or objectives with corresponding strategies to achieve success:

- Looking after our community
- Protecting our environment
- Building a strong economy
- Connecting our region
- Good government

Council also provides a suite of strategies to support the implementation and action of goals within Towards 2040. Key goals within Towards 2040 focus on providing accessible and inclusive community services and facilities that meet the needs of residents and visitors. Council also commit to working with key stakeholders to support and promote effective health and disability services in the region. Council is committed to providing the necessary infrastructure to meet current and future demands to enable and create a sense of belonging.

MWRC Delivery Program and Operational Plan

Towards 2040 is supported by the MWRC Delivery Program and Operational Plan. The Delivery Program and Operational Plan is a program and resource strategy that identify the assets, funds and resources required to deliver the goals set out in Towards 2040. These documents are also currently in development. The 2022/23-2025/26 Delivery Program and the 2022/23 Operational Plan outlines measures that directly relate to improving inclusion and access in the community.

Workforce Strategy 2022-26

The MWRC Workforce Strategy (the Strategy) is an essential element of the Community Plan Towards 2040 and aims to ensure MWRC has the right amount of people with the right skills to achieve the expectations outlined in the Delivery Program.

The Strategy outlines the issues, actions and strategies required over a four year period to facilitate the Delivery Program. Some key challenges that place pressure on the MWRC workforce include an ageing workforce and the impact of increased retirement age. The Strategy also includes a workforce profile of the local government area. Some key findings include.

- Employees aged 50+ represent 41% of the workforce
- Employees aged less than 30 years represent 17% of the workforce
- The majority of the workforce (54%) is between 41 and 60 years old

MWRC Equal employment opportunity

MWRC also has an Anti-Discrimination and Equal Employment Opportunity Policy (EEO). Council works to provide an environment where staff and other people in the workplace are treated fairly and respectfully.⁴

Between 2017 and 2021, MWRC completed several initiatives that supported EEO measures. These initiatives are outlined below:

- Providing training on Anti-Discrimination and EEO Policies, including a focus on merit based recruitment
- Training on disability inclusion and accessibility awareness
- Code of conduct training for select positions
- A review of Council's Recruitment and Selection Procedure
- Continued assistance with flexible working arrangements for employees with family and carer responsibilities

A Wage Assessment Tool for supported workers employed in Council disability services has also been developed. The tool provides fair wages for employees while meeting the needs of disability services.

Pedestrian access and mobility plan

In 2016 Council endorsed its Pedestrian Access and Mobility Plan (PAMP). The PAMP is part of Council's commitment to safe, convenient and connected pedestrian infrastructure that encourages the community to use active transport. The PAMP was developed in collaboration between Council and NSW Roads and Maritime Services. The PAMP delivers a framework for developing pedestrian routes and infrastructure that caters to needs of individuals of all abilities including: older people, people with mobility or visual impairments, children, tourists, and cyclists.

- The PAMP includes projects to improve pedestrian safety, mobility, and access to local shops, schools and community facilities, recreational areas and neighbourhoods

⁴ MID-WESTERN REGIONAL COUNCIL 2021 ANNUAL REPORT.

- The PAMP reports that the MWRC area has a higher percentage of older adults compared to the Australian national average
- The PAMP finds that the higher percentage of older residents escalates the requirement of suitable pathway infrastructure for the mobility impaired

As part of the development of the PAMP, a user survey was undertaken with the general community and aged care facilities.

Some key findings from the community survey include:

- 44% of respondents were aged 55 years and older
- 19% of respondents (n=33) require the use of walking sticks or frames and 3% of respondents (n=11) require use of guide dogs/walking cane
- 6% of respondents (n=10) require the use of wheelchairs and 8% of respondents (n=14) require use of mobility scooter
- Less satisfaction with the extent of the pathway network and the network safety than with pathway design, convenience or pleasantness
- Respondents felt they would use pathways more if the network had a greater extent available

The pathway audit also reported major issues with relevant to ability of people with physical or cognitive disability or lowered mobility to access the pathways. These issues included:

- Pathways not meeting the road
- Missing ramps and existing ramps which do not meet the standard
- Shops and facilities with only stair access

Consideration has been made to these findings and have provided necessary context for forming the DIAP, in particular highlighting physical access and mobility for people with disability and older community members.

Accessible tourism

Access to tourist attractions and recreational activities is recognised as a fundamental human right, delivering important social benefits for individuals and the community, and economic and employment opportunities. Enabling people with disability and their carers to better access tourism opportunities promotes social inclusion; capitalises on the social benefits of increasing access and generates economic opportunities through the growth of the tourism market.

Improving access to tourism and recreational activities has both social and economic benefits. Accessing tourist and recreational activities is a vital step in ensuring an improvement in social inclusion and health and wellbeing outcomes for people with disability. Improving social inclusion is not just about increasing physical accessibility; it also includes creating opportunities for social engagement, improving the quality of personal, social and business interactions, and the methods through which information can be accessed. All tiers of government have undertaken a number of policy initiatives aimed at promoting and enhancing social inclusion; one particular aspect is improving the accessibility of services and public infrastructure for people with disability.

Improving access to tourism and recreational activities has both social and economic benefits. According to demographic forecasts there will be a huge increase in the proportion of older people. With close to 40% of people nationally having some form of disability by the time they are 70 years

old, forecasts based on population statistics of age acquired disabilities indicate that the total expenditure of this group in the tourism sector is likely to exceed 22% in five years' time.⁵

The MWRC area is a key regional destination for tourism and visitors in NSW. It is important that established platforms and mechanisms are realised for disability inclusion, including accessibility more broadly.

MWRC and the DIAP – towards an inclusive community

The DIAP is well placed to align with Council's existing plans and processes. The DIAP integrates within the Community Plan Towards 2040 and works towards existing community goals, values and aspirations. Actions developed in the DIAP strengthen Council's five themes and engage existing strategies to deliver stronger and more inclusive communities. The DIAP is also strengthened by acknowledging Council's ongoing funding of community support programs, disability employment, accessible public infrastructure and providing non-discriminatory working environments.

7. Inclusion objectives

Council plays a key role in promoting the value of diversity and inclusion. The role of Council in delivering inclusion is much broader than service provision. Council alone does not have all the levers to affect community-wide change. Council can lead by example in the way it conducts its operations and drive activities to lead awareness but there is no regulatory framework to 'enforce' social inclusion principles in the manner in which non-council services are delivered.

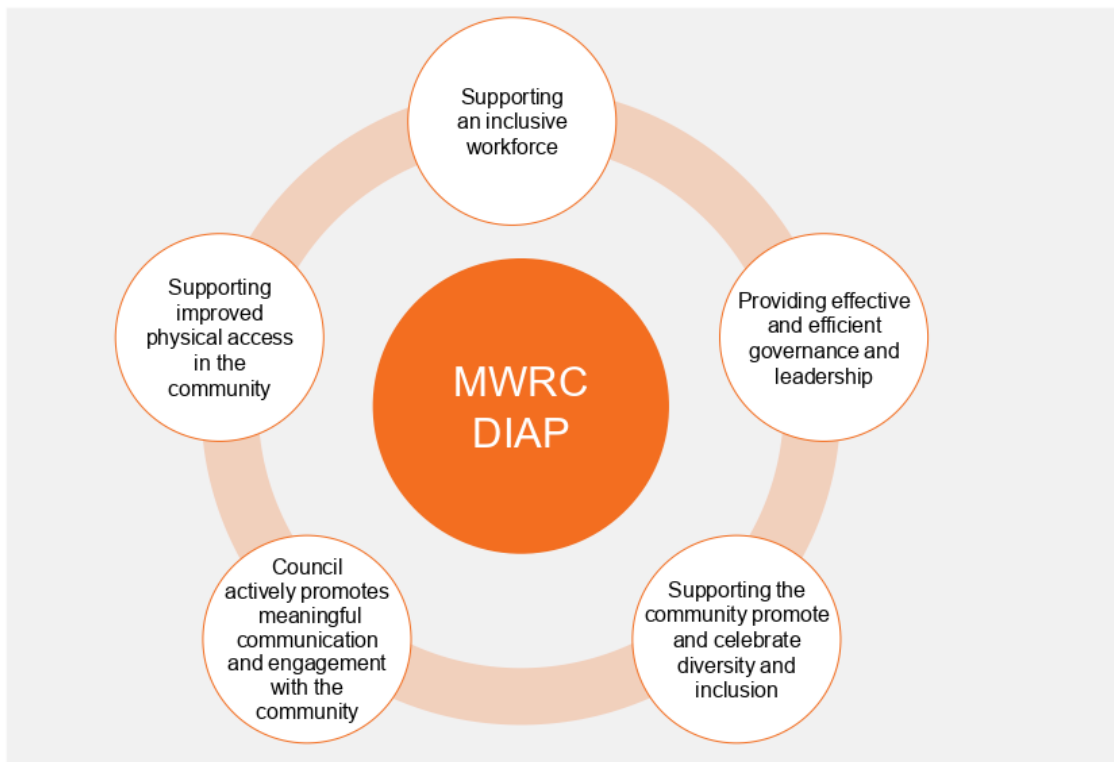
These objectives outline our approach towards inclusion. Objectives guide the DIAP actions and present our aspirations for developing greater inclusion in our community. By developing realistic yet aspirational goals we can work towards making genuine progress.

These inclusion objectives were developed to provide strong integration with Council's existing planning processes to make disability action planning align with Council's core business.

The inclusion objectives and actions developed as part of this DIAP reflect Council's role as a leader within the community to facilitate and influence change to improve access across the community.

⁵ TRAVABILITY (2010), PRESS RELEASE: AUSTRALIA MISSES THE PLANE ON ACCESSIBLE TOURISM.

FIGURE 3: MID-WESTERN REGIONAL COUNCIL'S DISABILITY INCLUSION PLAN



8. Action planning

Actions have been structured to reflect the four objectives outlined within the NSW Disability Inclusion Action Planning Guidelines:

- Developing positive community attitudes and behaviours
- Creating liveable communities
- Supporting access to meaningful employment, and
- Improving access to mainstream services through better systems and processes

The nature of actions is dynamic; actions are not necessarily contained under one focus area or are mutually exclusive to one objective. One action can have a number of related objectives and sit across multiple focus areas. Our framework attempts to encapsulate the inter-connection of actions and many pathways of likely impact.

Actions will also target different audiences, for example certain actions will relate exclusively to people with a disability, others will benefit the entire community. Actions are directed to address the multiple roles and influences of Council as an organisation, local leaders, and drivers of change within the community.

Supporting an inclusive workforce

An inclusive community is one in which everyone has the ability to access and participate in life and engage with other members of the community. Employment is an extremely valuable and important enabler to promoting inclusion.

COMMUNITY SERVICES | DISABILITY INCLUSION ACTION PLAN 2022–2026

People with disability have valuable contributions towards our community and workforce. As a key employer, Council seek to be inclusive within its own workforce recruitment and retention of people with disability and promote other employers to be diverse and inclusive.

How this aligns with NSW Disability Inclusion Action Planning Guidelines:

- Objective 3: Support access to meaningful employment
- Objective 2: Create liveable communities

ACTIONS 2022-2026	EXPECTED OUTCOME	KEY STAKEHOLDERS	REPORTING	INDICATORS
Facilitate opportunities for people with disability to work or volunteer within Council	Increased diversity of Council workforce Improve employment opportunities for people with disability	People with disability	Workforce strategy	Council workforce statistics
Engage with local disability service providers to identify strategies to enhance employment opportunities for people living with disability	Increase knowledge sharing between Council and local disability service providers	People with disability	Annual report	Council workforce statistics
Consider diversity within a workforce strategy framework	Council continues to be an inclusive employer, including recruiting, retaining and supporting people with disability	Community	Annual Report Equal Employment Opportunity Management Plan	Council workforce statistics

Providing effective and efficient governance and leadership

Council is a leader and has the ability to facilitate and influence an inclusive community. We envisage that its Access Committee provide strategic advice concerning accessibility matters.

How this aligns with NSW Disability Inclusion Action Planning Guidelines:

- Objective 4: Improving access to mainstream services through better systems and processes.

ACTIONS 2022-2026	EXPECTED OUTCOME	KEY STAKEHOLDERS	REPORTING	INDICATORS
Review and amend the Access Committee Terms of Reference to reinforce its focus and purpose	Access Committee is provided with Terms of Reference that clearly outlines Access Committee’s purpose, roles and responsibilities and processes to Council and the community. This will not be exclusive to issues of physical access.	Council Access Committees	Updated Terms of Reference	Increased communication and interaction between Council and Access Committee that results in positive inclusion outcomes.
Support better collaboration between Advisory Committees	Improved collaboration between Advisory committees for youth, recreation and inclusion so that all Council Advisory Committees have consider disability inclusion.	Council Advisory Committees Access Committees	DIAP 2020	All advisory committees consider disability inclusion when the terms of reference for those committees are next reviewed.

COMMUNITY SERVICES | DISABILITY INCLUSION ACTION PLAN 2022–2026

Supporting the community to promote and celebrate diversity and inclusion

An inclusive community is one where people feel valued and celebrated for who they are. A key component of respect includes acknowledging and celebrating diversity and ensuring ownership of participation and sense of place within the MWRC community.

Everyone should be treated with respect, offered freedom, encouragement and opportunities to be independent and equal. Council plays an important role in building awareness and challenging assumptions through representing and celebrating diversity and inclusion.

How this aligns with NSW Disability Inclusion Action Planning Guidelines:

- Objective 1: Developing positive community attitudes and behaviours
- Objective 2: Creating liveable communities

ACTIONS 2022-2026	EXPECTED OUTCOME	KEY STAKEHOLDERS	REPORTING	INDICATORS
As appropriate, incorporate disability awareness and inclusion across key Council activities and events	Encourage outreach, awareness and education about disability. Encourage people with disability to interact, showcase their talents and ability alongside people without disability.	Advisory Community People with disability Disability service providers	Annual report	Number of Council activities and events that incorporate or promote outreach and education about disability
Embed accessibility and inclusion requirements and content across Council	Cross collaboration and education of Council staff. Increased understanding of accessibility and inclusion in all Council areas.	All of Council Community	Annual report	Council Directorates to demonstrate consideration of accessibility and inclusion in decision making.
Develop and implement a marketing campaign to encourage understanding of people living with disability	Encourage outreach, awareness and education about disability.	Council corporate team Council community services team	Annual report	Number of campaign activities
Provide disability awareness training for frontline Council staff to promote accessible Council services	Increased understanding of disability.	Council frontline staff	Annual report	Number of staff trained

Council actively promotes meaningful communication and engagement with the community

Council also seeks to improve access to mainstream services by providing information to people with disability, local businesses and other community members of issues and resources for improved access.

Council facilitates and influences processes and outcomes that demonstrate disability inclusion. As an organisation, Council provides services and support that assist people with disability. As a leader, Council works with local businesses, community groups and individuals who also promote inclusion in the community.

Council seeks to address barriers and look for opportunities to engage with the community to deliver and provide services and facilities that are accessible for everyone.

