



\*\*PUBLIC COPY\*\*

# Business Papers 2022

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING  
**WEDNESDAY 16 NOVEMBER 2022**

*A prosperous and progressive  
community we proudly call home*







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9 November 2022

Dear Councillor,

MEETING NOTICE  
**Ordinary Meeting**  
16 NOVEMBER 2022  
Public Forum at 5.30pm  
*Council Meeting commencing at conclusion of Public Forum*

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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 long 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 19 October 2022**

#### Council Decision:

That the Minutes of the Ordinary Meeting held on 19 October 2022 be taken as read and confirmed.

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The Minutes of the Ordinary Meeting are separately attached.

## Item 4: Matters in Progress

<b>SUBJECT</b>	<b>RESOLUTION NO. &amp; DATE</b>	<b>RESOLUTION</b>	<b>ACTION</b>
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.	<b>To be reported to Council at a future meeting.</b>
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.	<b>To be reported to Council at a future meeting.</b>
Road Maintenance	198/22 Ordinary Meeting 20/07/2022	That Council receive a report for any or all opportunities to improve road network maintenance.	<b>To be reported to Council at a future meeting.</b>
MRI Machine for Mudgee Hospital	268/22 Ordinary Meeting 21/09/2022	That Council write to the Federal MP Andrew Gee and State MP Dugald Saunders seeking MRI Machine and engage with medical community to identify priorities of service needs within the LGA.	<b>To be reported to Council at a future meeting.</b>
Disabled Access and Parking in Gulgong	272/22 Ordinary Council Meeting 21/09/2022	That Council removes Emergency Vehicle Parking Only signage from Herbert Street Gulgong; identify and construct a disabled access ramp at a suitable location between the Gulgong Post Office and Gulgong Medical Centre.	<b>To be reported to Council at a future meeting.</b>
Indoor Pool Business Case	Res 296/22 Ordinary Meeting 21/09/2022	Investigate financing options and grant opportunities for the construction of an indoor swimming pool and that a further report be brought back to Council to deliver a final Business Case document.	<b>To be reported to Council at a future meeting.</b>

## Item 5: Mayoral Minute

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### 5.1 Mayoral Minute: Lake Windamere Camping Inc.

MAYORAL MINUTE  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, F0650111

#### RECOMMENDATION

**That Council provide \$2,500 in financial assistance for materials required for the upgrade of the access road to the Lake Windamere campsite, to be funded from the Community Grants budget.**

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Council has received a request from Lake Windamere Camping Inc. for community grants assistance, and/or materials/resources to upgrade the existing 1.3km gravel access road from the Castlereagh Highway to the campsite. The existing road surface has been severely eroded in many sections due to the wet weather creating significant overland flows that have directly impacted the road formation (see attachment).

The campsite is now being used regularly by a not-for-profit organisation holding camps for youth groups. It has become increasingly difficult, due to the condition of the road, to access the campsite therefore the request for community grants assistance is necessary for the upgrade. The not-for-profit group will be undertaking the work with a group of volunteers and their request for a grant is for the purchase of materials.



CR DES KENNEDY  
MAYOR  
2 November 2022

*Attachments:* 1. Lake Windamere Campsite internal access road damage.



**Attachment: Lake Windamere Campsite access road**

## Item 6: Notices of Motion or Rescission

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### 6.1 Retaining Jubilee Oval

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, A0100035, GOV400022

#### **MOTION**

**That Council reconsider their intention of knocking down Jubilee Oval and the netball courts for housing, and that these sporting fields be retained.**

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#### Background

We need to have other sports fields available for when Glen Willow is flooded and unable to be used. We will need more sports fields in the future and they cost millions of dollars to rebuild.

#### Officer's comments

Council has not yet made any decisions on Jubilee Oval.

## 6.2 Investigation of Flood Mitigation Actions for Lawson Creek

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, A0100035, GOV400022

### MOTION

**That Council investigate what actions can be undertaken to mitigate flooding on Glen Willow Sports fields and the Mudgee Race Course.**

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### Background

We've just had a reasonably major flood with millions of dollars' worth of damage. We need to look at what we can do to protect these facilities in the future, such as a levy bank for Lawson Creek.

### Officer's comments

Council is currently undertaking a review of the Mudgee Flood Study including the Flood Risk Management Strategy and Plan. Subject to changing the scope of this Flood Study investigation and finding a suitable budget, an investigation into this motion may be undertaken. It would be recommended that only a very high level analysis be done initially, to see if this is even feasible.

## Item 7: Office of the General Manager

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### 7.1 MRT Quarterly Report: July to September 2022

REPORT BY THE GENERAL MANAGER  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, F0770077

#### RECOMMENDATION

**That Council receive the report by the General Manager on the MRT Quarterly Report, July to September 2022.**

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#### Executive summary

As per the funding and performance agreement entered into in July 2022 between Mudgee Regional Tourism (MRT) and Council, MRT is required to report quarterly to Council on their performance.

#### Disclosure of Interest

Nil

#### Detailed report

The MRT report for the first quarter of the 22/23 financial year has been delivered to Council in accordance with the funding and performance agreement. The report is attached for Council's consideration.

#### Community Plan implications

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

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#### Strategic implications

##### Council Strategies

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

Council has a contract with MRT for the supply of tourism services within the Mid-Western Local Government Area. The term of this contract is for three years ending on 30 June 2025. Under this contract, MRT must provide quarterly reports to Council.

##### Council Policies

Not Applicable

**Legislation**

Not Applicable

Financial implications

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

Associated Risks

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

BRAD CAM  
GENERAL MANAGER

31 October 2022

*Attachments:* 1. MWRC Quarterly Report Q1 2022-23. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## Item 8: Development

### 8.1 DA0450/2022 - Two (2) Additional Farm Stay Accommodation Buildings at 344 Castlereagh Highway, Burrundulla

REPORT BY THE PLANNING COORDINATOR  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, DA0450/2022

#### RECOMMENDATION

##### That Council:

- A. receive the report by the Planning Coordinator on DA0450/2022 - Two (2) Additional Farm Stay Accommodation Buildings at 344 Castlereagh Highway, Burrundulla; and
- B. approve DA0450/2022 - Two (2) Additional Farm Stay Accommodation Buildings at 344 Castlereagh Highway, Burrundulla subject to the following conditions and statement of reasons:

#### CONDITIONS

1. 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 herein.

Title/Name	Plan No.	Rev	Dated	Prepared by
Overall Site Plan	-	-	-	Applicant
Floor Plan	Sheet 2 of 6	A	16/10/2020	Avallon Building Design
Elevations	Sheet 3 of 6	A	16/10/2020	Avallon Building Design
Elevations	Sheet 4 of 6	A	16/10/2020	Avallon Building Design
Section	Sheet 5 of 6	A	16/10/2020	Avallon Building Design
Floor Plan	Sheet 2 of 6	A	31/5/2022	Avallon Building Design
Elevations	Sheet 3 of 6	A	31/5/2022	Avallon Building Design
Elevations	Sheet 4 of 6	A	31/5/2022	Avallon Building Design
Section	Sheet 5 of 6	A	31/5/2022	Avallon Building Design
BASIX Certificate	1315549S	-	23 June 2022	Sunrai Designs

Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

## GENERAL

2. For clarity, this development consent provides approval for two (2) manufactured homes for use as farm stay accommodation with external decks.
3. Notwithstanding the approved plans, the structure is to be located clear of any easements.
4. All building work must be carried out in accordance with the *Building Code of Australia*.

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

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. All stormwater runoff from roof and developed surfaces is to be controlled in such a manner so as not to flow or discharge over adjacent properties. Methods of disposal of excess stormwater including overflow from tank must also include adequate provision for prevention of erosion and scouring.
7. The internal access driveway must be constructed and maintained at all times to provide access in all weather conditions. The driveway must also be of a sufficient standard to allow for access by emergency service vehicles.
8. 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.
9. 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.
10. The applicant must ensure that an adequate potable water supply is available for use by occupants and for firefighting purposes to service the development.
11. Minimum tank storage capacity of 100,000 litres is required on the site, of which a minimum of 40,000 litres is to be retained for firefighting purposes.
12. A minimum of three (3) car parking spaces are to be provided within the site of the development and comply with AS 2890.1: 2004 and the following requirements:
  - a. Each parking space is to have minimum dimensions of 5.5m x 2.4m; and
  - b. All car parking and manoeuvring areas are to be provided with an all-weather surface suitable for 2WD vehicles (e.g. compacted gravel or road base material).

## **PRIOR TO THE APPROVAL OF A SECTION 68 (PART A) APPLICATION TO INSTALL A MOVEABLE DWELLING**

13. Details are to be submitted to Mid-Western Regional Council confirming that each relocatable building is designed, constructed and will be installed in accordance with the requirements of Division 4 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005*. A current engineer's certificate is required to be site specific and acknowledge each structure is to be relocated to the new site.
14. Prior to release of the Section 68 approval for the placement of the building/s, an 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.
15. In accordance with the provisions of Section 7.12 of the *Environmental Planning and Assessment Act 1979* and the *Mid-Western Regional Contributions Plan 2019*, a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of local infrastructure, prior to issue of any Section 68 approval for the placement of the transportable building.