How this aligns with NSW Disability Inclusion Action Planning Guidelines:

- Objective 2: Creating liveable communities
- Objective 4: Improving access to mainstream services through better systems and processes

ACTIONS 2022-2026	EXPECTED OUTCOME	KEY STAKEHOLDERS	REPORTING	INDICATORS
Continue to provide Council information in multiple formats	Improved access to Council information	Community	Annual report	Number of downloads through various formats
Investigate the opportunity to provide a 'one-stop-shop' on Council's website that provides people with disability access to essential information (e.g. accessible and appropriate services and facilities)	Improved processes for engaging with people with a disability.	Council People with disability	Annual report	Number of web page visits

Supporting improved physical access in the community

An inclusive community is one which is accessible to everyone. Having an accessible built and natural environment and streetscape is fundamental to inclusion and participating within the community.

Council understands that active planning and design principles are important to motivate participation and facilitate social connection. Council seeks to ensure that wherever possible, buildings and other spaces are accessible to everyone. Council understands that it does not have direct power over non-Council services and buildings however Council wishes to be a leader for accessibility in the community and to increase easy access to services, community and cultural centres and other buildings and spaces.

- How this aligns with NSW Disability Inclusion Action Planning Guidelines:
- Objective 2: Creating liveable communities

ACTIONS 2022-2026	EXPECTED OUTCOME	KEY STAKEHOLDERS	REPORTING	INDICATORS
Continue to implement the Pedestrian Access and Mobility Plan (PAMP)	Increase pathway infrastructure to improve physical access of public space.	Community Council	Pathways inspected every four years and PAMP updated every two years.	Implement the Pedestrian Access Mobility Plan..
Auditing physical accessibility of Council owned buildings to consider leading practice prioritisation of upgrades	Physical accessibility of Council owned facilities is reviewed with priority upgrades identified.	Council	DIAP 2022-2026	Council prioritises key facilities to upgrade in terms of physical accessibility.
Inclusion objectives to be referred to and considered when allocating community grants	Increase consideration of disability and inclusion in awarding Council grants.	Community Council	Annual report	Successful applicants reflect and align with the inclusion objectives.

9. Governance and accountability

Monitoring and reviewing

Section 13 of the DIA stipulates that councils in NSW must include reporting on their disability inclusion action planning in their Annual Reports.

Key performance indicators have been developed for each of the actions in this Disability Inclusion Action Plan. Key outcomes should be reported on four yearly. Along with key outcomes, each action has been developed with a performance indicators and measures. It is recommended that each key performance indicators and measures are reported on annually and integrated into Councils delivery program monitoring and reporting processes.

Section 14 of the DIA stipulates that Council is required to review their disability inclusion action planning process every four years (the exception being five years for this current review, given delays and challenges brought about by the global pandemic). This stipulation is designed to align with the review of Council's IP&R framework and the four-yearly review of the Community Plan.

10. Disability inclusion action planning checklist

The following table provides a checklist of the mandatory requirements under DIA legislation for councils as part of disability inclusion action planning or a Disability Inclusion Action Plan.

LEGISLATIVE REQUIREMENT	COMPLIANCE
Planning	
People with a disability have been consulted in the disability inclusion action planning process	✓
Strategies and actions to provide access to buildings, events and facilities have been identified	✓
Strategies and actions to provide access to information have been identified	✓
Strategies and action that support employment of people with disability have been identified	✓
Strategies and actions to encourage and create opportunities for people with disability to access the full range of services and activities available in the community have been identified	✓
A report on the disability inclusion action planning consultation with people with a disability has been provided to the Disability Council NSW	✓
Actions and strategies that support the goals of the NSW Disability Inclusion Act have been identified	✓
A copy of the disability inclusion action planning documentation has been provided to the Disability Council NSW	✓
Disability inclusion action planning documentation is publicly available	✓
Reporting	
Progress towards achievement of the action planning goals will be included in the Annual Report	✓
The Department of Communities and Justice and the Minister for Disability Services have been provided with a copy of the section of the Annual Report that details implementation of disability inclusion action planning	✓

From: [REDACTED]
Sent: Friday, 8 July 2022 1:06 PM
To: [REDACTED]
Subject: Comments for the Disability Inclusion Action Plan

Hi [REDACTED]

Outlined below are my comments regarding the actions in Section 8. I appreciate the workforce reporting might be a bit touchy and that people may not identify so data gathering can be tough. I have tried to just change the wording on the indicators to make them a more measurable target (not all of them). I have also made some suggestions on some of the wording of the actions.

Objectives 2 and 3

Action: Facilitate opportunities for people with disability to work or volunteer within Council.
Indicator: Suggested change to - XX opportunities made available for people with disability. (This then gives HR team an actual target to work toward).

Action: Engage with local disability service providers to identify strategies to enhance employment opportunities for people living with disability.

Indicator: Suggested change to something like - Memorandum of Understanding established with at least one local disability service providers to enhance employment opportunities.

Objective 4

Action: Support better collaboration between Advisory Committees

Indicator: All advisory committee TORs include disability inclusion as part of the advisory committee mandate.

Objective 1 and 2

Action: As appropriate, incorporate disability awareness and inclusion across key Council activities and events

Indicator: At least XX Council activities and events incorporate or promote outreach and education about disability.

Action: Establish collaboration between Council's Access Committee and all Council departments. Suggested change for action - Embedding of accessibility and inclusion requirements/content across Council.

Indicator: Each Department is able to demonstrate how it has considered accessibility and inclusion into its everyday activities. (this then holds each of your department heads accountable for taking some ownership).

Objective 2 and 4

Action: Continue to provide Council information in multiple formats. Suggest reword: Establish formal process for providing Council information in multiple accessibility friendly formats.

Indicator: XX% increase in number of downloads in the accessibility formats.

Objective 2

Action: Continue to implement the Pedestrian Access and Mobility Plan (PAMP)

Indicator: 100% of planned pathway infrastructure for each financial year implemented.

Action: Inclusion requirements to be formally included in the process for allocating community grants

Indicator: 100% of grants (where relevant), have considered and aligned with inclusion and disability objectives.

Have a good weekend. Could you drop me a quick note back just so I know you received the email!!

Thanks
[REDACTED]

11.3 Policy Review - Council Representation at Memorial Services

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0310003

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Policy Review - Council Representation at Memorial Services; and**
2. **adopt the revised Council Representation at Memorial Services Policy.**

Executive summary

This report seeks Council endorsement of the revised Council Representation at Memorial Services policy which was last reviewed in August 2018.

Disclosure of Interest

Nil

Detailed report

The Council Representation at Memorial Services policy was first introduced in 2018 when it was identified that there was a need to share information amongst Councillors and Executive regarding funerals and memorial services for former Councillors and prominent members of the community.

The policy ensures that appropriate Council representation is made at memorial services and funerals and outlines the role of official Council representatives.

A review was done of the policy and indicated no need for changes to occur.

Community Plan implications

Theme	Good Government
Goal	Strong civic leadership
Strategy	Provide strong representation for the community at Regional, State and Federal levels

Strategic implications

Council Strategies

Not Applicable

Council Policies

Council Representative at Memorial Services Policy

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

This Policy seeks to ensure that knowledge of these events are communicated to staff and Councillors in order to provide representation for Council. This ensures Council is viewed in a positive way amongst the community and is seen as providing respect to former Councillors and prominent community members. It also provides guidelines to ensure Council representatives conduct themselves in an appropriate manner.

Whilst it must be noted that there is no way to ensure knowledge of all events, this policy is in place to eliminate these instances.

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES &
GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

2 September 2022

Attachments: 1. Council Representation at Memorial Services Draft Policy Review.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Council Representation at Memorial Services

*A prosperous
and progressive
community.*

ADOPTED		VERSION NO	1.1
COUNCIL MEETING MIN	226/18	REVIEW DATE	21/9/26
DATE:	17/8/22	FILE NUMBER	A0310003

Objective

The purpose of this policy is to provide some consistent direction to Council in relation to representation at funerals and memorial services. This will ensure that the required Council representation is made when required.

Policy

Coordination of Council responses to funerals and memorial services

The Executive office of the Council will coordinate notifications of services and Council representatives to attend memorial services and funerals. Decisions on attendance will be made by the Mayor in consultation with the General Manager. Further consultation with the Deputy Mayor or other Councillors may also be required.

Notification of funeral service or memorial service

The Communications team, the Executive office and the Parks and Gardens team will be alert to media reports and funeral bookings regarding the passing of key people in the community. These key community people may include former Councillors, including former Councillors from previous Councils that now form the Mid-Western Regional Council area.

Councillors who become aware of the passing of a key community person should also inform the Executive office as soon as possible to ensure that the Mayor and General Manager are aware.

The Executive Office will determine the official Council representative to attend a funeral or memorial service. This may be:

- The Mayor
- The Deputy Mayor
- A Councillor
- The General Manager
- A member of the Council Executive Team

A range of factors will be considered when determining the Council representative. These will include the availability of the Mayor, Deputy Mayor and General Manager and the individual being well known to particular Council representatives.

Notification of funeral service or memorial service

When the Executive office is aware of the details of the service, this information will be passed on to all Councillors, including any required reference to who the official Council representative will be.

**POLICY: | 1.1,
23/7/18**

While an individual Councillor or staff member may not be the official Council representative, nothing in this policy detracts from an individual Councillor's or staff member's personal determination to attend the memorial service or funeral.

The role of the official Council representative

Any involvement in the memorial service or funeral will only take place at the request of the affected family.

Any involvement aside, the role of the official Council representative will be to sign the attendance book on behalf of Mid-Western Regional Council and to provide support to the family or community if and as required.

The Council representative will ensure that they conform to any dress code requirements in Council's Code of Meeting Practice.

Any request by the family for there not to be a Council representative will be respected.

11.4 Policy Review - Records Management

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, GOV400047

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Policy Review - Records Management; and**
2. **adopt the revised Records Management Policy.**

Executive summary

The Records Management Policy was due for review in this Council term and was last adopted by Council in May 2017.

This Policy was originally modelled of the NSW State Archives & Records NSW Standard on Records Management back in 2017 and has been reviewed in conjunction with any relevant changes to this standard which was last revised in November 2018.

Disclosure of Interest

Nil

Detailed report

It is essential that Council staff and Councillors meet the requirements of the State Records Act and that Council develops and follows a Records Management Policy that reflects which documents and records need to be captured and retained. The most important consideration is to ensure that records are kept on Council decisions, how these decisions may be arrived at, and the business interactions that follow the enactment of those decisions.

Records of Council can include incoming and outgoing mail, phone calls, emails and other communications between Council staff, Councillors, contractors, members of the public, external organisations and other levels of government that are required under the State Records Act to be kept in our Records Management System.

The key objectives of this Policy are to:

- Support our ongoing business activity and customer services.
- Meet legislative requirements and community expectations.
- Manage records efficiently and effectively.
- Be accessible to meet our business needs.
- Store them cost effectively and when no longer required are disposed of in a timely and efficient manner.

- Ensure that records of longer term value are identified and protected for historical and other research.
- Maintain digital and other technology dependent records in an accessible format for as long as they are required.
- To comply with all external requirements relating to record keeping practices.

While this revised policy does not change any of the requirements of Council staff or Councillors to maintain Records appropriately, some of the staff responsibilities and positions have been updated to support the revised organisational structure which was introduced back in February 2021.

In addition it was determined to introduce a Records Management Procedure which outlines the key processes for staff to follow and operates in conjunction with the Records Management Policy. Please note some of the sections of the current policy have been removed and incorporated in the new Procedure.

Community Plan implications

Theme	Good Government
Goal	An effective and efficient organisation
Strategy	Pursue excellence in service delivery

Financial implications

Not Applicable

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES &
GOVERNANCE

SIMON JONES
DIRECTOR COMMUNITY

7 September 2022

- Attachments:*
1. Revised Policy - Records Management - with Track Changes. (separately attached)
 2. Revised Policy - Records Management - Clean Version. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.5 Sports Advisory Groups Update - Meetings March to August 2022

REPORT BY THE SPORT AND RECREATION LIAISON OFFICER
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0360013, A0360003, A0360030

RECOMMENDATION

That Council:

1. receive the report by the Sport and Recreation Liaison Officer on the Sports Advisory Groups Update - Meetings March to August 2022;
2. note the Meeting Notes from the Gulgong, Kandos/Rylstone and Mudgee Sports Advisory Groups;
3. approve the use of remaining previous Sports Council funds for canteen equipment upgrades (Gulgong - \$9,922.07) and lighting and security upgrades (Mudgee - \$76,403.37);
4. commit an upfront budget of \$5,000 for the purchase of perpetual trophies with an ongoing annual budget of \$2,000 to deliver the Sports Awards Program funded from Mid-Western Sports Fees; and
5. commit a budget of \$5,980 to fund four (4) 'Play Like a Girl' scholarships funded from Mid-Western Sports Fees in 2022/23.

Executive summary

The purpose of this report is to advise Council of the considerations of the Gulgong, Kandos/Rylstone and Mudgee Sports Advisory Groups between March and August 2022.

Disclosure of Interest

Nil

Detailed report

The Gulgong, Kandos/Rylstone and Mudgee Sports Councils have successfully transitioned to Sports Advisory Groups in 2022. Moving forward, these groups will meet twice yearly (February and August) to discuss the strategic direction of Council's sporting facilities and infrastructure.

Some of the key items discussed at recent Sports Advisory Group Meetings are addressed below.

REMAINING FEES

Mudgee Sports Advisory Group

As at 30 June 2022 there is \$76,403.37 in remaining funds. Council Officers have consulted with the Mudgee Sports Advisory Group and it has been determined to spend the remaining funds on lighting and security upgrades. A Security Strategy is currently in draft which identifies priorities.

The first stage of this project will involve the installation of lighting in P2 (Rugby Union), P3 (Netball) and P4 (Rugby League) along with the nose in parking areas at the multipurpose fields (7 and 8). Any remaining funds will be used to increase pedestrian lighting.

Gulgong Sports Advisory Group

As at 30 June 2022 there is \$9922.07 in remaining funds. Council officers have consulted with the Gulgong Sports Advisory Group and it has been determined to spend the remaining funds on upgrades to canteen equipment for Victoria Park, Gulgong.

Sports Awards

Following consultation with the Sports Advisory Groups, Council officers recommend that the Sports Awards program be redesigned. The new program proposes to donate a perpetual trophy to each financial member of a Sports Advisory Group (Gulgong, Kandos/Rylstone and Mudgee) to be awarded as part of their end of season presentation to an individual who displays one or all of Council's core values – respect, integrity and recognition.

Award recipients could be recognised through Community News, social media and a recognition event for each sports season (Summer or Winter).

It is recommended that Council commit an upfront budget of \$5,000 for the purchasing of trophies with an additional \$2,000 ongoing annual budget to deliver the Sports Awards Program. It is suggest that this initiative should be funded from Mid-Western Sports Fees paid by each Sports Advisory Group Member.

Play Like a Girl Scholarships

Play Like a Girl is the first leadership development program in Australia to guide the personal and professional journey of girls through a sports lens. Play Like a Girl Australia works with local councils to successfully provide fully funded scholarships for girls and women to participate in the Play Like a Girl program.

During recent consultation with the Mudgee Sports Advisory Group, sports would like Council to commit funding for four (4) scholarships worth \$1495 each (\$5,980) with applications open to girls over 16 years of age who are a registered member of a sporting club or association which is a financial member of a Sports Advisory Group within the Mid-Western LGA. This would be funded from the Mid-Western Sports Fees. Upon review of the pilot program, future scholarships may be considered.

With the rise of women's participation and success in their chosen sport across our LGA, this program will create a pathway to develop leadership qualities which will benefit girls with their sporting endeavours but also within our community.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

This report does not seek any additional funding towards identified projects. Funding sources to support projects are proposed to derive from previous Sports Council finances and current sporting fees.

Associated Risks

Nil

ALAYNA GLEESON
SPORT AND RECREATION LIAISON OFFICER

SIMON JONES
DIRECTOR COMMUNITY

26 August 2022

- Attachments:*
1. Gulgong Sports Advisory Group Meeting Notes - 26 April 2022.
 2. Gulgong Sports Advisory Group Meeting Notes - 14 June 2022.
 3. Gulgong Sports Advisory Group Meeting Notes - 9 August.
 4. Kandos Rylstone Sports Advisory Group Meeting Notes - 7 June 2022.
 5. Kandos Rylstone Sports Advisory Group Meeting Notes - 2 August 2022.
 6. Mudgee Sports Advisory Group Meeting Notes - 21 March 2022.
 7. Mudgee Sports Advisory Group Meeting Notes - 11 April 2022.
 8. Mudgee Sports Advisory Group Meeting Notes - 20 June 2022.
 9. Mudgee Sports Advisory Group Meeting Notes - 22 August 2022.
 10. Play Like a Girl Attachment 1.
 11. Play Like a Girl Attachment 2.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



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GULGONG SPORTS ADVISORY GROUP MEETING NOTES TUESDAY 26 APRIL 2022 GULGONG BOWLING AND SPORTING CLUB

In attendance: P. Raines (MWRC), A. Gleeson (MWRC), C. Holden, B. Gudgeon, M. Freestone, C. Forrester, G. Germon, P. Doran, A. Doran

Meeting commenced: 6.05pm

1. Terms of Reference
 - a. Draft Terms of Reference were presented with feedback provided. An updated draft will be distributed with meeting notes.
 - b. Meetings will be held on the 2nd Tuesday of the month in February and August. The August meeting will be used as the Strategic Planning meeting to time with Council's budgeting timelines. These meetings are mandatory.
 - c. Additional meetings will be held at the discretion of Advisory Group without Council representation. These meeting will not be mandatory.
 - d. There is no limit to the number of representative from each member that can attend meetings.
 - e. Terms of Reference and Code of Conduct to be distributed with request for club information annually.
2. Funding
 - a. Sports Council fees will continue to be collected from members with funds directed to operational budgets.
 - b. Craig Holden to send through quote information for Victoria Park re-fit project. Approximately \$6,000.
3. Financial Assistance
 - a. Recommendation to be put forward to Council for Financial assistance to be linked to Council's Community Grants Program (<https://www.midwestern.nsw.gov.au/Council/Grants-and-funding/Community-Grants>). If the recommendation is endorsed by Council, the Policy will be updated.
 - b. It was noted that funding has been provided in the past in circumstances of financial hardship. This will be taken in to account in the recommendation to Council
4. Sports Awards
 - a. Awards have not been presented since around 2012.
 - b. Alayna Gleeson to circulate draft criteria and eligibility for new Sports Awards structure for feedback.
5. Incident Reporting
 - a. Infrastructure issues are to be reported to Council:
 - Business hours – SRLO (0439 824 831)
 - Out of hours – Building Services on call number (0417 630 624)
 - b. Incident reporting – all clubs have responsibility for this via their own reporting mechanisms

- c. Public incidents can be report via form on Council's website: <https://www.midwestern.nsw.gov.au/Council/Forms/Public-Incident-Form>
- d. Works Requests should be submitted to the Sport and Recreation Liaison Officer or via Council's online system: <https://www.midwestern.nsw.gov.au/Services/Report-a-problem>

6. Facility allocations

7. Facility improvements and Works Requests

- a. Management Plan to be developed which will include strategic project information.
- b. Craig Holden to put together a list of past projects which have been delivered in the last 10 years.
- c. Victoria Park
 - i. Council staff are investigating sleeves for combo posts.
 - ii. Preliminary work underway on grandstand
 - iii. Synthetic installed at cricket nets
 - iv. Shot put and discus mounds awaiting contractor
 - v. Gates to be installed before next summer sports season
 - vi. Sealing of road will be completed in the 2022/23 Financial Year
- d. Tennis Courts - \$130K allocated to improvements 2022/23 Financial Year.
- e. Billy Dunn
 - i. Change rooms complete
 - ii. Road realignment and fencing works will commence following completion of pool car park works.
- f. Vandalism is an issue. Council staff are investigation camera locations and costs with Report to go to Council.
- g. Billy Dunn oversow in progress and will continue in future years

8. General Business

- a. There is a new Parks and Gardens supervisor based in Gulgong.

Next meeting: Tuesday 14 June, 6pm.

Meeting ended: 7.45pm



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**GULGONG SPORTS ADVISORY GROUP
MEETING NOTES
TUESDAY 14 JUNE 2022
GULGONG BOWLING AND SPORTING CLUB**

In attendance: P. Raines (MWRC), A. Gleeson (MWRC), P. Thompson (Councillor) C. Holden, B. Gudgeon, T. Papworth, C. Forrester, M. Freestone, P. Doran, G. Germon

Meeting commenced: 6.10pm

1. Terms of Reference
 - a. Report to Council Meeting 15 June to adopt updated Terms of Reference
 - b. Will be reviewed at the commencement of each new term of Council
2. Funding and Financial Assistance
 - a. Community Grants Policy to be updated to include funding for individuals and clubs
 - b. Remaining funds to be used for Victoria Park canteen equipment upgrades. Awaiting quotes.
3. Sports Awards
 - a. On hold until 2023. To be discussed at February meeting.
 - b. Representatives encouraged to nominate in Council's Australia Day Awards.
4. Facility improvements and Works Requests
 - a. Graffiti and vandalism continue to be an issue. Many facilities were impacted over the June Long Weekend. A Report will go to Council with suggested CCTV locations and budget.
 - b. Council's Recreation Strategy will be updated in the second half of the year. Group to meet in July to discuss projects to be put forward to Council.
 - c. Victoria Park Grandstand – awaiting final report from heritage advisor with recommendations.
 - d. Installation of additional gates at Victoria Park (before Dog Show at the start of August)
 - e. Tap near cricket nets at Victoria Park to be investigated
5. General Business
 - a. Contact list has been updated. Any additional contacts need to be sent to the SRLO.
 - b. Update afterhours service to ensure on call details are current.
 - c. Concerns were raised with speed in the carpark at Billy Dunn.

Next meeting: Tuesday 9 August at Gulgong Bowling and Sporting Club

Meeting ended: 7.05pm



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**GULGONG SPORTS ADVISORY GROUP
MEETING NOTES
TUESDAY 9 AUGUST 2022
GULGONG BOWLING AND SPORTING CLUB**

In attendance: A. Gleeson (MWRC), P. Thompson (Councillor), C. Holden, B. Gudgeon, T. Papworth, C. Forrester, A. Doran, P. Doran, B. James, D. Thompson

Apologies: P Raines (MWRC), M. Freestone

Meeting commenced: 6.05pm

1. Terms of Reference
 - a. Adopted by Council in June 2022. To be reviewed following the next Council elections in September 2024.
2. Funding and Financial Assistance
 - a. Update of Community Grants Policy in progress
 - b. Community Plan Proposals (CPP) will open later in the year – clubs and schools will look to put in submissions for a robotic line marker for Gulgong.
3. Facility improvements and Works Requests
 - a. Billy Dunn and Victoria Park closure for maintenance – currently scheduled for 29 August to 10 October. During closure period:
 - i. Little Athletics will do field events only (commence 9 September)
 - ii. Dog Club will use outer areas only
 - iii. Touch football competition starts 12 October however trials were scheduled for 14 and 21 September – committee to discuss.
 - iv. Gulgong Terriers will need a ground to train on until at least 3 September (Semi Finals) depending on results.
 - b. Craig Holden presented a letter from the Gulgong Sports Advisory Group requesting that a new kiosk for Victoria Park, Gulgong be considered. Sports to provide letters of support.
 - c. Refer to separate attachment for works requests and projects update
4. General Business
 - a. Report of an electric scooter being driven on Victoria Park
 - b. Billy Dunn drainage – identified on current works request and projects list
 - c. Park usage rules to be reviewed. No camping OR CARAVANS needs to be made clear.
 - d. Issues reported with illuminators at Victoria Park – to be investigated.
 - e. Annual Dog Show was a success. Feedback received is that it is always one of the best grounds they show at. The RSL Club did a fantastic job at catering.
 - f. Gulgong Gold Cup was another successful event with over 1,000 people in attendance.

Meeting ended: 7.05pm

Next meeting: Tuesday 14 February at Gulgong Bowling and Sporting Club



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KANDOS AND RYLSTONE SPORTS ADVISORY GROUP MEETING NOTES TUESDAY 7 JUNE 2022 RYLSTONE ADMINISTRATION CENTRE

In attendance: P. Raines (MWRC), A. Gleeson (MWRC), Cr P Shelley, R. Ford (Touch Football), J. Parsons and C. Parson (Kandos Waratahs Rugby League)

Meeting commenced: 4.05pm

1. Terms of Reference
 - a. Council will consider the draft at the 15 June Council Meeting
 - b. Cr Shelley will raise affiliation membership at 15 June Council Meeting
 - c. Clarification on cleaning – confirmed public amenities (i.e. toilets) are cleaned by Council (fortnightly) but changerooms are the responsibility of the user groups.
 - d. Future meetings to be held on the first Tuesday in February and August annually.
2. Funding
 - a. Collection of Sports Council fees will continue
3. Financial Assistance
 - a. Financial Assistance for individuals and clubs will be linked to Council's Community Grants Policy: <https://www.midwestern.nsw.gov.au/Council/Grants-and-funding/Community-Grants> (note: policy not yet updated to reflect changes)
4. Sports Awards
 - a. Not applicable – awards are currently presented by individual sports and Australia Day Awards Program.
5. Incident Reporting
 - a. Infrastructure issues are to be reported to Council:
 - Business hours – SRLO (0439 824 831)
 - Out of hours – Building Services on call number (0417 630 624)
 - b. Incident reporting – all clubs have responsibility for this via their own reporting mechanisms
 - c. Public incidents can be report via form on Council's website: <https://www.midwestern.nsw.gov.au/Council/Forms/Public-Incident-Form>
 - d. Works Requests should be submitted to the Sport and Recreation Liaison Officer or via Council's online system: <https://www.midwestern.nsw.gov.au/Services/Report-a-problem>

6. Facility allocations, improvements and Works Requests

LOCATION	ITEM/PROJECT
Waratah Park	Clubhouse (preferred site – netball courts)
	Resurface old courts and install netball/basketball hoops
	Field lighting repairs
	Waste management <ul style="list-style-type: none"> - additional bin stand at northern end of grandstand - Small skip for canteen
	Water issue – southern side of netball courts, adjoining neighbouring property
	Scoreboard/screen <ul style="list-style-type: none"> - Rectify issues
	Provide quick reference instructions
	Additional seating and tree plantings on hill
Waratah Park Grandstand	Install CCTV
	Restrict access to underneath grandstand
	Heating in changerooms
	Install additional powerpoints <ul style="list-style-type: none"> - In tunnel - above tunnel (including scoreboard access point)
Waratah Park Canteen	Door handle replacement
	Install additional external powerpoint at canteen
Sammys Flat	Fence replacement following flooding
	Seating
	Dog Park
Darton Park	Dog Park

7. General Business

- a. Request for line marking of rugby league field at the start of each season
- b. Clubs and SRLO to conduct audit of facilities prior to the commencement of each season.

Next meeting: Tuesday 2 August at Rylstone Administration Centre (4pm)

Meeting ended: 5.10pm



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KANDOS AND RYLSTONE SPORTS ADVISORY GROUP MEETING NOTES TUESDAY 2 AUGUST 2022, RYLSTONE ADMINISTRATION CENTRE

In attendance: A. Gleeson (MWRC), R. Ford (Touch Football), J. Parsons and C. Parsons (Kandos Waratahs Rugby League)

Meeting commenced: 4.05pm

1. Terms of Reference
 - a. Adopted by Council in June 2022. Copy supplied to all in attendance and attached to Meeting Notes.

2. Funding and Financial Assistance
 - a. Financial Assistance for individuals and clubs will be linked to Council's Community Grants Policy: <https://www.midwestern.nsw.gov.au/Council/Grants-and-funding/Community-Grants> (note: policy not yet updated to reflect changes)

3. Facility allocations, improvements and Works Requests

LOCATION	ITEM/PROJECT	STATUS
Waratah Park	Clubhouse (preferred site – netball courts)	Long term project
	Resurface old courts and install netball/basketball hoops	Long term project
	Field lighting repairs	
	Waste management - additional bin stand at northern end of grandstand - Small skip for canteen	Request for recycle bins for cardboard
	Water issue – southern side of netball courts, adjoining neighbouring property	Leak repairs completed. Any future issues related to the dam.
	Scoreboard/screen - Rectify issues Provide quick reference instructions	AG to investigate and arrange technician.
	Additional seating and tree plantings on hill	Eucalyptus dropping limbs in car park – to be investigated.
	Key Audit	AG to investigate via Building Services
Waratah Park Grandstand	Shed usage – confirm usage and keys	AG to investigate
	Install CCTV	Investigating
	Restrict access to underneath grandstand	To be investigated
	Heating in changerooms	Long term project
	Install additional PowerPoints - In tunnel - above tunnel (including scoreboard access point)	Awaiting advice from clubs
Waratah Park Canteen	Referees Room Roofing	Awaiting painting
	Door handle replacement	COMPLETE
	Install additional external PowerPoint at canteen	Awaiting advice from clubs
Sammys Flat	Upgrade microwave	Confirm budget
	Fence replacement following flooding	In progress – engaging contractors
	Seating	In progress – engaging contractors
	Dog Park	In progress – engaging contractors

Darton Park	Dog Park	In progress – engaging contractors
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4. General Business

- a. Linemarking: Council to line mark at start of season for Clubs to refresh as needed. Touch football at start of October – date TBC once season dates and bookings are finalised. Rugby League – for 2023 season.
- b. Kandos Waratahs Comp: Mid-West Community Cup – four (4) team comp running for four (4) weeks from 27 September. Club to confirm dates and booking details.
- c. Participation numbers: kids going to Mudgee makes it hard to field teams in Rylstone and Kandos.
- d. ActiveFest: clubs received no correspondence from organisers but positive feedback received. Approximately 60 kids attended.
- e. Little Athletics: AG to follow up equipment, keys, fridge and pie oven.
- f. Waratah Park cleaning: clubs requested mid-September deep clean of rangehood/grill for grease etc.
- g. Waratah Park canteen equipment: 1 x junior league fridge (closest to BBQ), 1 x Council (closest to shutters)

Next meeting: Tuesday 7 February at Rylstone Administration Centre (4pm)

Meeting ended: 5.10pm



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**MUDGEE SPORTS ADVISORY GROUP MEETING
MONDAY 21 MARCH 2022, NETBALL AMENITIES BUILDING**

In attendance: Cr P. Stoddart (MWRC), P. Raines (MWRC), A. Gleeson (MWRC), G. Robinson, P. Mitchell, K. Lang (touch football), R. Clayton (Junior League), A. Comincioli (Junior League), K. Marshall (netball).