A cost estimate report is to be provided to Council, confirming the cost of the development prior to issue of the Section 68 approval. Following submission of the cost estimate report, Council will provide the required amount, payable prior to issue of the Section 68 approval.

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

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

## **PRIOR TO THE COMMENCEMENT OF WORKS**

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

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

17. Prior to the commencement of any works, approval pursuant to Section 68 (Part A) of the Local Government Act 1993 to install a moveable dwelling and associated structure on land shall be obtained from Mid-Western Regional Council.
18. 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.**

- 19. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out:**
- 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.
- 20. Prior to works commencing on residential building work within the meaning of the *Home Building Act 1989*, the Principal Certifier of the development to which the work relates has given the Council written notice of the following information:**
- a. in the case of work for which a principal contractor is required to be appointed:
    - i. the name and licence number of the principal contractor; and
    - ii. the name of the insurer by which the work is insured under Part 6 of the *Home Building Act 1989*, unless an exemption is in force in accordance with Clauses 187 and 188 of the *Environmental Planning and Assessment Regulation 2000*
  - b. in the case of work to be done by an owner-builder:
    - i. the name of the owner-builder; and
    - ii. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information required by (a) or (b) becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates has given Council written notice of the updated information.

This condition does not apply in relation to Crown building work that is certified, in accordance with Section 6.28 of the Act, to comply with the technical provisions of the *Building Code of Australia*.

- 21. 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; and
  - 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.

## DURING WORKS

22. All building / installation 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.
23. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the *Plumbing & Drainage Act 2011* and Plumbing Code of Australia.
24. 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.

25. 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 for the deck.
26. The strength of the concrete used for the reinforced concrete floor slab must be a minimum 25Mpa.
27. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.
28. The requirements of BASIX Certificate number(s) 1315549S issued on 23 June 2022 must be installed and/or completed in accordance with the commitments contained in that certificate. Any alteration to those commitments will require the submission of an amended BASIX Certificate to the Council and/or the Principal Certifying Authority prior to the commencement of the alteration/s.
29. All roof stormwater is to discharge to a water storage tank/s and overflow from the tank/s disposed a minimum 3 metres from the building, clear of any effluent disposal areas and in such a manner as to not create any erosion or scouring and not adversely affect adjoining properties.
30. 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.
31. The relocatable building shall be installed in accordance with the approved structural engineer's specifications.

## PRIOR TO OCCUPATION OF THE BUILDING

32. Prior to the occupation of the building, a Certificate of Completion is to be obtained from the Mid-Western Regional Council for the installation of the building.
33. Prior to occupation or use of the deck, an Occupation Certificate is to be obtained from Mid-Western Regional Council.

34. Prior to use of the development and/or issue of an Occupation Certificate, a satisfactory final inspection report from the Council must be received by the Certifier, verifying that all works have been completed in accordance with the relevant Section 68 (*Local Government Act 1993*) approval/s.
35. Prior to use of the development and/or issue of an Occupation Certificate, the excavated and/or filled areas of the site are to be stabilised and drained, to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the building is to be graded to prevent ponding of water, and to ensure the free flow of water away from the building and adjoining properties.

#### ONGOING USE

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

36. All parking associated with the use is to be contained wholly within the site.
37. The development is to be operated in such a manner that will not interfere with the residential amenity of the adjoining and nearby residents, due to emission of noise, lighting or other nuisances.
38. The development is to be used for short stay visitor accommodation only.
39. The development is to be maintained in a clean and tidy manner, at all times.
40. Arrangements are to be made for the regular removal and disposal of all waste to a licenced waste facility.

#### ADVISORY NOTES

1. The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".
2. The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
3. Division 8.2 of the Environmental Planning and Assessment Act 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.
4. 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).
5. 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 complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning & Assessment Act 1979.
3. No submissions were received during the public exhibition period.

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### Executive summary

OWNER/S:	Mr M and Mrs A Azar
APPLICANT:	Mrs A Azar
PROPERTY DESCRIPTION:	Wallinga - 344 Castlereagh Highway, Burrundulla - Lot 2 DP 869780
PROPOSED DEVELOPMENT:	Two (2) Buildings for use as Farm Stay Accommodation
ESTIMATED COST OF DEVELOPMENT:	\$353,100
REASON FOR REPORTING TO COUNCIL:	The applicant and part owner is a Senior Staff member of Council.
PUBLIC SUBMISSIONS:	Nil

Council is in receipt of Development Application DA0450/2022 that seeks approval for Two (2) Manufactured Homes for use as Farm Stay Accommodation, to be located at 'Wallinga' 344 Castlereagh Highway BURRUNDULLA NSW 2850, Lot 2 DP 869780.

The subject site currently operates as a working farm with an existing single dwelling, existing farm stay accommodation building approved by Council under DA0169/2021 and rural outbuildings located on the land. The applicant has previously advised that of the 44.3ha parcel of land, 98% is used for cropping and the production of sheep and cattle. Approximately 80 acres is under crop rotation and in a good season, the farm can produce up to 400 sheep and 50 head of cattle. A letter from the applicant's accountant has also been provided to support the current business registration and use of the land.

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 15 September 2022. During the notification period, no submissions were received. Whilst the proposed development was amended during the assessment from 3 to 2 buildings, there are no greater impacts on neighbouring properties by reducing the number of buildings and therefore the proposal was not renotified.

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

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the applicant or owner of the land to which the development relates is a Senior Staff member of Council, or Councillor.

The application is recommended for Approval.

## Disclosure of Interest

The Director of Development declares an interest in the matter, being the applicant and part owner of the subject site.

## Detailed report

### PROPOSED DEVELOPMENT

Development Application DA0450/2022 seeks approval for Two (2) Manufactured Homes for use as Farm Stay Accommodation to be located at 'Wallinga' 344 Castlereagh Highway BURRUNDULLA NSW 2850, Lot 2 DP 869780.

Each proposed building is to be self-contained (including kitchen, bathroom and laundry) with open plan living, 1 main bedroom, separate bunk beds and attached deck as shown in the development plans contained in **Attachment 1**.

*Figure 1* below demonstrates the proposed site layout (including setbacks) however, it is important to note that the applicant has elected to reduce the total number of farm stay accommodation buildings from 3 to 2 under this application, bringing the total accommodation buildings on the site to 3, in the event the application is approved.

A single farm stay accommodation building (in the same form of construction as proposed under this application) was previously approved by Council under DA0169/2021 on the 14 January 2021.

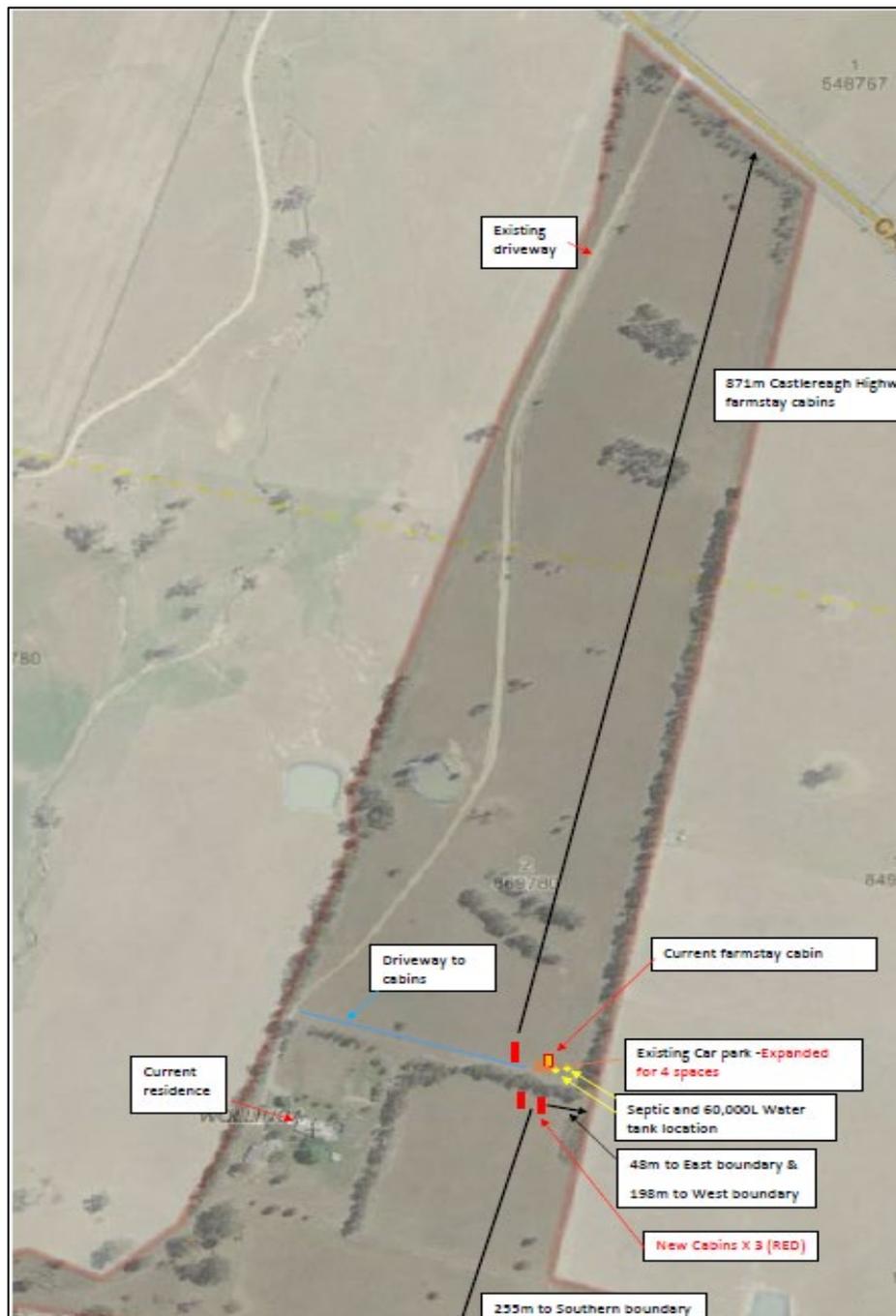


Figure 1: Proposed Site Plan

**Subject Land**

The subject site is legally identified as 344 Castlereagh Highway, Burrundulla which is located approximately 3.4km east of the urban area of Mudgee. The site contains an area of 44.3 hectares and has established farming operations including rotating crops and the grazing of sheep and cattle.