Apologies: N. Cavanagh (junior cricket), K. Bennetts (Little Athletics), J. Johnson, L. Humphries (rugby union), J. Fleming (Mudgee Lions Football), J. Martin (MWRC)

Meeting commenced: 6.02pm

Introductions

Cr Phil Stoddart was introduced as the Council representative on the Mudgee Sports Advisory Group.

Previous meeting notes

Those in attendance agreed that the previous meeting notes provided a general consensus of the meeting but some details were not accurate.

Remaining Funding

The group was asked to put forward ideas to expend the remaining Sports Council funds (approximately \$70,000 as at March 2022). Proposed ideas below:

Project	Approximate Costs
Permanent frost resistant water bubblers x 7 (GW netball, rugby union, junior league, stadium, soccer/touch, Victoria Park, Walkers Oval)	\$9,000 each installed
Portable water stations x 4	\$8,000 each
Seating (netball and junior league)	Dependant on style (propose \$3,000 allocated to netball and junior league)
Security cameras x 7 (GW netball, rugby union, junior league, stadium, soccer/touch, Victoria Park, Walkers Oval)	\$3,500 per location plus \$600 for each additional camera.
Fencing between soccer/touch/junior league and private property (approximately 500m)	\$145/m

ACTION: A. Gleeson to seek further input on ideas from those not in attendance at the meeting before all sports/members are given the opportunity to prioritise options.

Sports Awards

Working Group to be established (A. Gleeson, G. Robinson, K. Marshall) to review award categories and eligibility criteria and develop request to Council to consider \$10,000 annual budget to cover Awards Dinner.

ACTION: A. Gleeson to coordinate working group and prepare Council Report (May 2022 TBC)

Sports Council Records

G. Robinson to bring Sport Council records to The Stables building for Council to catalogue and record in records management system.

Future Meetings and Correspondence

Next Meeting: 11 April

Agenda items: Glen Willow Stage 2 and Traffic update, Terms of Reference

Moving forward, there will be meetings scheduled twice yearly (February and August). Additional meetings may be scheduled if consultation is required.

Clubs will be emailed to provide updated contact details for Advisory Group matters.

Meeting ended: 7.00pm



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**MUDGEES SPORTS ADVISORY GROUP MEETING
MONDAY 11 APRIL 2022
NETBALL AMENITIES BUILDING**

In attendance: A. Gleeson, P. Raines, P. Scotti (Wolves), K. Bennetts (Little Athletics), L. Humphreys (Wombats), E. Turnbull (hockey), P. Mitchell

Apologies: Cr Stoddart, D. Lewis (junior cricket), K. Marshall (netball), G. Robinson.

Meeting commenced: 6.03pm

1. Glen Willow Stage 2 Update
 - a. Junior league and multipurpose at Glen Willow open 26 April.
 - b. Rugby union building nearing completion
 - c. Stormwater catchment tank behind netball to be installed and feed to water storage area.
 - d. Spare bins will be stored at water storage area
 - e. Car park works and landscaping in progress
 - f. A park area will be located in north west corner
2. Glen Willow Traffic Management – Peak Usage Times
 - a. Traffic consultant engaged with report nearing completion. Report to include recommendations for nominating roads speed limits, shared zones and regulatory signage requirements
 - b. Closure of Pitts Lane (between loop rds.) on weekends in winter and Tuesday/Thursday evenings in summer
 - c. Presentation of traffic maps – will be distributed to sports
3. Funding – projects
 - a. List to be sent to sports who will be asked to prioritise projects
 - b. Security strategy to be developed for complex
 - c. Proposal to install bubblers at netball, junior league and Walkers Oval
 - d. Current funding applications (Little Athletics) will be taken out of current funds
4. Sports Awards Working Group (including Community Grants)
 - a. Take draft awards criteria and eligibility to committees for feedback
 - b. Report to Council Meeting – recommendation to include Community Grants Policy amended to include Sports Advisory Group funding applications.
5. Terms of Reference
 - a. Draft Terms of Reference was provided to attendees with changes explained/discussed
 - b. Send amended draft to all members for final feedback (following addressing initial feedback received at 11 April meeting)
6. Roads Safety Week (15 to 22 May)
 - a. Key message – its everyone's right to get home safely.
 - b. Sporting teams have been identified as a target audience
 - c. Banners will be put up around complex and club may be asked to be involved in PR activities.
7. Incident Reporting
 - a. Infrastructure issues are to be reports to Council:
 - Business hours – SRLO (0439 824 831)

- Out of hours – Building Services on call number (0417 630 624)
 - b. Incident reporting – all clubs have responsibility for this via their own reporting mechanisms
 - c. Public incidents can be report via form on Council's website: <https://www.midwestern.nsw.gov.au/Council/Forms/Public-Incident-Form>
 - d. Works Requests should be submitted to the Sport and Recreation Liaison Officer or via Council's online system: <https://www.midwestern.nsw.gov.au/Services/Report-a-problem>
8. General Business
- a. Carts usage – policy to be developed with conditions of use
 - b. Emergency procedures
 - i. Site-wide emergency plans being finalised
 - ii. LEMC to be engaged on emergency plans
 - c. Defibrillators
 - i. SRLO to get update on grant
 - ii. Locations to be identified – not just buildings, easily accessible points.

Next meeting: 9 May

Meeting ended: 7.30pm



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**MUDGEES SPORTS ADVISORY GROUP MEETING
MONDAY 20 JUNE 2022
GLEN WILLOW STADIUM**

In attendance: Cr P.Stoddart, P. Raines (MWRC), A. Gleeson (MWRC), R. Clayton (junior league), E. Tumbull (hockey), B. Box (hockey), M. Collins (hockey), P. Mitchell, M. Drewe (senior cricket),

Apologies: D. Lewis (junior cricket), K. Lang (touch football), G. Robinson, P. Scotti (Wolves)

Meeting commenced: 6.03pm

1. Terms of Reference
 - a. Adopted by Council at 15 June 2022 meeting – final terms of reference to be distributed with meeting notes.
 - b. Terms of Reference will be reviewed in line with Council term with the next election being in September 2024
2. Glen Willow Stage 2 and Traffic Management update
 - a. Concerns raised with cars parked along Pitts Lane east of the black gates. *Soccer have since addressed this with an email to all registered players/parents as well as a social media post. Area has also been night lined by Council staff.*
 - b. Loop rd to be line marked and roundabout painted at intersection near netball/rugby.
 - c. Car park lighting – priorities include P2, P3 and P4.
 - d. Additional netball parking identified as a future project.
 - e. Clubs are encouraged to continue to communicate traffic management arrangements and safety messages with their members.
 - f. Promote road safety messages on radio
 - g. Consultant to be engaged to look at carpark design to ensure traffic flow and pedestrian safety are considered.
3. Funding – projects
 - a. Approximately \$100K available and needs to be spent.
 - b. While not all clubs supported the proposal to focus the funding on security and lighting, the majority were in favour. Council Officers will move forward with this project.
4. Financial Assistance
 - a. Update of the Community Grants Policy in progress.
5. Recreation Strategy
 - a. To be reviewed and a new strategy developed. All sports will be consulted.
6. General Business
 - a. Carts usage – no feedback received. Council Officers will finalise guidelines and distribute to relevant sports.
 - b. Lengthy discussion around support for grassroots sports. Hockey raised concerns that they are being left behind compared to other regional centres due to no synthetic field. Council relayed that it is part of the Stage 3 Masterplan.
 - c. Glen Willow emergency procedures – new traffic management arrangements and maps have been shared with the Local Emergency Management Committee (LEMC).
 - d. Defibrillators – 5 to be installed in external locations at Glen Willow. Netball to advise appropriate location to relocate their internal one.
 - e. Sports Awards – draft criteria has been developed. No feedback received.
 - f. Future use of Cahill Park – a report will go to Council in July with a recommendation to retain the site as recreation space.
 - g. Victoria Park – sight screen and fence replacement in progress.
 - h. Feedback from junior league – more thorough cleaning needed in public toilets (mens). AG to log with Building Services.

Next meeting: 22 August, venue TBC.

Meeting ended: 7.25pm



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**MUDGEES SPORTS ADVISORY GROUP MEETING
MONDAY 22 AUGUST 2022
GLEN WILLOW JUNIOR LEAGUE CLUBHOUSE**

In attendance: Cr P. Stoddart, P. Raines (MWRC), A. Gleeson (MWRC), J. Martin (MWRC), R. Clayton (junior league), E. Turnbull (hockey), B. Box (hockey), M. Collins (hockey), P. Mitchell, E. George (Junior Cricket), K. Marshall (netball), E. Perini (Touch Football).

Apologies: B. Murray (Little Athletics), K. Bennetts (Little Athletics), G. Robinson, L. Humphreys (Rugby Union)

Meeting commenced: 6.03pm

1. Terms of Reference
 - a. Adopted by Council at 15 June 2022 meeting – final terms of reference to be distributed with meeting notes.
 - b. Terms of Reference will be reviewed in line with Council term with the next election being in September 2024
2. Funding and Financial Assistance
 - a. Remaining Funds – security and lighting project update
 - i. The car park lighting design in its final stages before it goes out to tender. The specs will be the same as P1 for P2, P3 and P4. Multipurpose lighting will be a higher standard due to location. Car park re-design is with the traffic consultant.
 - ii. Security strategy developed and prioritised next stage, depending on budget after completion of the above.
 - b. Community Grants
 - i. Policy update continues to incorporate previous Sports Council funding support.
 - ii. Three funding applications have been approved (\$500 each) for athletes representing NSW Country at National Youth Football Championships.
 - c. External Grants
 - i. No 'one size fits all approach' when it comes to grants. Contact the SRLO if you think you have a project eligible for an available grant.
 - ii. Hockey – do we have a consultation process for sports? Hockey have been pushing for years for an all-weather multi-sport facility but there is no budget allocated in the next four years. Conversations to continue off-line.
 - d. Play like a Girl Program
 - i. Council Officer to confirm budget for four scholarships.
 - ii. Application and judging process to be managed by Play Like a Girl.
3. Glen Willow Operations
 - a. Traffic Management
 - i. Feedback generally positive. There are difficulties with installing a permanent solution for Pitts Lane due to residents. A reminder to sports that their support is needed to ensure barriers remain in place.
 - b. Renovation programming
 - i. Existing bookings will still be accommodated on other fields. Affected sports will be contacted.

ii. Closure dates (subject to change):

Field/s	Closure Dates
Stadium	31/10 or 14/11 to February (Charity Shield date TBC) Post-Charity Shield to 7/4
Field 2	10/10 to 7/11 Post-Charity Shield to 7/4
Fields 3-6	19/9 to 10/10 3/4 to 14/4
Field 7/8	29/8 to 10/10 3/4 to 28/4
Junior League	12/9 to 10/10
Rugby Union	
Field 1	10/10 to 18/10 and 2/1 to 3/2
Field 2	21/11 to 3/2

- c. Disabled toilet at Stadium was approved by Planning last week. Construction to begin in next couple of months after procurement process.

4. Parks Usage Policy and Wet Weather

- a. Council's website is the best source of information and is updated by 2.00pm when required (i.e. during rain events).
- b. Parks Usage Policy will be reviewed and include a wet weather inspection form to be completed by Council Monday to Friday. Further consultation needed to confirm weekend arrangements.
- c. Sports are reminded that they should still be completing risk assessments specific to their sport (from their governing body)
- d. Sports are reminded of the Council contact
 - i. SRLO during business hours:
On-call contacts:
 - ii. Building Services: 0429 814 037 or 0417 630 624
 - iii. Greenkeeper: 0408 567 564

5. Recreation Strategy

- a. Consultant will be engaged to update Councils Recreation Strategy. The process will involve consultation with all sport

6. General Business

- a. Sports Awards – proposal for Council to sponsor one perpetual award per sport. SLRO to develop criteria, budget and recognition process to commence for Summer 22/23 season.
- b. There was discussion around how we still bring all sports together
- c. Guest Speaker – it would be good to invite a guest speaker to the next meeting. Send any ideas to the SRLO.

Next Meeting: Monday 27 February

Meeting Ended: 7.45pm

WORKING WITH COUNCIL

Play like a Girl Australia have been working with local councils to successfully provide fully funded scholarships for girls and women to participate in the Play Like a Girl leadership development program.

Help us engage, inspire and educate girls and women in your local area.

Benefits:

- Keep girls participating in sport by providing education and support
- Provide opportunities for girls and women to develop leadership skills
- Empower local community members to become role models in your area.



"Thank you so much for the opportunity to participate in the Play like a Girl Australia Leadership Program. I couldn't have known going into it how valuable the lessons learnt would be for me, in sport, uni and in general life. The other women on the program were incredible to hear and learn from and not to mention our mentor Holly who was awesome at guiding us through it all. It isn't very often (if ever) that strangers (at the beginning of the course - obviously not anymore) can provide you with a such a sense of belief and guidance toward your goals. Although 5 weeks absolutely flies by, I learnt so much across the different modules and am very grateful for the opportunity"

68% of young people's mental health worsened during lock-down, with young women reporting higher loneliness, social anxiety and depressive symptoms than men. By supporting young women's access to this program, Council hopes to provide an environment where young women can come together, reconnect and embrace being female in sports. Females in your local area aged 16 and over who participate in sports are encouraged to apply.

WORKING WITH COUNCIL



I just wanted to say a massive thank you - I cannot believe how empowering this course has been. I cannot wait to compile all my key learnings in an easily accessible place to continuously remind myself of these tools. I also cannot wait to see where these skills take me. I already feel so much more empowered at training and confident, which has allowed me to have much more fun - this is invaluable so I cannot thank you enough :)

How it works:

- Council invests in a scholarship package (e.g group of 10 scholarships)
- PLAG provides all promotional collateral with appropriate branding requirements including social media tiles and posts, EDMS & more.
- Council promotes scholarships to Clubs in their local area
- Girls and women complete an application form
- Council and/or PLAG to select desired candidates from the list of applicants
- PLAG onboards participants and hosts online program
- Participants agree to engage in promotional activities with Council, including content for publications and social media, such as photos and interviews/quotes

Council investment per person: \$1,495.00pp

Discounts apply when investing in a group scholarship package.



Five Council-funded positions available for the Play Like a Girl leadership development program

Published 10 May 2022 [Healthy Community](#)

We're funding five young women to participate in the Play Like a Girl leadership development program in June this year.

The program, developed by Victoria's own athlete Holly Bailey, is the first in Australia to guide young females' personal and professional journeys through a sports lens. Any young Manningham females aged 16 and over who participate in sports are encouraged to apply.





PLAY LIKE A GIRL

For girls who kick serious life goals



ABOUT US

WHAT WE DO

**"WE EMPOWER GIRLS TO KNOW THAT
PLAYING LIKE A GIRL IS A LIFE STRENGTH,
NOT A DEROGATORY SLEDGE"**

Play Like a Girl is the first leadership development program in Australia to guide the personal and professional journey of girls through a sports lens.

This flagship program gives girls a five-step blueprint to building a toolbox of mindset and self-belief strategies that can be used in any arena where a girl wants to make her mark.

Over five consecutive weeks girls are drip-fed short sharp video content that is really relatable, easy to consume and engaging to watch. Each lesson includes a well-crafted worksheet to help participants connect further with the course material and apply the teachings to their own lives. We also provide weekly mentoring sessions and a valuable online community for girls to discuss what they're learning and bounce ideas off each other.

Play Like a Girl teaches young females how to prepare well off-field so they can **play to their full potential** when it counts.

We focus on training the brain, not just the body.

We embrace and promote girls being playful, expressive and vibrant.



BACKGROUND

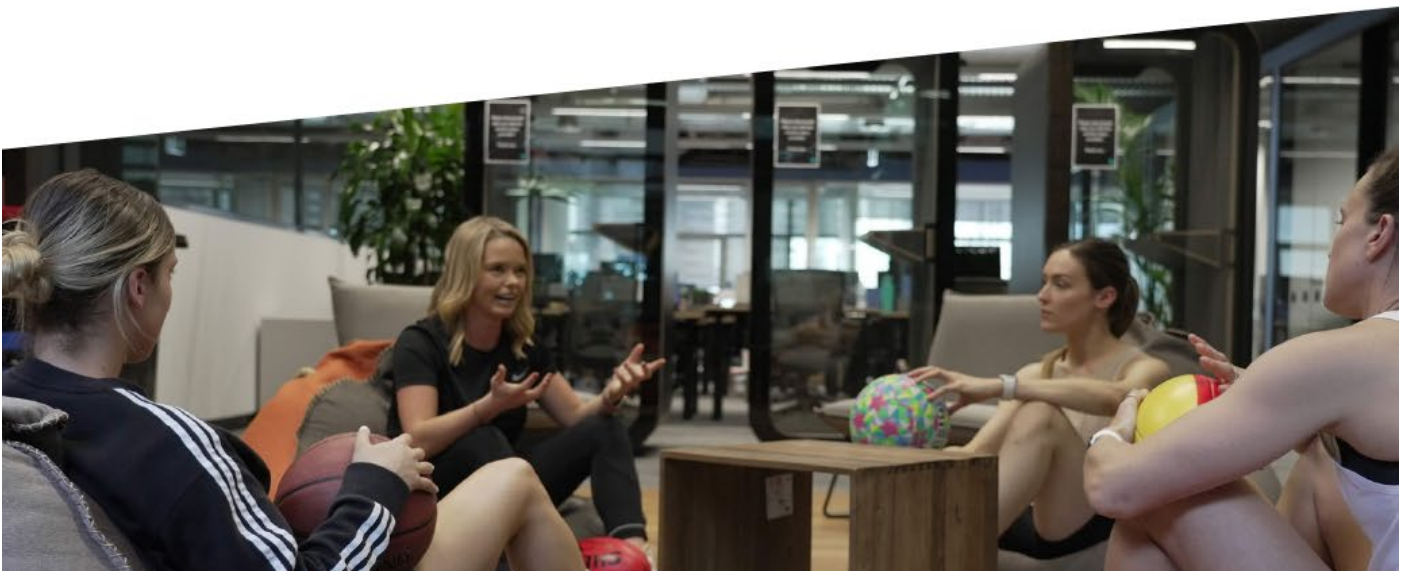
Play Like a Girl is the brainchild of Victorian athlete Holly Bailey, who grew up trailing her dad to cricket and footy games and wrestling with her big brother.

Holly learned to get by through being tough and holding her cards close to her chest. As a top netballer turned VFLW star, it wasn't until she had a personal epiphany during a discussion with a coach that Holly—then in her mid 20s—realised how limiting self-beliefs had held her back.

“I'd spent years not embracing my feminine traits,” says Holly. “It was a huge lesson and I don't want any other girls to waste potential and ambition by closing down parts of themselves. Really embracing those parts I suppressed is now my greatest strengths”.

“The lens I look through in everything I do is unity,” says Holly. “How can we come together to uplift each other? How can we utilise the collective to learn, grow, thrive?”

The outcome I want for everyone is to feel connected and unified, to themselves, to others and to their sport.”





WHY THIS MATTERS



50%
OF GIRLS QUIT SPORT
BY THE AGE OF 17

Two-thirds of girls turn their back on sport even after acknowledging that sport can make them feel more confident.



ROUGHLY ONE IN TWO PARENTS OF GIRLS ARE CONCERNED ABOUT THEIR DAUGHTERS SELF-ESTEEM

9 IN 10 GIRLS



Nine in 10 girls derive confidence through support from friends and family.

1 in 3 Girls

QUIT BECAUSE THEY DON'T THINK THEY'RE VERY GOOD AT IT

It's estrogen that supports the part of the brain involved in social skills and observation, which promotes the need for connection in girls. What it doesn't promote, however, is risk-taking and competitiveness —two main ingredients in confidence building that you gain through sport.



68%
OF YOUNG PEOPLES' MENTAL HEALTH GOT WORSE DURING LOCKDOWN

A significant proportion of young Australians reported problematic levels of loneliness

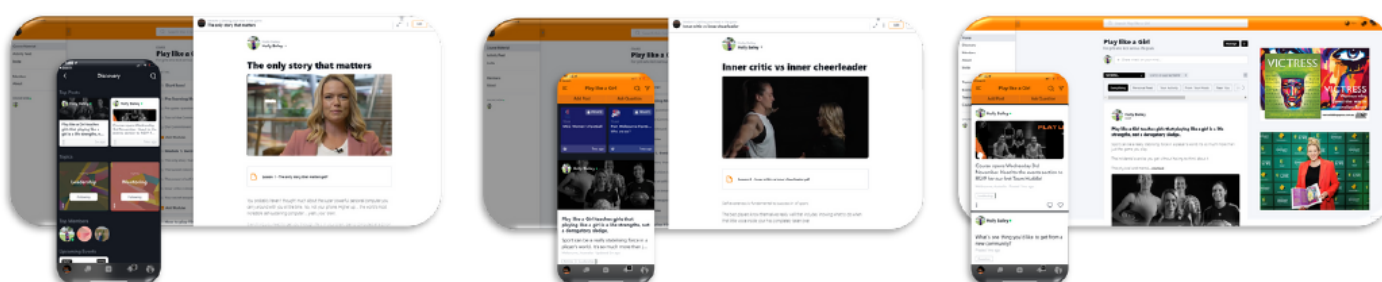
Young women reported higher levels of loneliness, social anxiety and depressive symptoms than young men




BUDGET, TIMELINE, AND DELIVERABLES

The Play like a Girl online program costs \$1,495 + GST per person for the whole year. This includes:

- Our flagship five week online leadership program
 - The flagship program gives participants a five-step blueprint to building a toolbox of mindset and self-belief strategies that can be used in any arena where a girl wants to make her mark.
- Short sharp video content that is easy to consume, engaging to watch and really relatable
 - A new module will be available each week
 - Each module contains 5 short videos, less than 5 mins each
- Downloadable workbooks and resources
 - Downloadable and editable PDF worksheets. Girls are encouraged to comment in the newsfeed and share learnings.
- Five one hour live group mentoring sessions
 - Weekly live mentoring sessions give girls the opportunity to engage with each other and ask questions.
- 12 months membership to Play Like a Girl online community
 - Access to resources including live discussion groups, blogs and interviews with female trailblazers
 - An active online community platform where team spirit runs in our DNA
- Your very own copy of The Victress Book
 - This beautiful book is a tribute to our favourite female athletes. Participants in the program will refer to the book throughout the program.



TESTIMONIAL




I just wanted to say a massive thank you - I cannot believe how empowering this course has been. I cannot wait to compile all of my key learnings in an easily accessible place to continuously remind myself of these tools. I also can't wait to see where these skills take me, I already feel so much more empowered at training and confident, which has allowed me to have much more fun - this is invaluable so I cannot thank you enough :)

Jess Reilly



E-LEARNING MODULES



This flagship program gives girls a five-step blueprint to building a toolbox of mindset and self-belief strategies that can be used in any arena where a girl wants to make her mark.

Module 1: Getting your head in the game

This module is about bringing awareness to your thinking and realising how much your mindset impacts the way you play. Girls get access to a whole new way of thinking, a broader perspective, and gives them the essential skills they need love the game, no matter which arena they decide to play in.

Module 2: How to play YOUR game

This module is about putting you in the driver's seat and gives participants control over the game they play. They'll learn how to realign their focus, how to reframe setbacks into opportunities and we'll give you the power to step it up at any point in the game.

Module 3: Working Better Together

This module is about accepting that nobody can do it all by themselves and instead it's about getting better as a team and leveraging everybody's skills. This where we getting off the side lines, ask for the help we need and discover how to be brave and put selves out there.

Module 4: As you imagine, so you lead

This module is about playing a bigger game. We've learned what it means to be a great team player and now it's time to step up into your leadership potential. It's time to to decide what kind of leader you want to be, what legacy you want to leave and how to use your own unique strengths to bring it all together.

Module 5: Playing like a Girl

The final module drills down into the essence of being feminine and why Playing like a Girl in sport, life and career is the ultimate power move. This module is about preparing you to shine in the world, embracing your natural traits and knowing for sure that being a girl empower us rather than impacts us.

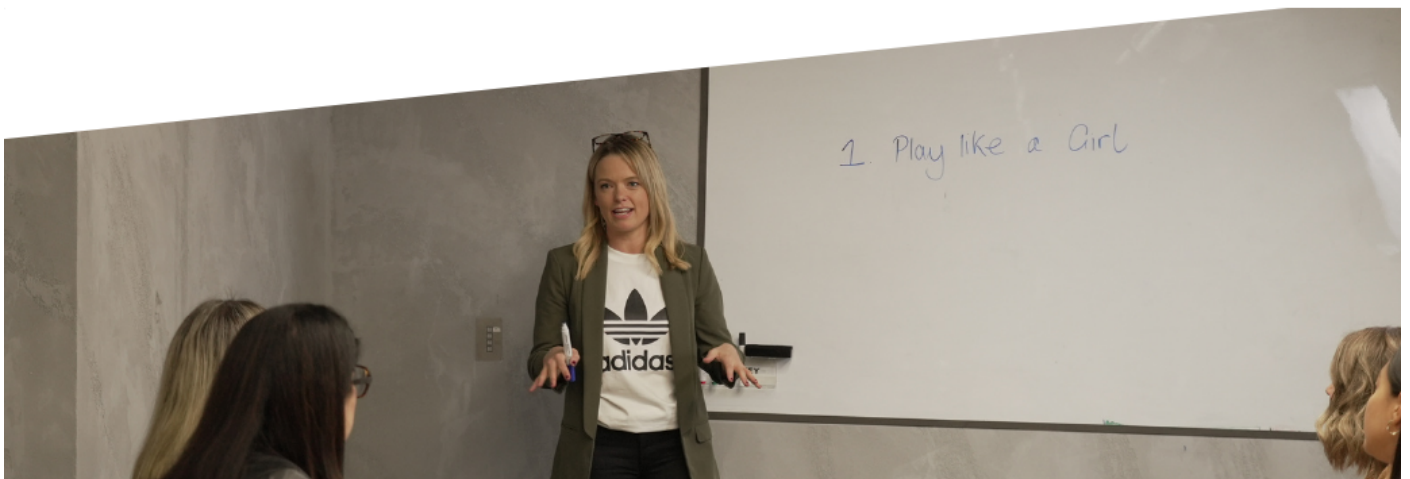
COURSE CURRICULUM

Module one:

- Identify stories that limit your ability to achieve your goals
- Reframe previous situations into stories that empower you
- Develop an internal source of motivation that you can tap into at any time
- Identify negative patterns and develop series of statements that empower you
- Develop awareness of your inner self-talk and discover ways to perform well mentally whilst under pressure
- Learn ways to use your body language to influence your confidence and improve performance

Module 2:

- Decide on your sporting aspirations and create a vision for your future, beginning with the end in mind
- Learn ways to stay focused and reduce stress
- Design good habits and break bad ones
- Discover how to stop comparing yourself to others and decide on your own set of benchmarks
- Develop your own feedback tool so you always have a method of assessing your own performance



COURSE CURRICULUM

Module 3:

- Identify your own unique strengths and identify ways to put them into action
- How to cultivate a positive team environment and be a good role model
- Explore and understand your association to asking for help and turn it into a skill
- Identify the emotions you experience on game day and learn how to use them as a tool
- Tips to increase connection and develop chemistry in your team

Module 4:

- Learn about girls who have made Australian sporting history
- Discover ways of cultivating courage in your life
- Choose the leadership values and behaviours that are most important to you
- Learn a simple tool to help you overcome imposter syndrome
- Establish your leadership legacy and the positive impact you'd like to have in the world
- Understand how leadership is changing, what leaders of today look like and why girls have never been better positioned to lead.

Module 5:

- Identify your gender mindset and craft your own definition of what "Play like a Girl" means
- Bring everything you've learned together to create a '(Victress) vision board' that's represent your goals and dreams in life.
- Understanding the power of visualization and how athletes use it to train their brain
- Anticipate future challenges and discover why reparation is important to your success
- It's time to take what you've learned and Play like a Girl in sport, school and life because it is your ultimate power move.

WHAT OUR PARTICIPANTS SAY



Thanks so much for allowing me to be involved in this program, I have absolutely loved it!

Chelsea Quinn

Thank you for the opportunity to be a part of this program, it has opened my eyes and will help me not only in my own game but help me help my team and help me become a better Leader that will one day lead me into coaching.