The site is bound by the Castlereagh Highway to the north, with a portion of the land also bound by Queens Pinch Road and Wallinga Lane to the south.

An existing access track, single dwelling, rural sheds, dam, one farm stay accommodation building along with mature vegetation throughout the site was identified following a site inspection.

Figure 2 below demonstrates the overall lot layout.



## LEGISLATIVE REQUIREMENTS

### Environmental Planning and Assessment Act 1979

#### Designated Development

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

#### Integrated Development

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

## 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 proposed development will not require removal of vegetation or koala habitat under this Policy. Therefore, no further consideration of this SEPP is considered necessary.

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

The applicant has opted to provide a BASIX certificate and a condition of consent has been included ensuring that the commitments be met as listed in the certificate.

#### **STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2008**

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 (HOUSING) 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 (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 a State or Regionally Significant Development nor is it impacted by any other requirements of this Policy. Therefore, no further consideration of this SEPP is considered necessary.

**STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS-REGIONAL) 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 (PRIMARY PRODUCTION) 2021**

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

**STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021**

Pursuant to section 4.6 of the Policy, a site inspection and a search of Council's records did not reveal any potentially contaminating activities upon the development area, historically used for grazing purposes. Accordingly, no further consideration is necessary.

**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.

The proposed development does not seek to alter the existing driveway or access to the site and the proposed development is not identified as a traffic generating development in accordance with the T&ISEPP therefore no referral to Transport for NSW or Essential Energy is required.

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

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

---

**Clause 1.2 Aims of Plan**

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

---

**Clause 1.4 Definitions**

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

***Farm Stay Accommodation*** means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

---

**Clause 2.2 Zoning of Land to Which Plan Applies**

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

---

**Clause 2.3 Zone objectives and Land Use table**

The land is zoned RU4 Primary Production Small Lots pursuant to MWRLEP 2012. The proposal, being a Farm Stay Accommodation is permissible with consent in the zone and complies with the relevant objectives.

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

---

**RU4 Primary Production Small Lots**

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

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

limited to a congregation of the farm stay accommodation buildings in a small portion of the site and the residue portion of the large holding is able to continue to be utilised for sustainable primary industry purposes.

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

**Comment** The proposal will continue to promote diversity and employment opportunities in relation to the primary industry enterprise operating on the site and allow for complementary accommodation opportunities on an existing farming operation.

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

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

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

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

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

**Comment** The proposal will not result in any significant impact upon the immediate visual amenity or environmental/cultural heritage values of the site. The area of the development is nestled into the undulating landform and screened by mature vegetation from all surrounding properties.

---

#### **Clause 5.4 Controls relating to miscellaneous permissible uses**

(5) **Farm stay accommodation** *if development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms.*

The development complies with building one including 2 x bedrooms and building two including 1 x main bedroom and separate bunk beds. The existing building onsite also only contains 1 x main bedroom and bunk beds.

---

#### **Clause 5.10 Heritage Conservation**

No items of aboriginal significance or heritage item/s are recorded on the subject site.

The neighbouring property to the south of the land is identified however to contain a heritage item known as I401 under the MWRLEP 2012. This is identified as 'Wallinga Homestead' under Schedule 5 of the LEP being a Local heritage item.

Pursuant to Clause 5.10(4) of the MWRLEP, Council must consider the effect of the proposed development on the heritage significance of the item concerned.

Owing to the fact that the development is proposed in excess of 390m from the dwelling, the proposed buildings are both single storey with a small footprint and is obscured by existing mature vegetation, there is not considered to be any adverse impacts on the heritage significance of the item located on the adjoining property to the south of the site.

It is recommended however that a standard condition be placed upon the consent ensuring that work is ceased should an artefact or relic be discovered during construction.

---

**Clause 6.1 Salinity**

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

---

**Clause 6.2 Flood planning**

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

---

**Clause 6.3 Earthworks**

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

---

**Clause 6.4 Groundwater vulnerability**

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

---

**Clause 6.5 Terrestrial biodiversity**

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

---

**Clause 6.7 Active street frontages**

Not applicable. The site is not located within the area mapped as 'Active street frontage'.

---

**Clause 6.8 Airspace operations – Mudgee Airport**

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

---

**Clause 6.9 Essential Services**

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

- (a) the supply of water - tanks are proposed to supply water to the development.
- (b) the supply of electricity - electricity will be supplied via the existing connection to the site.
- (c) the disposal and management of sewage - sewerage will be managed via an onsite sewerage management system required to be approved under Section 68 of the Local Government Act 1993.
- (d) stormwater drainage or on-site conservation - water tanks will collect roof water runoff with surface water to be contained within the subject site and existing natural contours directed to dams on the site.
- (e) suitable road access – an existing access driveway and crossover is provided to the site from the Castlereagh Highway and has been deemed suitable to support the proposed development with adequate sight lines available in both directions.

---

## Clause 6.10 Visually sensitive land near Mudgee

The land is located within the visually sensitive land map area. The proposal has been designed to complement the visual setting through the use of appropriate materials and colours and through the positioning of the building below the ridge line. Further, existing mature vegetation is proposed to 'screen' the development from all surrounding properties. The development is considered to complement the existing rural area and is considered to be a complementary land use to support the existing primary production operations found on the site.

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

#### (ii) Draft environmental planning instruments (EPI)

The Department of Planning and Environment (DPE) has prepared the Standard Instrument Local Environmental Plan Agritourism Amendment Order 2021 (LEP Order) which was published on the 6 October 2022. The Order makes changes to the definition of Farm Stay Accommodation and also includes optional clauses in relation to Farm Stay Accommodation. The Order however does not commence until 1 December 2022.

The optional clause was considered and endorsed by Councillors at the General Council Meeting on 16 March 2022. The changes have not currently been included in the MWLEP however, their inclusion is considered to be imminent (1 December 2022) and accordingly, consideration of the new sections prescribed by the Order is considered below:

#### Proposed new definition:

**Farm Stay Accommodation** means a building or place—

(a) on a commercial farm, and

(b) ancillary to the farm, and

(c) used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

**Note:** Farm stay accommodation is a type of **tourist and visitor accommodation**— see the definition of that term in this Dictionary.

**Comment** The proposal is able to meet the proposed new definition of farm stay accommodation with the proposal to be located on a commercial farm, is proposed ancillary to the farm operations and is used to provide temporary accommodation to paying guests of the farm.

#### New optional Clause (updated on 6 October 2022 by DPIE):

### Clause 5.24 Farm Stay Accommodation

(1) The objectives of this clause are—

(a) to diversify the uses of agricultural land without adversely impacting the principal use of the land for primary production,

**Comment** The proposal will not result in any significant impact upon the primary production business operating from the site. The buildings are to be located in a collective location on the site, avoiding existing areas used for intensive cropping activities. Further, given the small footprint of the buildings and associated infrastructure, there is minimal impact on the land used for the grazing of sheep and cattle.

*b) to balance the impact of tourism and related commercial uses with the use of land for primary production, the environment, scenic values, infrastructure and adjoining land uses.*

**Comment** The proposal is not considered to have a significant impact on the use of the land for primary production or the environment, scenic values, infrastructure or adjoining land uses subject to compliance with the recommended conditions.

(2) *Development consent must not be granted to development for the purposes of farm stay accommodation on a landholding unless the consent authority is satisfied all buildings or manufactured homes used to accommodate guests on the landholding will be:*

*(a) on the same lot as an existing lawful dwelling house, or*

**Comment** The proposed development is located on a lot with an existing lawful dwelling house.

*(b) on a lot of a size not less than the minimum lot size for a dwelling house to be permitted on the lot under an environmental planning instrument applying to the land.*

**Comment** The proposal is to be located on a lot that exceeds the minimum lot size for a dwelling house.

(3) *Subclause (2) does not apply if the development is a change of use of an existing dwelling to farm stay accommodation.*

**Comment** Not Applicable

(4) *Development consent must not be granted to development for the purposes of farm stay accommodation on land unless the consent authority has considered—*

*(a) whether the development will result in noise or pollution that will have significant adverse impact on the following on or near the land—*

- i. residential accommodation,*
- ii. primary production operations,*
- iii. other land uses*

**Comment** The surrounding uses consist of primary production operations and associated dwellings. The proposed farm stay accommodation is set back in excess of 800m from the front boundary and 48m from the eastern boundary (being the closest boundary). The closest dwelling is approximately 380m from the proposed buildings to the east in an elevated location with access via Queens Pinch Road. The farm stay accommodation is not expected to generate significant amounts of noise or any other pollution and accordingly the separation distances proposed are considered to be appropriate. Council's standard amenity condition is recommended should any unreasonable noise be generated as a result of the proposed use however it is also important to note that Council has not received any complaints thus far in relation to the existing operations of the farm stay accommodation building on the site.