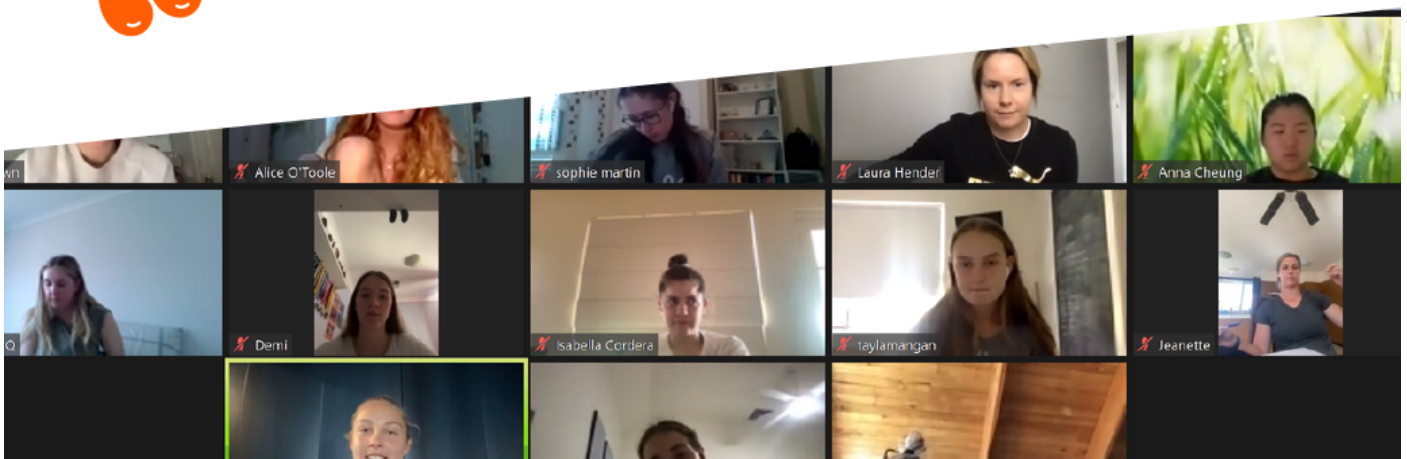
Michaela Williams

Thank you for the opportunity to be apart of this incredible community! I really enjoyed it and I thank you for what you are teaching young woman in the sporting industry.

Jeanette Brown

Thank-you very much for putting together an awesome course! I sincerely believe the learnings I've taken away will improve my footy performance significantly.

Isabella Stutt



PARTICIPANT SPONSORSHIP

Your Participant Sponsorship enables a young women to gain the skills, information and self-confidence needed to thrive in sport and life.

We provide positive brand association to show that your organisation has made a valuable contribution to a purposeful initiative.

Objectives:

- Enabling future leaders
- Positive brand association

Your investment for this program is \$1,495 + GST per person

Group Packages:

Sponsor 10 participants - \$14,450 + GST (save \$500)

Sponsor 20 participants - \$28,900 + GST (save \$1,000)

Sponsor 50 participants - \$72,750 + GST (save \$2,000)

When you sponsor 10 or more girls to participate in our program, a social media campaign will be designed. See sample below:



WINNING THROUGH DIVERSITY AND INCLUSION

Empowering girls and women is essential to achieving a diverse and inclusive culture.

Play like a Girl Australia provides a framework for effective corporate involvement in the development of female talent.

Whilst we teach leadership skills through sport, our programs have been designed to teach valuable life and leadership skills that can be applied to any area of life.

We play a pivotal role in connecting community sport, emerging leaders (who are actively and passionately developing leadership skills), with corporate opportunities.

For organisations that are highly committed to gender diversity, our pathways partnership aims to provide career pathways for girls and women, resulting in greater female representation in their workforce.

At Play like a Girl Australia, we are committed to achieving gender equality in all that we do.

We proudly support the Sustainable Development Goals designed by the UN. Our organisation is dedicated to goal five, "achieving gender equality and empowering all women and girls".



CASE STUDY

Our generous partners at Highview Accounting and Financial & DHM Talent Management sponsored 50 places in our program which means the first 50 girls to submit an application have their entire course fee covered (\$1,495 value).

To ensure our sponsors receive positive brand recognition, we prepared a landing page and developed a co-branded marketing campaign to promote the generous sponsorship.

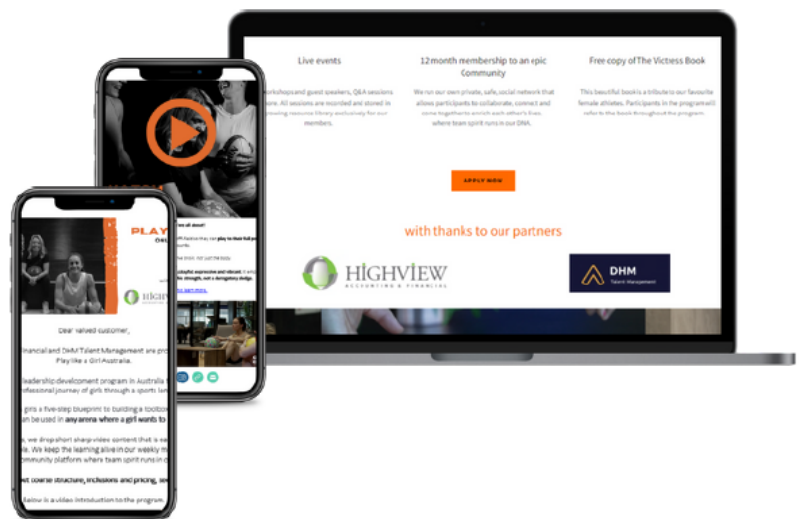
Social tiles



Landing page



Email templates





Get in touch with us:

www.playlikeagirlaustralia.com

<https://www.instagram.com/playlikeagirlaustralia>

<https://www.facebook.com/playlikeagirlaustralia/>

Holly Bailey

Founder

info@playlikeagirlaustralia.com

0422 133 572



11.6 Indoor Pool Business Case - Interim Report

REPORT BY THE MANAGER - RECREATION SERVICES

TO 21 SEPTEMBER 2022 ORDINARY MEETING

GOV400098, GOV400088, FO640002

RECOMMENDATION

That Council:

1. **receive the report by the Manager - Recreation Services on the Indoor Pool Business Case - Interim Report;**
2. **note the contents in the Mudgee Indoor Pool Business Case Interim Report and the data to be used to guide future aquatic services;**
3. **provide in principle support for design Option 2a detailed in this report as Council's preferred design option;**
4. **investigate financing options and grant opportunities for the construction of an indoor swimming pool; and**
5. **request that a further report be brought back to Council to deliver the final Business Case document.**

Executive summary

The attached interim report on the Mudgee Indoor Pool Business case focuses on the design options, capital and operational implications and provides the necessary information for Council to determine a preferred design option.

Disclosure of Interest

Nil

Detailed report

The Mudgee Olympic Pool is an important aquatic recreation facility for the Mid-Western community. Currently the facility only offers outdoor seasonal facilities and as such it has been the communities desire to upgrade or expand aquatic facilities to provide an all year-around access facility.

To date there has been considerable planning and forethought given to this project. A vital component of considering such an asset comes the requirement of considering the capital and ongoing operational and asset management costs associated with constructing such a facility through a business case.

At the August 2021 Council meeting, Council resolved to progress with four slightly varied facility design options into a detailed business case. The design options are presented in the table below. It was also resolved that any new aquatic facility provisions were to be constructed at the existing site in Lawson Park, Mudgee.

Option	Features
1a	New indoor 25 pool (8 lane), program pool and leisure play Retain existing outdoor 50m pool and water park Health and Fitness Centre
1b	New indoor 25m pool (8 lane), program pool and leisure play Retain existing outdoor 50m pool and water park
2a	New indoor 50m pool (8 lane), program pool and leisure play Retain existing outdoor waterpark Health and Fitness Centre
2b	New indoor 50m pool (8 lane), program pool and leisure play Retain existing outdoor water park

Interim Report

C Leisure have been engaged to develop the business case for the Mudgee Indoor Pool project. The objective of the business case is to present Council with a detailed analysis of the investment rationale and recommendations for optimum delivery strategy for the proposed redevelopment.

The Business Case nears completion with an interim report being supplied to Council in July 2022. The interim reports focuses on the design options, capital and operational implications to Council and provides the necessary information for Council to determine a preferred option to finalise the Business Case. The interim report is attached to this report- Attachment 1.

A Quantity Surveyor report has been commissioned to estimate the current costs of each design options- Attachment 2. Concept design plans been developed by suitably qualified recreation facility architects- Attachments 3.

The below financial implication summary (base model) reveals the projected annual operating budget against the estimated construction costs for the various design options. This is one of the various pieces of documented evidence provided to assist Council in the decision making process. It is important to note that the business projections include an element of critical assumptions to which are detailed in the interim report.

	Indoor 25 m Pool with H&F facilities	Indoor 25m pool only	Indoor 50m Pool with H&F	Indoor 50m Pool only
	*10 year average p/a	*10 year average p/a	*10 year average p/a	*10 year average p/a
Base Model				
Annual Operating Position	-\$379,263	-\$845,678	-\$659,665	-\$1,331,885
Provision - Refurbishment/Lifecycle Costs	-\$40,500	-\$36,000	-\$49,500	-\$45,000
Existing Operating Contribution-savings (Av Last 3 years)	\$402,658	\$402,658	\$402,658	\$402,658
Existing Depreciation Provisions -savings (2021/22)	\$93,000	\$93,000	\$93,000	\$93,000
Provision - Depreciation (2%)	-\$818,399	-\$733,159	-\$957,710	-\$892,675
Net Annual Cost/ Return to Council	-\$760,245	-\$1,135,701	-\$1,189,083	-\$1,790,554
Projected annual attendances	206,691	165,886	207,491	167,130
Mudgee Curent attendances (Av Last 3 years)	63,037	63,037	63,037	63,037
Estimated Construction Cost (QS) GST EX	\$40,919,973	\$36,657,973	\$47,885,483	\$44,633,737
Estimated Total Project Build Cost (QS) GST EX	\$52,196,937	\$46,805,973	\$60,843,483	\$56,706,737

The build costs for the options are estimated to range from \$36,657,973 to \$47,885,483 which includes design contingencies, preliminaries and margins, locality allowances, cost escalations to tender and during construction. It is also important to note that the construction costs are used for depreciation in the operating projections for each option.

Construction contingencies, professional fees (including project management fees), authority fees and charges, furniture and fit out estimates have been included in the total project build costs that range between \$46,805,973 and \$60,843,483 for the options.

Preferred Design Option

An important component in finalising the Business Case is for Council to endorse a preferred design option. Council are encouraged to analyse the documented evidence provided within the interim report with respects to community benefits, costs associated with the construction, on-going asset management and operational commitments prior to committing to a preferred design option and progressing with the project.

It understood that Council have been presented with the following information and/or predicaments with respects to identifying a preferred design option and progressing the project:

- concede that this project involves significant capital investment and ongoing financial implications;
- acknowledge recent increases in the construction industry has significantly impacted initial capital expenditure forecasting;
- accept that the project is to be considered a 'generational' project consisting of a 50+ year lifecycle;
- accept that the longer Council delays progressing the indoor pool project construction costs may continue to increase resulting in significant increase in capital expenditure;
- acknowledge that the most economically viable option would be to construct option 1a;
- acknowledge that design option 1b represents the least expensive construction cost to achieve indoor aquatic provisions;
- note that the inclusions of health and fitness provisions significantly contributes to the annual operational cost recovery;
- note potential sensitivities associated with Council operated health and fitness services;
- accept that the current outdoor 50m and toddler pool are an ageing asset that has already exceeded typical useful life expectancy. It is highly likely that significant capital upgrade will be required in the near future to maintain industry standards;
- determine whether an indoor 50 metre pool or an indoor 25 metre would be most appropriate to meet community needs for now and into the future;
- note current aquatic facility planning benchmarking suggests that a financially viable 50 metre pool requires a population catchment greater than 100,000;
- note long-course swimming competitions would be the activity most impacted in the event a 50 metre option was no longer available. The Gulgong pool would be the nearest Olympic size swimming pool;
- accept that existing foyer and change room facilities are no longer fit-for-purpose in contemporary design standards and as such are not recommended to be retained; and
- acknowledge emerging industry trends towards aquatic users preferring indoor aquatic services over outdoor due to safeguarding against UV exposure.

Council Officers continue to support that all options are practicable in achieving year-round access to aquatic facilities for residents of the Mid-Western. They also continue to meet the needs of previously identified target markets for the project.

Whilst it is evident that the indoor 50 metre pool options would attract additional capital and operational costs, it should be highlighted that the practical benefits outweigh the financial implications. Most notably addressing the ageing outdoor pool assets so that it is no longer a burden to Council. Other benefits include the ability to continue to support long course swimming competitions, support the fluctuation in pool visitations during the warmer months whilst respecting the emerging industry trends towards favourable indoor pool use to safeguard against UV exposure and importantly minimising impacts to the sites footprint within Lawson Park.

Given the significant contribution to the annual operating cost recovery it is recommended that the provisions of health and fitness be included in the project. It is therefore recommended that Council proceed with option 2a as the projects preferred design.

Community Plan implications

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

Strategic implications

Council Strategies

Delivery and Operational Plan
Recreation Strategy

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

This report does not seek any further funding towards the project. The construction costs associated with new contemporary aquatic facilities are significant and will require all funding avenues to be explored in order to achieve project completion. Unfortunately, recent increases in the construction industry has significantly increased the forecasted capital expenditure.

Associated Risks

There are risks in significant amounts for the expenditure for construction of an Indoor Aquatic Centre. This project would involve a significant capital investment and ongoing financial implications and as such is the reasoning behind the development of a Business Case.

PETER RAINES
MANAGER - RECREATION SERVICES

SIMON JONES
DIRECTOR COMMUNITY

8 September 2022

Attachments:

1. Mudgee Indoor Pool Business Case- Interim Report. (separately attached)
2. Mudgee Indoor Pool Business Case- Indicative Cost Plan. (separately attached)
3. Mudgee Indoor Pool Business Case- 25m Pool Concept Plan. (separately attached)
4. Mudgee Indoor Pool Business Case- 50m Pool Concept Plan. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 12: Reports from Committees

12.1 Audit Risk and Improvement Committee Minutes - 12 August 2022

REPORT BY THE EXECUTIVE MANAGER, PEOPLE AND PERFORMANCE
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, COR400236

RECOMMENDATION

That Council:

1. **receive the report by the Executive Manager, People and Performance on the Audit Risk and Improvement Committee Minutes - 12 August 2022;**
 2. **note the support provided by the Committee for additional staff resources required by the ICT team to appropriately address cyber risks as found by the cyber risk audit; and**
 3. **endorse the minutes and recommendations of the Audit Risk and Improvement Committee meeting 12 August 2022.**
-

Executive summary

This report is to advise Council of the matters given consideration at the meeting of the Audit Risk and Improvement Committee held on 12 August 2022.

Disclosure of Interest

Nil

Detailed report

The Audit Risk and Improvement Committee Charter requires the Committee to report to Council at the first opportunity (dependent on meeting schedules) after each meeting held. Attached to this report are the minutes of the 12 August 2022 meeting.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Audit Risk and Improvement Committee Charter
Internal Audit Policy

Legislation

Local Government Act 1993

Financial implications

Not Applicable

Associated Risks

Nil

MICHELE GEORGE
EXECUTIVE MANAGER, PEOPLE AND
PERFORMANCE

19 August 2022

Attachments: 1. ARIC - Confirmed Minutes - 12 August 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Minutes of the Audit, Risk and Improvement Committee

Held at the Council Chambers, 86 Market Street, Mudgee
on 12 August 2022, commencing at 9:32am and concluding at 10:28am.

COMMITTEE MEMBERS PRESENT	Committee Member (Katie Dicker), Independent Member (John Bentley).
COUNCIL OFFICIALS PRESENT	General Manager (Brad Cam), Executive Manager People and Performance (Michele George), Director Community (Simon Jones), Director Development (Alina Azar), Acting Chief Financial Officer (Neil Bungate), Manager ICT (Ian Blake) and Business Improvement Officer (Erin Reid).
EXTERNAL PARTIES PRESENT	Prosperity (Luke Malone), Crowe (Alison Lee), (NSW Audit Office) Unaib Jeffrey.

Item 1: Apologies

Apologies were received for the absence of John Stuart, Julian Geddes and Veronika Barry.

36/22 MOTION: Dicker / Bentley

That the apologies for the absence of John Stuart, Julian Geddes and Veronika Barry be received and leave of absence granted.

The motion was carried with the Committee Members voting unanimously.

Item 2: Disclosure of Interest

Nil.

Item 3: Confirmation of Minutes

37/22 MOTION: Dicker / Bentley

That the Minutes of the previous ARIC Meeting held on 20 May 2022 be taken as read and confirmed.

The committee requested that the 20 May 2022 ARIC Minutes be amended. The title of Alina Azar will be corrected to 'Acting Director Development' to reflect her title at that time.

The motion was carried with the Committee Members voting unanimously.

Item 4: Matters in Progress

Audit Risk and Improvement Committee

SUBJECT	MEETING DATE	RESOLUTION	ACTION
Draft 2021/22 External Audit Engagement	25/02/2022	<p>05/22 MOTION: Bentley / Stuart</p> <p>That the Audit Risk and Improvement Committee:</p> <p>a) endorse the draft 2021/22 External Audit Engagement Plan; and</p> <p>b) schedule an ARIC meeting between 7 October and 19 October 2022 in accordance with the draft 2021/22 External Audit Engagement Plan.</p>	<p>22 Mar 2022 22/3/22 Erin Reid - In consultation with Neil Bungate, a report for the May ARIC Meeting will set the Schedule of Meetings for the next 12 months. A suitable date will be selected for an October 2022 ARIC meeting for the committee to deal with the 2021/2022 Financial Statements as per the draft 2021/22 External Audit Engagement Plan.</p> <p>03 Jun 2022 On 20 May 2022, ARIC endorsed the forward 12 month meeting plan. The Financial Statements will be presented to the 14 October 2022 meeting.</p> <p>Refer to report 6.7 of this agenda.</p>
ARIC Annual Workplan and Four Year Strategic Plan and update on the Draft Risk Management and Internal Audit for Local Councils Guidelines.	25/02/2022	<p>15/22 MOTION: Bentley / Stuart</p> <p>That the Audit, Risk and Improvement Committee:</p> <p>1. note the report on the ARIC Annual Work plan and Four Year Strategic Plan and update on the Draft Risk Management and Internal Audit for Local Councils Guidelines; and</p>	<p>22 Mar 2022 22/3/2022 Erin Reid - the Risk Management and Internal Audit Guidelines due to be adopted into legislation in June 2022. ARIC work plans to be created in the 22/23 financial year.</p> <p>1/08/2022 – 29/07/2022 Erin Reid – advice provided at the Local Government Internal Auditors Network meeting from the OLG is that the Draft Guidelines will</p>

		<p>2. determined to wait for the commencement of the guidelines and develop the annual work plan and four year strategic plan in the 22/23 financial year.</p>	<p>come into effect in the coming months.</p>
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Item 5: Audit

5.1 INTERNAL AUDIT PROGRAM STATUS REPORT
 COR400236, COR400243

38/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee receive the Crowe Internal Audit Program Status Report.

The motion was carried with the Committee Members voting unanimously.

5.2 UPDATE ON INTERNAL AUDIT ACTION ITEMS
 COR400236, COR400236

39/22 MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee note the progress on the internal action items.

The motion was carried with the Committee Members voting unanimously.

5.3 UPDATE ON EXTERNAL AUDIT ACTION ITEMS
 COR400236, COR400236

40/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the progress on the external action items.

The motion was carried with the Committee Members voting unanimously.

Item 6: Risk

6.1 ENTERPRISE RISK MANAGEMENT UPDATE
 COR400236, COR400236

41/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the Enterprise Risk Management update.

The Committee requested that the Mid-Western Regional Council's organisation structure be presented to ARIC once complete in TechOne.

The motion was carried with the Committee Members voting unanimously.

6.2 WORK HEALTH AND SAFETY REPORTS

COR400236, COR400236

42/22

MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the WHS Reports for:

- **May 2022; and**
- **June 2022**

Note error in report states February, March and April. Report administratively updated.

The motion was carried with the Committee Members voting unanimously.

6.3 FRAUD INCIDENT & PROCUREMENT BREACH REGISTERS

COR400236, COR400236

43/22

MOTION: Bentley / Dicker

That the Audit Risk and Improvement Committee note:

1. **that there were no fraud incidents since the last ARIC meeting; and**
2. **that there were no Procurement Breach incidents since the last ARIC meeting.**

The motion was carried with the Committee Members voting unanimously.

6.4 DRAFT PURCHASE CARDS POLICY, REVISED CORPORATE CARDS PROCEDURE AND THE GUIDELINES ON THE USE AND MANAGEMENT OF CREDIT CARDS

COR400236, COR400236

44/22

MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee:

1. **Note the Office of Local Government Guidelines on the use and management of credit cards**
2. **Support the draft Purchase Cards Policy attached to be presented to the Council**
3. **Note the revised Corporate Cards Procedure**

The motion was carried with the Committee Members voting unanimously.

6.5 REVISED FRAUD AND CORRUPTION CONTROL POLICY
COR400236, COR400236

45/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee support the revised Fraud and Corruption Control Policy to be presented to the Council.

The motion was carried with the Committee Members voting unanimously.

6.6 CYBER RISK AUDIT
COR400236, COR400236

46/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee:

1. receive the report on Cyber Risk Audit and note the risks and actions required; and
2. support the recommendation of management that additional staff resources are required to begin to appropriately address these cyber risks

The motion was carried with the Committee Members voting unanimously.

6.7 DRAFT FINANCIAL STATEMENTS 2021/2022
COR400236, FIN300136

47/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the update on the Draft Financial Statements for the financial year ended 30 June 2022.

The draft statement will be distributed to the Committee when complete.

The motion was carried with the Committee Members voting unanimously.

Item 7: Improvement

7.1 UPDATE ON BUSINESS IMPROVEMENT AT MWRC
COR400236, COR400236

48/22 MOTION: Bentley / Dicker

That the Audit Risk and Improvement Committee note the progress on the Business Improvement Program.

The motion was carried with the Committee Members voting unanimously.

7.2 UPDATE ON BUSINESS IMPROVEMENT ACTION ITEMS
COR400236, COR400236

49/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the progress on the Business Improvement action items for:

- **Fraud Control Improvement;**
- **Probity; and**
- **Bushfire Lessons Learnt**

The motion was carried with the Committee Members voting unanimously.

7.3 WORKFORCE STRATEGY 2022-2026

COR400236, COR400236

50/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee:

1. **receive the report by the Executive Manager, People and Performance on the Workforce Strategy 2022-2026; and**
2. **note the Workforce Strategy 2022-2026.**

The motion was carried with the Committee Members voting unanimously.

7.4 COUNCIL DOCUMENTS

COR400236, COR400236

51/22 MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee note the:

1. **MWRC Strategies and Plans - Alignment To The Community Strategic Plan document**
2. **Strategy and Plans checklist; and**
3. **Council Document Register.**

The motion was carried with the Committee Members voting unanimously.

Item 8: General Business

8.1 DRAFT GUIDELINES FOR RISK MANAGEMENT AND
INTERNAL AUDIT FOR LOCAL GOVERNMENT IN NSW

COR400236, COR400236

52/22 MOTION: Dicker / Bentley

That the Audit Risk and Improvement Committee note the OLG Circular No. 22-21 on the draft Guidelines for Risk Management and Internal Audit for Local Government in NSW.

The motion was carried with the Committee Members voting unanimously.

Item 9: Closure

There being no further business the meeting concluded at 10:28am.

12.2 Local Traffic Committee Meeting Minutes - 19 August 2022

REPORT BY THE ADMINISTRATION ASSISTANT INFRASTRUCTURE PLANNING OPERATIONS
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0100009

RECOMMENDATION

That Council receive the report by the Administration Assistant Infrastructure Planning Operations on the Local Traffic Committee Meeting Minutes - 19 August 2022.

Executive summary

The purpose of this report is to advise Council and seek support of the considerations and recommendations of the Local Traffic Committee (LTC).

Disclosure of Interest

Nil

Detailed report

The Local Traffic Committee meeting was held on Friday 19 August 2022.

Three traffic reports were considered:

- Rylstone Street Feast- 5 November 2022
- Mudgee Triathlon Season- 2022/2023
- 2022 A- League Central Coast Mariners v Western United- 29 October 2022

One General Business item included:

- Update on St Matthews Catholic School

Full discussion notes are included in the attached report.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

EMMA ROXBY
ADMINISTRATION ASSISTANT
INFRASTRUCTURE PLANNING OPERATIONS

JULIAN GEDDES
DIRECTOR OPERATIONS

31 August 2022

Attachments: 1. Local Traffic Committee Minutes- August 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

Date: 19 August 2022

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road Mudgee
on 19 August 2022.

Present	Community Member P Blackman, Councillor A Karavas, NSW Police, Transport for NSW W Hazelton, Mr S Fogarty, Transport for NSW Representative, NSW Police Representative, Ray Kearns (MWRC), Lisa Cartmell (MWRC) & Samantha Cecchini (MWRC).
Apologies	Councillor A Karavas, M Fehon, NSW Police G McGovern
Secretary	Emma Roxby (MWRC)

The LTC meeting commenced at 10:00am.

MINUTES OF PREVIOUS MEETING

MOTION CARRIED: Mr Simon Fogarty / Wayde Hazelton

That the Minutes of the previous Local Traffic Committee held on 15 July 2022 be taken as read and confirmed.

2

MATTERS IN PROGRESS

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
Perry Street Parking Issues	15 June 2018	To monitor the parking issues that surround Mudgee High School	18/3/2022 – this will be included as part of the audit. 23/5/2022 – brief with Ray Kearns for approval 21/7/2022-Pull together a brief to put forward a consultant. 19/8/2022- Ongoing
Denison Street and Church Street Intersection	August 2020		Put down traffic counters at the intersection of Denison and Church Street to measure traffic numbers Physical traffic counts have been collected. Report to follow. 21/7/2022- Council to look at DA consent for a left only turn. 19/8/2022-No information in the DA, report to be created and letter to Aldi to see if they are interested in putting up a left turn only.
Henry Lawson Drive and Ulan Rd			TO BE CONTINUED ACTION: MWRC – Ray to provide report for April 2022 meeting. 18/3/2022 Ray advised a Road Audit will be undertaken for this intersection. 27/7/2022- Information is still to be collected and official report to follow. 19/8/2022- TfNSW to review Road safety report.
Menah Ave Mudgee	17 December 2021	LTC 21/051	Council to investigate the traffic flow of Menah Ave and to investigate the rise of the road. 23/5/2022 traffic counters in place. 21/7/2022-Still being investigated.
Mudgee Preschool assessable parking location	February 2022 LTC		Council to speak with Mudgee Preschool to discuss the possibility of assessable parking from Kauri Lane. 23/05/2022 – awaiting response from pre-school. 31/7/2022- Samantha will look after this and work with Director of Operations 19/8/2022- hand over from Director of Operations.

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
Oporto Road Line marking	February 2022		Council to investigate line marking options on Oporto Road to cease parking issues. 21/7/2022- Traffic volume analyses completed, consultation with rangers. 19/8/2022- Scheduling Line markings with the Roads Department.
Jaques Street Kandos	March 2022		Request to extend the bus zone on Fleming Street to Jaques Street to be investigated by Council and TfNSW 23/5/2022 – TfNSW to review changes from 2019. 21/7/2022- Meeting between stake holders for consultation 19/8/2022- Meeting took place with Stakeholders.
Barigan Street	April 2022		To investigate parking concerns in the street in the afternoon when students from Cudgegong Public School leave for the day 21/7/2022- School to communicate to students in newsletter. Further investigation required. 19/8/2022- School has committed to look into this- Remove for next LTC
Request for accessible parking in Cudgegong Street Rylstone	May 2022		17/6/2022 Council to further investigate. Work to be scheduled.

PAST EVENT DEBRIEF

EVENT	

CALENDAR OF EVENTS

2022		
JANUARY	DATE	COMMENTS
FEBRUARY	DATE	COMMENTS
NRL Charity Shield	26 February 2022	
MARCH	DATE	COMMENTS

4

Outback Classic Trial	31 March 2022	
Sunset Sounds	26 March 2022	cancelled
Mudgee Endurance Ride		cancelled
APRIL	DATE	COMMENTS
NRL Premiership Round 4	2/4/2022	
ANZAC Day Parade and Marches	25/4/2022	
MAY	DATE	COMMENTS
Mudgee Classic Cycle Event	1 May 2022	
Windeyer Endurance Ride	14 th & 15 th May 2022	LTC approval not required.
Kandos Street Machine and Hot Rod Show	2 May 2022	LTC endorsed
JUNE	DATE	COMMENTS
Mudgeeque Henry Lawson Festival	4 June 2022 11 June 2022	
JULY	DATE	COMMENTS
Small Farm Field Days	8 th & 9 th July 2022	
AUGUST	DATE	COMMENTS
Mudgee Running Festival	21 August 2022	
SEPTEMBER	DATE	COMMENTS
Mudgee High School Rainbow Day	22 September 2022	
Flavours of Mudgee	24 September 2022	
OCTOBER	DATE	COMMENTS
Mudgee Triathlon Season	23 October 2022	
A-League Central Coast Mariners v Western United	29 October 2022	
NOVEMBER	DATE	COMMENTS
Rylstone Street Feast	5 November 2022	
DECEMBER	DATE	COMMENTS

Red = Unapproved
 Green = Approved

22/035 RYLSTONE STREET FEAST - 5 NOVEMBER 2022

RECOMMENDATION

That Council Approve the event – Rylstone Street Feast, 5 November 2022 – classified as a Class 2 Event under the ‘Guide to Traffic and Transport Management’ for Special Events Version 3.5 with the following conditions:

- a) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event.
- b) A Traffic Guidance Scheme (TGS) certified by a person with a Prepare a Work Zone Traffic Management Plan or maintain a current Select and Modify Certificate or the Design and Audit Certificate under the old qualifications framework to be included in the TMP
- c) Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
- d) Events are to be undertaken in accordance with the requirements of the NSW Police Service with their approval documentation forwarded to Council for notation;
- e) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, the Roads and Maritime Service and NSW Police Force are indemnified against any possible action as the result of the event;
- f) Controlling noise as required by the Protection Of The Environment Operations (Noise Control) Regulation 2000;
- g) Reimbursing Council for the cost of damage repairs;
- h) Complying with any of Council’s Law Enforcement Officers’ directives;
- i) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- j) The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected at least two weeks prior to event commencement;
- k) Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- l) Maintain a four-metre wide emergency vehicle lane;
- m) Notify NSW ambulance and NSW Fire Brigade of the event;
- n) The organiser is to have a debrief with Council and Police with all traffic control o) documentation and controls tabled for review; and
- p) Traffic Control plan to be in accordance with Roads and Maritime Services Traffic Control at Worksites Manual.