*a) whether the development will have significant adverse impact on the following on or near the land—*

- i. the visual amenity, heritage or scenic values,*

**Comment** The proposal will not result in significant adverse impact upon the immediate visual amenity or scenic values on or near the land owing to the placement of the buildings on the site, obscured by existing mature vegetation also already located on the site. The site is not identified as a heritage item or within a heritage conservation area, and no aboriginal relics have been identified on the land. A standard condition will

be included to ensure that works are to cease should any subsurface 'unexpected' items be uncovered during works.

*ii. native or significant flora or fauna,*

**Comment** The cabins will be located within an existing cleared area on the land. No trees are proposed to be removed as part of the proposal. The proposal is considered to unlikely to have a significant adverse effects on native or significant flora or fauna.

*iii. water quality,*

**Comment** No significant adverse effect expected – the cabin will not impact any existing water courses or drainage lines, a condition will be included to ensure any on-site sewerage systems associated with the development achieves Council requirements.

*iv. traffic,*

**Comment** The development consists of two (2) cabins and is not expected to generate significant volumes of traffic that would impact on the existing road system. The development does not seek to upgrade the existing access point to the site and the development is not identified as a traffic generating development pursuant to the State Planning Policy requirements.

*v. the safety of persons, and*

**Comment** The development is not expected to have a significant adverse impact on the safety of persons.

*b) whether the development is on bush fire prone land or flood prone land, and*

**Comment** The site is not mapped as being bush fire prone or flood prone land. Consideration has however been given towards water supply to support the development with conditions imposed accordingly.

*c) the suitability of the land for the proposed development, and*

**Comment** The site is considered suitable for the development, the development is able to be adequately serviced and is not identified as being unsuitable by means of any existing hazards or site constraints.

*d) the compatibility of the development with nearby land uses.*

**Comment** The proposal is considered to be compatible with the surrounding uses. The development is appropriately set back from adjoining boundaries to minimise impacts to adjoining agricultural uses and dwellings.

Based on the above findings, the development is capable of achieving compliance with Standard Instrument Local Environmental Plan Agritourism Amendment Order 2021 (LEP Order) due to commence on the 1 December 2022.

*(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.

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#### **Part 4.7 Tree Preservation Order**

No trees to be removed.

---

#### **Part 5.1 Car Parking**

The proposal is capable of achieving off street parking at 1 space per unit for 'tourist and visitor accommodation'. The development will require a minimum of 3 parking spaces given there will be a total of 3 x farm stay buildings onsite. It is noted that the applicant seeks to provide 4 spaces on the site and this achieves compliance with the standard.

---

#### **Part 5.2 Flooding**

Not Applicable

---

#### **Part 5.3 Stormwater Management**

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

---

#### **Part 5.4 Environmental Controls**

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

---

#### **Part 6.1 Dwellings in Rural Areas**

##### PRIMARY PRODUCTION SMALL LOTS

A dwelling already is found on the land, no further consideration is therefore required.

---

#### **Part 6.4 Tourist and Visitor Accommodation**

The proposal generally satisfies the tourist accommodation provisions of the DCP 2013 in that the property will contain a residential component and the number of tourist units will not exceed 6. All services are available to the site.

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

### **Section 7.11 Contributions**

#### **MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019**

Pursuant to Council's Contributions Plan 2019, the development is proposing farm stay accommodation and has a proposed cost of development greater than \$200,000. Therefore, a levy of 1% applies to the proposal.

Noting that the application has been amended to reduce the scale of the development from 3 buildings to 2, the estimated contribution is based on the original submitted cost estimate provided is as follows:

- $\$353,100 \times 1\% = \$3,531.00$

A condition is recommended that requires a revised cost report to be provided to ensure the correct contribution is paid accordingly.

### **Section 64 - Water/Sewer Developer Services Charges**

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the development does not increase the demand or loading upon Councils infrastructure or require

additional water, sewer or trade waste services to the land or building. No charges can therefore be applied under the plan.

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

No Planning Agreements are applicable.

#### **Regulations – 4.15(1)(a)(iv)**

### **ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021**

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

#### **Likely impacts of the development – 4.15(1)(b)<sup>1</sup>**

<sup>1</sup> Including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

#### **(A) CONTEXT AND SETTING**

The proposal is considered appropriate with regards to the surrounding context and setting, complementing the existing farming operations on the land. Such proposals are also supported at a State Planning level with the introduction of the Agritourism reforms where existing primary production activities take place.

#### **(B) ACCESS, TRANSPORT AND TRAFFIC**

The implications of traffic and suitable access are discussed throughout this report. The proposal is considered appropriate.

#### **(C) PUBLIC DOMAIN**

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

#### **(D) UTILITIES**

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

#### **(E) HERITAGE**

Not Applicable

#### **(F) OTHER LAND RESOURCES**

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

#### **(G) WATER**

No significant impact expected.

#### **(H) SOILS**

No significant impact expected. The site 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, subject to compliance with conditions of consent.

#### **(I) AIR AND MICROCLIMATE**

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

**(J) FLORA AND FAUNA**

Not Applicable

**(K) WASTE**

As the proposed development is prefabricated offsite, minimal construction waste is generated. All wastes associated with the operation will be required to be disposed of to a licenced waste facility and would be limited to domestic waste only.

**(L) ENERGY**

Not Applicable

**(M) NOISE AND VIBRATION**

Not Applicable

**(N) NATURAL HAZARDS**

The development site is not mapped as bushfire prone land or flood prone and there are no known subsidence, slip or mass movement issues. Requirements for a dedicated firefighting water supply has however been included within the conditions of consent and suitable access to the development site for a firefighting apparatus is already in place.

**(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 not considered to increase safety or security risks however, the landowner will be responsible for managing any potential onsite risks associated with the farming operations and/ or dwelling. There will however be a general increase in passive surveillance as a result of the proposed development.

**(Q) SOCIAL IMPACT IN THE LOCALITY**

Generally positive social impacts are identified by allowing for accommodation options within an established farming business.

**(R) ECONOMIC IMPACT IN THE LOCALITY**

Generally positive economic impacts are identified including the opportunity for local contractors used during placement and operation of the accommodation buildings as well as additional revenue spent in the Region from visitors during their stay.

**(S) SITE DESIGN AND INTERNAL DESIGN**

Adequate as discussed throughout this report.

**(T) CONSTRUCTION**

To comply with the BCA where relevant.

**(U) CUMULATIVE IMPACTS**

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

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

#### (A) DOES THE PROPOSAL FIT IN THE LOCALITY?

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

#### (B) ARE THE SITE ATTRIBUTES CONDUCTIVE TO DEVELOPMENT?

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

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

#### (A) PUBLIC SUBMISSIONS

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 15 September 2022. During the notification period, no submissions were received.

#### (B) SUBMISSIONS FROM PUBLIC AUTHORITIES

No submissions were sought or received from public authorities.

### The Public Interest – 4.15(1)(e)

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

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

### CONSULTATIONS

#### (A) HEALTH AND BUILDING

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

#### (B) TECHNICAL SERVICES

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

### Community Plan implications

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

### Strategic implications

#### Council Strategies

Not Applicable

#### Council Policies

Mid-Western Regional Development Control Plan 2013

Mid-Western Regional Contributions Plan 2019

## Mid-Western Regional Community Participation Plan 2019

### **Legislation**

Environmental Planning & Assessment Act 1979  
Environmental Planning & Assessment Regulation 2021  
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

LINDSAY DUNSTAN  
MANAGER, PLANNING

24 October 2022

*Attachments:* 1. Development Plans.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

### Overall Site Plan



Lot 2 DP869780  
344 Castlereagh Highway  
Spring Flat NSW 2850

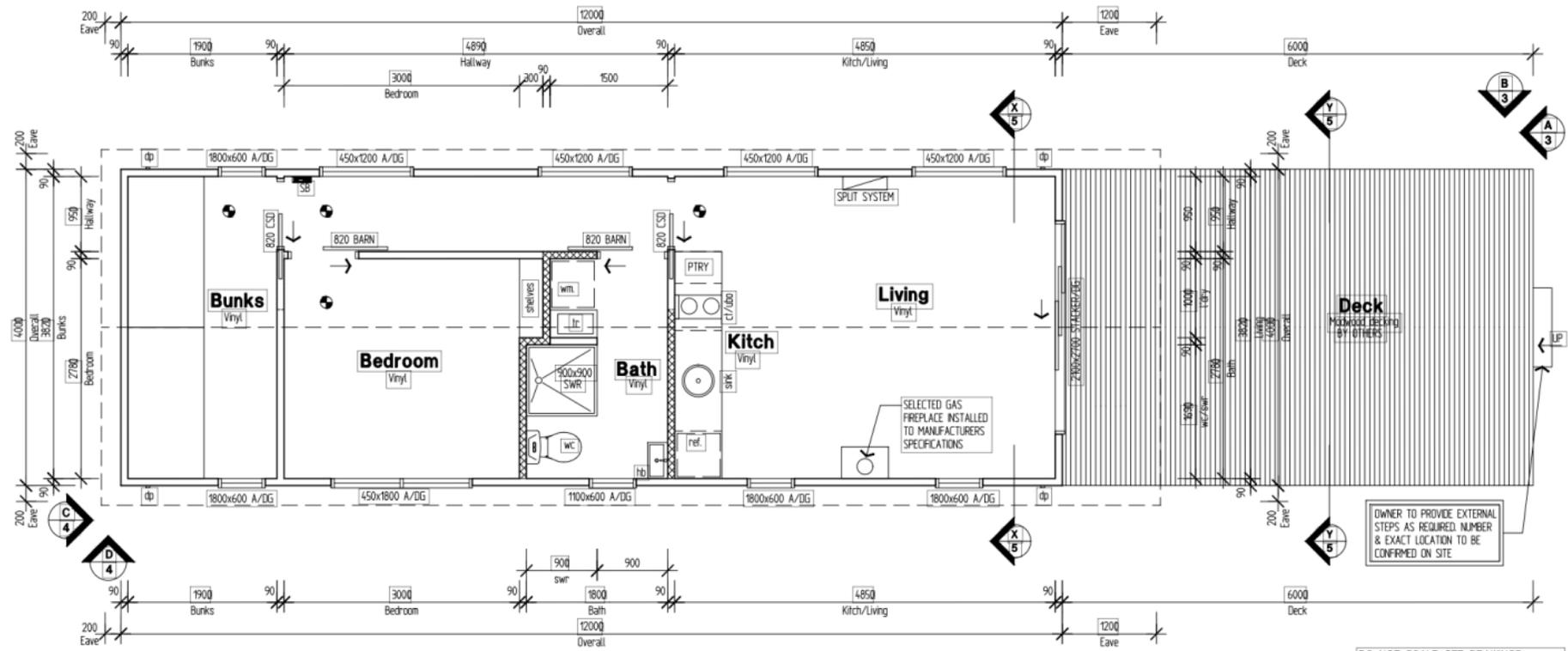


**FLOOR AREAS:**

STUDIO:	48.0 m sqf	5.77 sqf
DECK:	24.0 m sqf	2.58 sqf

- ENERGY RATING REQUIREMENTS:**
- R6.0 INSULATION TO CEILING/ROOF
  - R2.7 INSULATION TO EXTERNAL WALLS & INTERNAL WALLS SHOWN
  - R2.0 INSULATION UNDER FLOOR
  - ALUMINUM AWNING DOUBLE GLAZED WINDOWS: U-VALUE 4.5, SHGC VALUE 0.5 OR BETTER
  - ALUMINUM FIXED DOUBLE GLAZED WINDOWS: U-VALUE 4.5, SHGC VALUE 0.61 OR BETTER
  - ALUMINUM DOUBLE GLAZED SLIDING DOORS: U-VALUE 4.5, SHGC VALUE 0.5 OR BETTER

- NOTES:**
- WINDOW SIZES SHOWN ARE INDICATIVE ONLY AND MAY VARY. REFER TO WINDOW MANUFACTURERS SPECIFICATIONS FOR ACTUAL WINDOW SIZES, DETAILS AND STUD OPENINGS.
  - THESE DRAWINGS TO BE READ IN CONJUNCTION WITH ENGINEERS SPECIFICATIONS AND DRAWINGS. ENGINEER MEMBER SIZES TO TAKE PRECEDENCE.
  - DIMENSIONS SHOWN ARE TO FRAME ONLY.
  - HARD WIRED SMOKE DETECTORS WITH BATTERY BACKUP IN ACCORDANCE WITH A.S. 3786-1993 & B.C.A.
  - DOWNPIPES CONNECTED TO LPOD VIA 900 UPVC PIPE AS PER LOCAL AUTHORITIES REQUIREMENTS. REFER SITE PLAN.
  - SUB-BOARD FUSE BOX
  - PROVIDE FLOOR TILES TO WET AREAS.
  - R2.7 INSULATION TO INTERNAL WALLS WHERE SHOWN



**FLOOR PLAN**

DO NOT SCALE OFF DRAWINGS. ALL DIMENSIONS TO BE CHECKED PRIOR TO COMMENCEMENT OF WORKS.

Proposed: Transportable Studio  
 At: 344 Castlereagh Hwy, Spring Flat NSW  
 Client: Alina & Mick  
 For: Soul Space Studios



REV	AMENDMENT	DATE
A	WORKING DRAWINGS	16/10/20

**Avalon Building Design**

PO Box 170 Trafalgar Vic. 3824  
 Mob. 0419 598 662 E. design@avalon.com.au

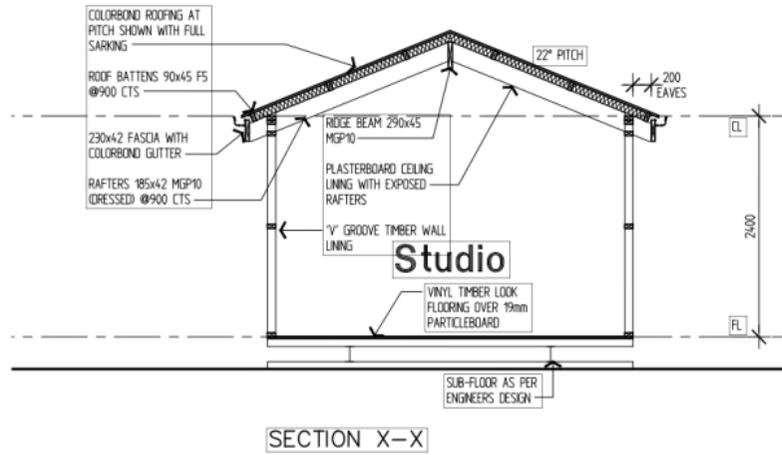
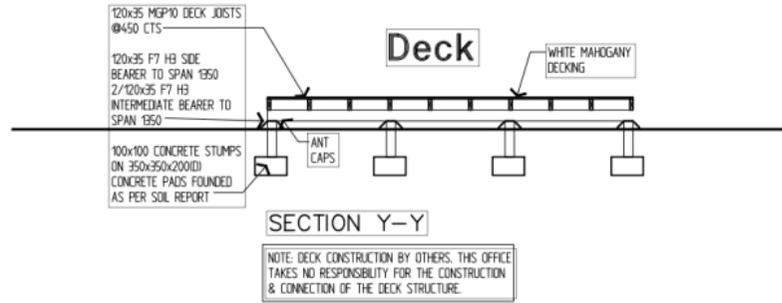
**4 Design**

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TITLE	Working Drawings :- Floor Plan	
Scale	1:50	Date 16/10/20
Drawn	MG	Job No 1
Issue	A	Sheet 2 of 6







**STUD SCHEDULE**

MEMBER	SIZE	GRADE	CTS	SPAN
STUDS	90x45	F5	350	1200
NOGGINGS	70x35	F5	1200	
L/BEAR. TOP PLATE	2/90x45	F5		
TOP & BOTTOM PLATE	90x45	F5		
JAMB STUD	2/90x35	F5		1250
JAMB STUD	2/90x45	F5		2500
LINTEL	120x35	MGP10		1250
LINTEL	190x45	MGP10		2500

**SOIL CLASSIFICATION**

CLASS: ??  
 REFER TO SOIL REPORT BY: ??  
 DATED: ?? REPORT NO: ??

**NOTE:**

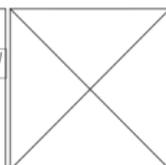
- PROVIDE TERMITE TREATMENT TO A.S. 3660.1
- THESE DRAWINGS TO BE READ IN CONJUNCTION WITH ENGINEERS SPECIFICATIONS, ENGINEERS DETAILS AND SIZES TO TAKE PRECEDENCE.

**ENERGY RATING REQUIREMENTS**

- R6.0 INSULATION TO CEILING
- R2.7 INSULATION TO EXTERNAL WALLS
- R2.7 INSULATION TO BATH INTERNAL WALLS
- R2.0 INSULATION TO UNDER FLOOR
- ALUMINIUM AWNING DOUBLE GLAZED WINDOWS: U-VALUE 4.5, SHGC VALUE 0.5 OR BETTER
- ALUMINIUM FIXED DOUBLE GLAZED WINDOWS: U-VALUE 4.5, SHGC VALUE 0.61 OR BETTER
- ALUMINIUM DOUBLE GLAZED STACKER DOOR: U-VALUE 4.5, SHGC VALUE 0.5 OR BETTER

DO NOT SCALE OFF DRAWINGS.  
 ALL DIMENSIONS TO BE CHECKED  
 PRIOR TO COMMENCEMENT OF WORKS.