Committee Comments

Update TGS
Clarify funding from Council

MOTION CARRIED: Mr Simon Fogarty / Wayde Hazelton

The motion was carried with Councillors voting unanimously.

MOTION:

That the above recommendation be accepted and approved.

6

MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 19 AUGUST 2022

22/036 MUDGEES TRIATHLON SEASON- 2022/2023

MOTION CARRIED: Mr Simon Fogarty / Phillip Blackman

The motion was carried with Councillors voting unanimously.

RECOMMENDATION

That Council Approve the event – “Mudgee Triathlon Race Season 2022/23”, be classified as a Class 2 Event under the ‘Guide to Traffic and Transport Management for Special Events Version 3.5’ and proceeds with the following conditions:

- a) Events are to be undertaken in accordance with the “Guidelines for Bicycle Road Races”;
- b) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the “Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event;
- c) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- d) Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000;
- e) Reimbursing Council for the cost of damage repairs;
- f) Complying with any of Council’s Law Enforcement Officers reasonable directives;
- g) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- h) A Traffic Guidance Scheme (TGS) certified by a person with a ‘Select & Modify ‘or a ‘Design and Audit’ Certificate be included in the TMP;
- i) Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;
- j) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, RMS and NSW Police Force is indemnified against any possible action as the result of the event;
- k) The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
- l) Maintain a four-metre wide emergency vehicle lane;
- m) Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
- n) The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and
- o) Transport for NSW consent required for use of the State and Regional road network.

Committee Comments

- Add an event marshal at the Rocky Waterhole Road causeway because it is a single-lane crossing. It would also require monitoring in wet weather.
- Updated TGS required

MOTION CARRIED: Mr Simon Fogarty / Phillip Blackman

The motion was carried with Councillors voting unanimously.

MOTION:

That the above recommendation be accepted and approved.

22/037 2022 A-LEAGUE CENTRAL COAST MARINERS V WESTERN UNITED- 29
OCTOBER 2022

RECOMMENDATION

That the proposed event “2022 A-League Central Coast Mariners v Western United” held on 29 October 2022 be classified as Class 2 events under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:

- a. **A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.4* and submitted to and approved by Council prior to the event;**
- b. **Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;**
- c. **Controlling noise as required by the *Protection of the Environment Operations (Noise Control) Regulation 2000*;**
- d. **Reimbursing Council for the cost of damage repairs;**
- e. **Complying with any of Council’s Law Enforcement Officers’ reasonable directives;**
- f. **Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;**
- g. **A Traffic Guidance Scheme (TGS) certified by a person with a Prepare a Work Zone Traffic Management Plan or maintain a current Select and Modify Certificate or the Design and Audit Certificate under the old qualifications framework to be included in the TMP;**
- h. **Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;**
- i. **Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police Force and TRANSPORT FOR NSW is indemnified against any possible action as the result of the event;**
- j. **The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected;**
- k. **Maintain a four-metre wide emergency vehicle lane;**
- l. **Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;**
- m. **The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review**

Committee Comments

- **Car park 4 will now have an extra 100 spaces for general public tickets this is a new set up for an event at Glen Willow.**

MOTION CARRIED: Transport for NSW Wayde Hazelton / Simon Fogarty

The motion was carried with Councillors voting unanimously.

MOTION:

8

MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 19 AUGUST 2022

That the above recommendation be accepted and approved.

22/019 GENERAL BUSINESS

RECOMMENDATION

That Council receive the general business as noted and any actions from the general business to be investigated by the Committee further.

St Mathews Catholic School-

- 12.5m busses drove the school path and successfully passed. St Matthews continues to update Broadhead and Bruce Road.

MOTION:

That the above recommendation be accepted and approved.

CLOSURE

There being no further business the meeting concluded at 10.44am.

12.3 Botobolar Community Committee Minutes - 30 August 2022

REPORT BY THE DIRECTOR COMMUNITY
TO 21 SEPTEMBER 2022 ORDINARY MEETING
GOV400098, A0060107

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Botobolar Community Committee Minutes - 30 August 2022;
2. endorse the minutes of the Botobolar Community Committee meeting held on 30 August 2022;
3. endorse the Memorandum of Understanding between Council, the Rural Fire Service and the Botobolar community for the use of the Botobolar Fire Shed facility; and
4. provide the Botobolar Community Committee with a budget of \$10,000 for additional maintenance and improvements to the facility in the 2022/23 financial year to be funded from the Asset Replacement Reserve.

Executive summary

The Botobolar Community Committee recently held a meeting on 30 August and a range of matters were discussed. The minutes from the meeting are presented to Council for information and endorsement.

Disclosure of Interest

Nil

Detailed report

The Botobolar Community Committee has successfully negotiated a Memorandum of Understanding between Council and the Rural Fire Service for the use of the facility. This MOU is now presented to Council and is recommended for endorsement.

There are a number of small maintenance and improvement projects that the Committee has put forward for the facility. While the majority of the funds for these projects are being paid for by the local brigade, a request for funds from Council has been made by the Committee and it is recommended that an amount of \$10,000 is provided for these works.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

While the local rural fire brigade will provide the majority funds for the minor projects requested, it is recommended that Council also contribute \$10,000 to the works in the 2022/23 financial year. This will assist in future asset management of the facility.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2022/23	-	-	✓
Future Years	-	-	-

Associated Risks

Risk is mitigated by having clear documentation in place for the use of the Botobolar facility and ensuring all parties know who is responsible for matters that arise. As the facility is on Council land, it is important that the building asset is maintained in good condition.

SIMON JONES
DIRECTOR COMMUNITY

2 September 2022

Attachments: 1. DRAFT MOU - MWRC and RFS - Botobolar Community Room and Shed.
2. Minutes Botobolar Community Committee Meeting 30 August 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEES NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
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Memorandum of Understanding for the operation of Cooyal Rural Fire Brigade (Botobolar) Station and the Botobolar Community Room Mid-Western Regional Council and NSW Rural Fire Service

1. Purpose

The purpose of this Memorandum of Understanding (MOU) is to facilitate the use of the Cooyal Rural Fire Brigade (Botobolar) Station and the Botobolar Community Room located at 737 Botobolar Road BOTOBOLAR NSW 2850 (Lot 2531 DP1010059). This includes the two firefighting appliance parking bays, community room, storage areas, amenities and the land generally. This MOU is between Mid-Western Regional Council (including the Botobolar Community Committee) and the NSW Rural Fire Service (Cudgegong District).

2. General

- 2.1 This agreement exists between Mid-Western Regional Council (MWRC) and the NSW Rural Fire Service (NSW RFS) Cudgegong District (on behalf of the Cooyal Rural Fire Brigade).
- 2.2 The Botobolar Community Committee is an Advisory Committee of Council that is constituted under Section 355 of the Local Government Act.
- 2.3 The site of the Cooyal Rural Fire Brigade (Botobolar) Station and Botobolar Community Room is on Council land.
- 2.4 The primary purpose of this facility is to support provision of rural fire services as stipulated by the Rural Fires Act 1997 and Rural Fire Regulations 2021.
- 2.5 A Rural Fire District Service Agreement exists between Council and the NSW RFS.
- 2.6 In circumstances where the Rural Fire District Service Agreement and this MOU are not aligned, the Rural Fire District Service Agreement will take precedence.

3. Responsibilities of Mid-Western Regional Council

- 3.1 The building is vested in MWRC – as per the Rural Fire District Service Agreement – and the owner the land.
- 3.2 MWRC is responsible for building and public liability insurance, and the ongoing asset management of the building, including any relevant fire services and security.

3.3 MWRC will be responsible for the payment of costs for power, water and rates.

3.4 MWRC is responsible for the relevant services connections (water, sewer, electricity)

3.5 MWRC will have keys and access to the building for maintenance and operational requirements. MWRC will provide reasonable notice of any maintenance works.

4. Responsibilities of the NSW Rural Fire Service

4.1 NSW RFS occupies the building as set out in the Rural Fire District Service Agreement

4.2 Keep the premises clean and tidy, and carry out any repairs and maintenance necessary to adhere to obligations under the Rural Fires Act 1997, Rural Fire Regulations 2021, Rural Fire District Service Agreement or as directed by the Commissioner of the NSW Rural Fire Service (or their delegate).

4.3 Liaise with MWRC regarding any significant infrastructure works proposed to the facility.

4.4 Report to MWRC any building maintenance issues requiring attention

4.5 Manage the movement of any NSW RFS firefighting appliances and equipment.

4.6 Maintain centralised key system and register – in line with existing system in place across other NSW RFS Brigade Stations within the MWRC area – with keys provided to MWRC and Botobolar Community Committee

5. Responsibilities of the Botobolar Community Committee

5.1 Manage the ongoing operation of the Botobolar Community Room including any bookings.

5.2 Report to MWRC any building maintenance issues requiring attention.

5.3 Make recommendations to Council for any future capital works.

5.4 Provide a minimum of 10 business days' notice to the NSW RFS Cudgegong District – to be forwarded to the Brigade Executive Committee of Cooyal Rural Fire Brigade – of any community event at the site.

5.5 Movement of any NSW RFS firefighting appliances and equipment is only to be undertaken by a representative of the NSW RFS.

5.6 Ensure that a holder of a Responsible Service of Alcohol (RSA) qualification is present at any community event where alcohol is being served.

6. Minor Dispute Resolution

In the event of a dispute arising, either party has the option of calling for a meeting between representatives to be held within 30 days for the purposes of mediation and conciliation.

7. Termination of Agreement

7.1 This agreement is intended to be an ongoing agreement between MWRC and NSW Rural Fire Service. In the first instance, this agreement is to be in place for five years (until the end of December 2027).

7.2 The option exists for both parties to agree to a review of the agreement at any time.

7.3 The agreement can be terminated at any time by agreement between MWRC and NSW Rural Fire Service.

BRAD CAM
GENERAL MANAGER
MID-WESTERN REGIONAL COUNCIL

TROY PORTER
DISTRICT MANAGER
NSW RURAL FIRE SERVICE

Date:

Date:



MID-WESTERN REGIONAL COUNCIL
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MINUTES

BOTOBOLAR COMMUNITY COMMITTEE

Tuesday 30th August 2022 at the Botobolar Community Hall

Meeting opened at 3.03pm

Present: Cr Des Kennedy, Troy Porter (RFS), Garry Lynch (RFS), David Sargeant, David Swansson, Michael Burnicle, Diane Burnicle, Peter Lynch, Simon Jones (staff)

1. Welcome

Cr Kennedy opened the meeting and welcomed those present.

2. Apologies

Apologies were noted from Neil Williams (RFS), Adam Ellis and Matt Lynch

3. Minutes from the meeting held on 24th May 2022

The minutes were noted and accepted

4. Memorandum of Understanding

A draft Memorandum of Understanding between Council, the Rural Fire Service and the Botobolar community for the use of the facility was developed and circulated to Committee members. The MOU was discussed and it was agreed to by all present.

Motion: The Memorandum of Understanding is supported and is to be presented to Council for endorsement.

Moved: Michael Burnicle; Seconded: Troy Porter

Motion Accepted

5. Capital Works

The Committee discussed possible capital works at the site that would facilitate a better coordinated use of the shed and community room by the RFS and the community.

The main considerations are for additional toilets, an awning, a small storage shed and a 6 metre wide roller door to go between the vehicle shed area and the community room.

RFS Brigade has purchased toilets and has much of the budget available for the works.

Motion: That a request be sent to Council for an additional \$10,000 for the Committee to support the maintenance and minor upgrade works

Moved: D. Swansson/D. Sargeant

Motion Accepted

6. Village Subsidy

It was noted that the Village Subsidy of \$1,500 had been received from Council.

Meeting Closed at 3.44pm

Next meeting – to be confirmed

Item 13: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. (see Section 367 LGA & Clause 14(1) LGMR)
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council (see Clause 14(2)(a) LGMR); or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) (see Clause 14(2)(b) LGMR); or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 (see Clause 14(2)(c) LGMR); or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; (see Clause 14(2)(d) LGMR); or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice. (see Clause 14(3) LGMR)
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. (see Clause 14(4) LGMR)

Item 14: Confidential Session

LOCAL GOVERNMENT ACT, 1993

10A *WHICH PARTS OF A MEETING CAN BE CLOSED TO THE PUBLIC?*

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
 - (a) the discussion of any of the matters listed in subclause (2), or
 - (b) the receipt or discussion of any of the information so listed.
- (2) The matters and information are the following:
 - (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of any code of conduct requirements applicable under section 440.
- (3) A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
- (4) A council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

10D *GROUNDINGS FOR CLOSING PART OF MEETING TO BE SPECIFIED*

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- (2) The grounds must specify the following:
 - (a) the relevant provision of section 10A(2)
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

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DISCLOSURE AND MISUSE OF INFORMATION

- (1) A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:
 - (a) with the consent of the person from whom the information was obtained, or
 - (b) in connection with the administration or execution of this Act, or
 - (c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or
 - (d) in accordance with a requirement imposed under the Ombudsman Act 1974 or the Freedom of Information Act 1989, or
 - (e) with other lawful excuse.

1. (1A) In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with section 10A (1), a person must not, without the authority of the council or the committee, disclose (otherwise than to the council or a councillor of the council) information with respect to the discussion at, or the business of, the meeting.

2. (1B) Subsection (1A) does not apply to:
 - (a) the report of a committee of a council after it has been presented to the council, or
 - (b) disclosure made in any of the circumstances referred to in subsection (1) (a)-(e), or
 - (c) disclosure made in circumstances prescribed by the regulations, or
 - (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.

- (2) A person acting in the administration or execution of this Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.

- (3) A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:
 - (a) the determination of an application for an approval, or
 - (b) the giving of an order.

Maximum penalty: 50 penalty units

MOTION

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

After a motion to close the meeting has been moved and seconded and before the vote, the Chairman will ask if there are any other matters, besides those listed on the agenda which should be considered in Confidential Session.

He will then announce those matters to be considered in Confidential Session. In doing so, the Chairman will give reasons why those matters are to be considered in Confidential Session and explain the way in which discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

CHAIRMAN

The following matters have been listed for consideration in Confidential Session:

14.1 Red Hill Exhibition Space - Agreement

The reason for dealing with this report confidentially is that it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of Commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it..

The Chairman will then ask the General Manager if there are any written representations from the public on the proposed closure of the meeting.

The General Manager will read out any written representations received.

The Chairman will ask if anyone in the gallery would like to make verbal representations in regard to the matters now to be considered in Confidential Session.

The Chairman will then put the motion "to close the meeting" to the vote.

CONFIDENTIAL
SESSION

Item 15: Urgent Confidential Business Without Notice

Item 16: Open Council

Item 17: Closure