Proposed: Transportable Studio  
 At: 344 Castlereagh Hwy, Spring Flat NSW  
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REV	AMENDMENT	DATE
A	WORKING DRAWINGS	16/10/2020

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TITLE	Working Drawings :- Section		
Scale	1:50	Date	16/10/2020
Drawn	MG	Job No	1
Issue	A	Sheet	5 of 6

**ELECTRICAL LEGEND**

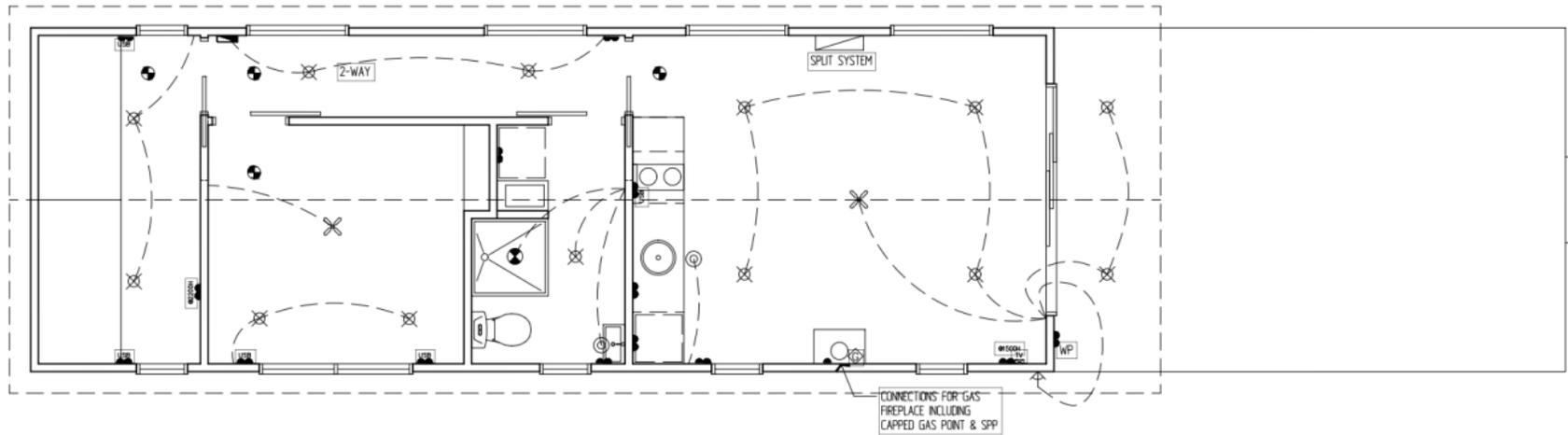
- DOUBLE POWER POINT
- DOUBLE WEATHERPROOF POWER POINT
- CEILING MOUNTED SPOTLIGHT
- LED DOWNLIGHT
- SMOKE DETECTOR
- DL TASTIC HEAT/FAN/LIGHT
- SELF-SEALING CEILING EXHAUST FAN
- CEILING EXHAUST FAN SWITCHED WITH LIGHT (SELF-SEALING)
- EXTERNAL SPOT LIGHT
- TV POINT
- PHONE POINT
- CEILING FAN WITH LIGHT
- SECURITY SENSOR
- SUB-BOARD FUSE BOX

NOTES:  
 - LOCATIONS OF ALL ELECTRICAL AND SERVICE POINTS ARE APPROXIMATE ONLY AND SUBJECT TO POSITIONS OF STRUCTURAL MEMBERS.  
 - PROVIDE SMOKE DETECTORS WHERE INDICATED IN ACCORDANCE WITH A.S. 3786-1993 AND B.C.A.

**WATTAGE ALLOWANCE:**

Max. total wattage residence: 5 W/m sq  
 Residence floor area: 48m sq  
 Total allowable wattage: 240 W  
 Total No. of lights: 15  
 MAX. WATTAGE PER LIGHT: 16 W

NOTE: PERIMETER LIGHTING MUST BE EITHER CONTROLLED BY A DAYLIGHT SENSOR, OR HAVE AN AVERAGE LIGHT SOURCE EFFICACY OF NOT LESS THAN 40 LUMENS/W, AS PER B.C.A.



ELECTRICAL PLAN

DO NOT SCALE OFF DRAWINGS.  
 ALL DIMENSIONS TO BE CHECKED  
 PRIOR TO COMMENCEMENT OF WORKS.

Proposed: Transportable Studio At: 344 Castlereagh Hwy, Spring Flat NSW Client: Alina & Mick For: Soul Space Studios		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8px;">A</td> <td style="font-size: 8px;">WORKING DRAWINGS</td> <td style="font-size: 8px;">16/10/2020</td> </tr> <tr> <td style="font-size: 8px;">REV</td> <td style="font-size: 8px;">AMENDMENT</td> <td style="font-size: 8px;">DATE</td> </tr> </table>	A	WORKING DRAWINGS	16/10/2020	REV	AMENDMENT	DATE	<p style="font-size: 8px;">PO Box 170 Trafalgar Vic. 3824                  Mob. 0419 598 662 E. design@avalon.com.au</p>	<p style="font-size: 8px;">© COPYRIGHT "2020"                  This document or any document forming part of this offer shall remain the property of Avalon Building Design. Details may not be released, copied or shared in whole or in part, or used without the written permission.</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="font-size: 8px;">TITLE Working Drawings :- Electrical Plan</td> </tr> <tr> <td style="font-size: 8px;">Scale 1:50</td> <td style="font-size: 8px;">Date 16/10/2020</td> </tr> <tr> <td style="font-size: 8px;">Drawn MG</td> <td style="font-size: 8px;">Job No 1</td> </tr> <tr> <td style="font-size: 8px;">Issue A</td> <td style="font-size: 8px;">Sheet 6 of 6</td> </tr> </table>	TITLE Working Drawings :- Electrical Plan		Scale 1:50	Date 16/10/2020	Drawn MG	Job No 1	Issue A	Sheet 6 of 6
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Drawn MG	Job No 1																		
Issue A	Sheet 6 of 6																		

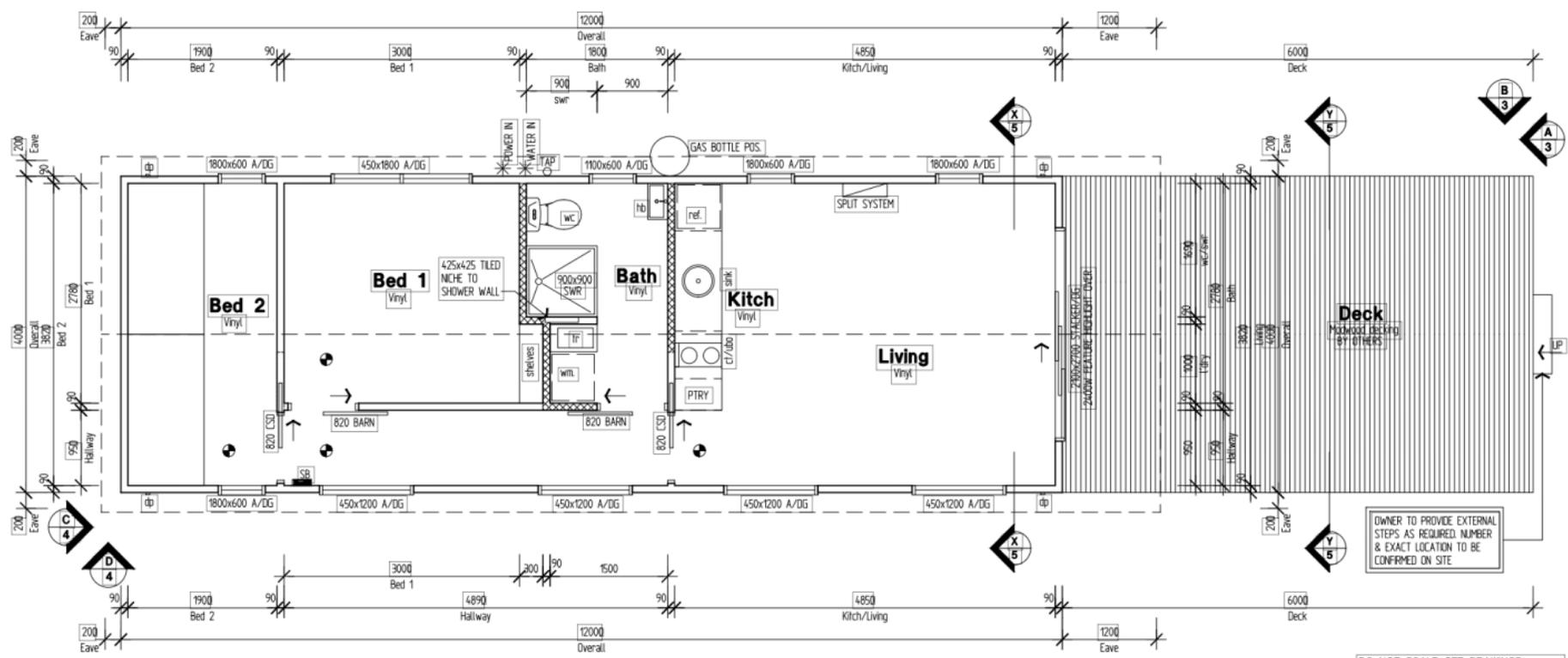


**FLOOR AREAS:**

STUDIO:	48.0 m sqf	5.77 sqf
DECK:	24.0 m sqf	2.58 sqf

- ENERGY RATING REQUIREMENTS:**
- R6.0 INSULATION TO CEILING/ROOF
  - R2.7 INSULATION TO EXTERNAL WALLS & INTERNAL WALLS SHOWN
  - R2.0 INSULATION UNDER FLOOR
  - ALUMINUM AWNING DOUBLE GLAZED WINDOWS: U-VALUE 4.5, SHGC VALUE 0.5 OR BETTER
  - ALUMINUM FIXED DOUBLE GLAZED WINDOWS: U-VALUE 4.5, SHGC VALUE 0.61 OR BETTER
  - ALUMINUM DOUBLE GLAZED SLIDING DOORS: U-VALUE 4.5, SHGC VALUE 0.5 OR BETTER

- NOTES:**
- WINDOW SIZES SHOWN ARE INDICATIVE ONLY AND MAY VARY. REFER TO WINDOW MANUFACTURERS SPECIFICATIONS FOR ACTUAL WINDOW SIZES, DETAILS AND STUD OPENINGS.
  - THESE DRAWINGS TO BE READ IN CONJUNCTION WITH ENGINEERS SPECIFICATIONS AND DRAWINGS. ENGINEER MEMBER SIZES TO TAKE PRECEDENCE.
  - DIMENSIONS SHOWN ARE TO FRAME ONLY.
  - HARD WIRED SMOKE DETECTORS WITH BATTERY BACKUP IN ACCORDANCE WITH A.S. 3786-1993 & B.C.A.
  - DOWNPIPES CONNECTED TO LPOD VIA 90° UPVC PIPE AS PER LOCAL AUTHORITIES REQUIREMENTS. REFER SITE PLAN.
  - SUB-BOARD FUSE BOX
  - PROVIDE FLOOR TILES TO WET AREAS.
  - R2.7 INSULATION TO INTERNAL WALLS WHERE SHOWN



FLOOR PLAN

DO NOT SCALE OFF DRAWINGS. ALL DIMENSIONS TO BE CHECKED PRIOR TO COMMENCEMENT OF WORKS.

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 At: 344 Castlereagh Hwy, Spring Flat NSW  
 Client: Alina & Mick  
 For: Soul Space Studios

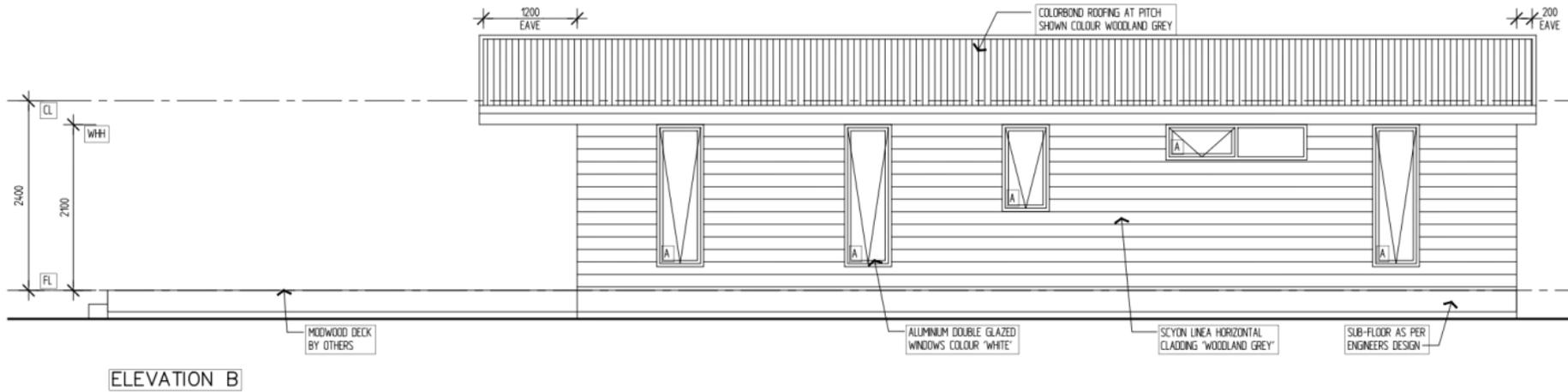
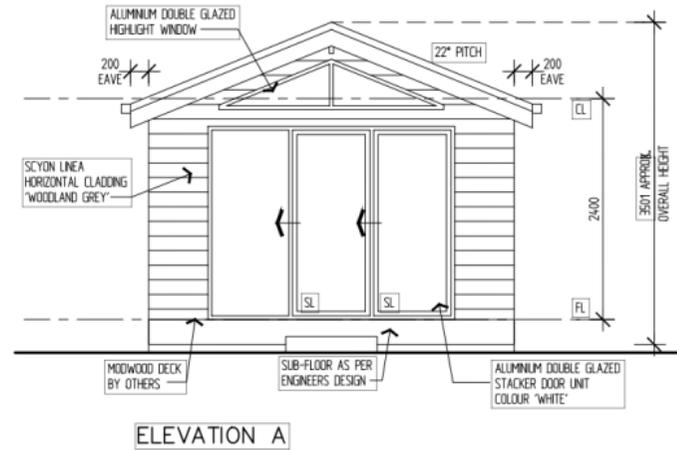


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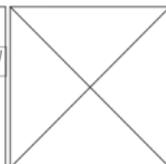
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Issue	A	Sheet	2 of 6



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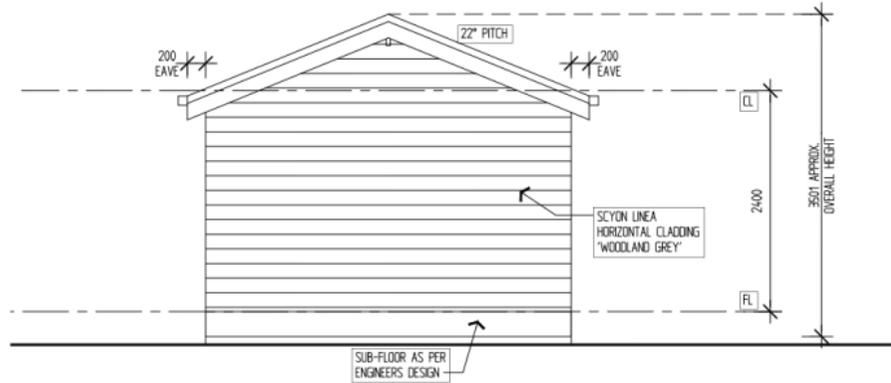
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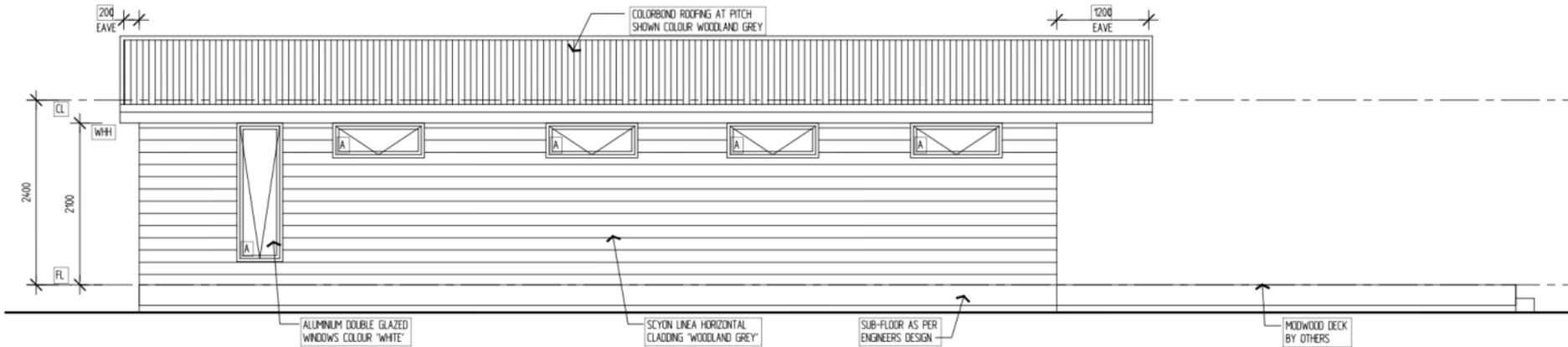
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TITLE: Working Drawings :- Elevations	
Scale: 1:50	Date: 31/5/22
Drawn: MG	Job No: 1
Issue: A	Sheet: 3 of 6



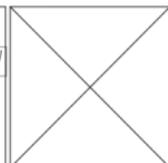
ELEVATION C



ELEVATION D

DO NOT SCALE OFF DRAWINGS.  
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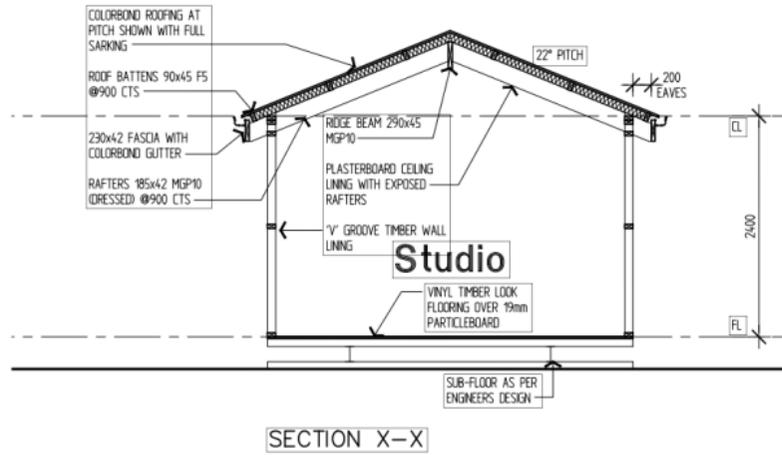
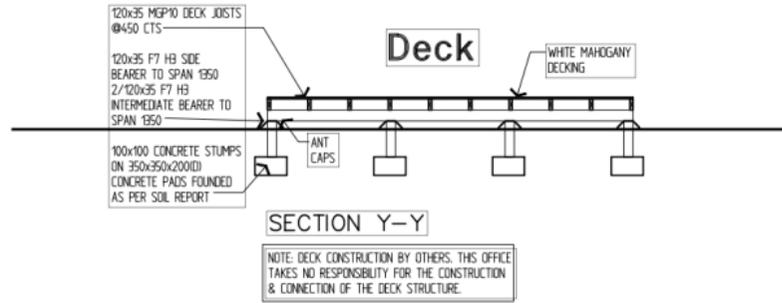
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TITLE Working Drawings :- Elevations	
Scale 1:50	Date 31/5/22
Drawn MG	Job No 1
Issue A	Sheet 4 of 6



**STUD SCHEDULE**

MEMBER	SIZE	GRADE	CTS	SPAN
STUDS	90x45	F5	350	1200
NOGGINGS	70x35	F5	1200	
L/BEAR. TOP PLATE	2/90x45	F5		
TOP & BOTTOM PLATE	90x45	F5		
JAMB STUD	2/90x35	F5		1250
JAMB STUD	2/90x45	F5		2500
LINTEL	120x35	MGP10		1250
LINTEL	190x45	MGP10		2500

**SOIL CLASSIFICATION**

CLASS: ??  
 REFER TO SOIL REPORT BY: ??  
 DATED: ?? REPORT NO: ??

**NOTE:**

- PROVIDE TERMITE TREATMENT TO A.S. 3660.1
- THESE DRAWINGS TO BE READ IN CONJUNCTION WITH ENGINEERS SPECIFICATIONS, ENGINEERS DETAILS AND SIZES TO TAKE PRECEDENCE.

**ENERGY RATING REQUIREMENTS**

- R6.0 INSULATION TO CEILING
- R2.7 INSULATION TO EXTERNAL WALLS
- R2.7 INSULATION TO BATH INTERNAL WALLS
- R2.0 INSULATION TO UNDER FLOOR
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- ALUMINIUM FIXED DOUBLE GLAZED WINDOWS: U-VALUE 4.5, SHGC VALUE 0.61 OR BETTER
- ALUMINIUM DOUBLE GLAZED STACKER DOOR: U-VALUE 4.5, SHGC VALUE 0.5 OR BETTER

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TITLE	Working Drawings :- Section		
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Issue	A	Sheet	5 of 6

**ELECTRICAL LEGEND**

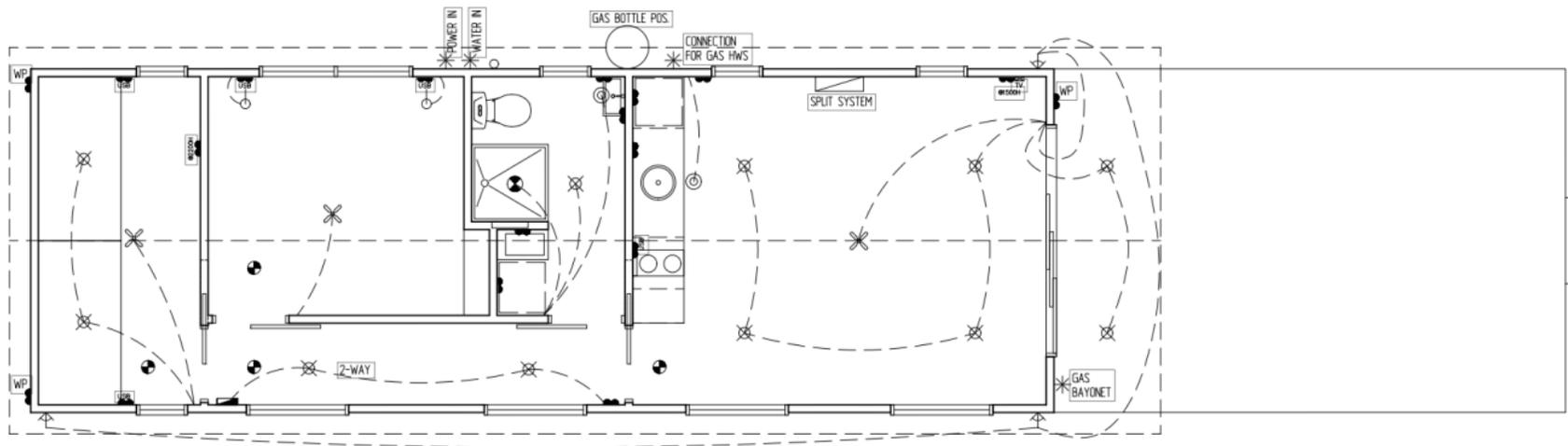
- DOUBLE POWER POINT
- DOUBLE WEATHERPROOF POWER POINT
- CEILING MOUNTED SPOTLIGHT
- LED DOWNLIGHT
- WALL MOUNTED LIGHT
- SMOKE DETECTOR
- DUCTASTIC HEAT/FAN/LIGHT
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Scale	1:50	Date 31/5/22
Drawn	MG	Job No 1
Issue	A	Sheet 6 of 6

## 8.2 Community Engagement Strategy

REPORT BY THE MANAGER - ECONOMIC DEVELOPMENT  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, COR400003

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager - Economic Development on the Community Engagement Strategy;**
2. **place the revised Community Engagement Strategy on public exhibition for 28 days; and**
3. **receive a further report following conclusion of the public exhibition period to consider any submissions received, or if at the end of the public exhibition period, if no submissions are received, adopt the Community Engagement Strategy as proposed.**

---

### Executive summary

All Councils are required to prepare a Community Engagement Strategy to support in the development of all their policies, plans and key activities. This strategy should be reviewed every 4 years.

It is recommended that the Community Engagement Strategy is placed on public exhibition, and if no submissions are received, adopt the Community Engagement Strategy.

### Disclosure of Interest

Nil

### Detailed report

The Community Engagement Strategy has been revised to include a broader approach to community engagement as the previous version was more focused on the Community Plan. The Community Engagement Strategy presented is a holistic approach to Community Engagement in all aspects of Council policies, plans and activities.

The Integrated Planning and Reporting guidelines state the strategy should include the following:

- Based on social justice principles.
- Identify relevant stakeholder groups within the community.
- Outline methods that will be used to engage stakeholder groups.
- Clearly informs the community on how they will be engaged on Community Strategic Plan & other plans and strategies.
- Publicly available on Council's website.
- Is accessible to all community members and uses plain language, graphics and other visual devices to aid comprehension.
- Identifies strategies for engaging directly affected stakeholders.

- Identifies different strategies for engaging diverse and hard to reach elements of the community.
- Includes a process for communicating to participants how their input affect the decision.
- Incorporates other legislated requirements for engagement.

It is recommended that Council place the Community Engagement Plan on public exhibition and receive a further report following conclusion of the public exhibition period to consider any submissions received, or if at the end of the public exhibition period, if no submissions are received, adopt the Community Engagement Strategy as proposed.

## Community Plan implications

<b>Theme</b>	<b>Good Government</b>
Goal	Good communications and engagement
Strategy	Encourage community access and participation in Council decision making

## Strategic implications

### **Council Strategies**

This report is presented to consider a new Mid-Western Regional Community Engagement Strategy and it is delivered in conjunction with the Community Participation Plan.

### **Council Policies**

Not Applicable

### **Legislation**

This amendment is in accordance with section 402A of the Local Government Act 1993.

## Financial implications

Not Applicable

## Associated Risks

- If this strategy is not adopted there is a risk that Council will not meet the legislative requirements under section 402A of the Local Government Act 1993.
- There is a risk that if the Community Engagement Strategy is not adopted the community will not be informed of the ways in which Council may communicate with them.
- This strategy identifies stakeholder groups within the community and engagement tools proposed to be used to engage these stakeholder groups. If this Community Engagement Strategy is not adopted there is a risk that community members may be missed in engagement activities.

MICHELE MINI  
MANAGER - ECONOMIC DEVELOPMENT

ALINA AZAR  
DIRECTOR DEVELOPMENT

4 November 2022

*Attachments:* 1. Community Engagement Strategy for public exhibition.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

# COMMUNITY ENGAGEMENT STRATEGY

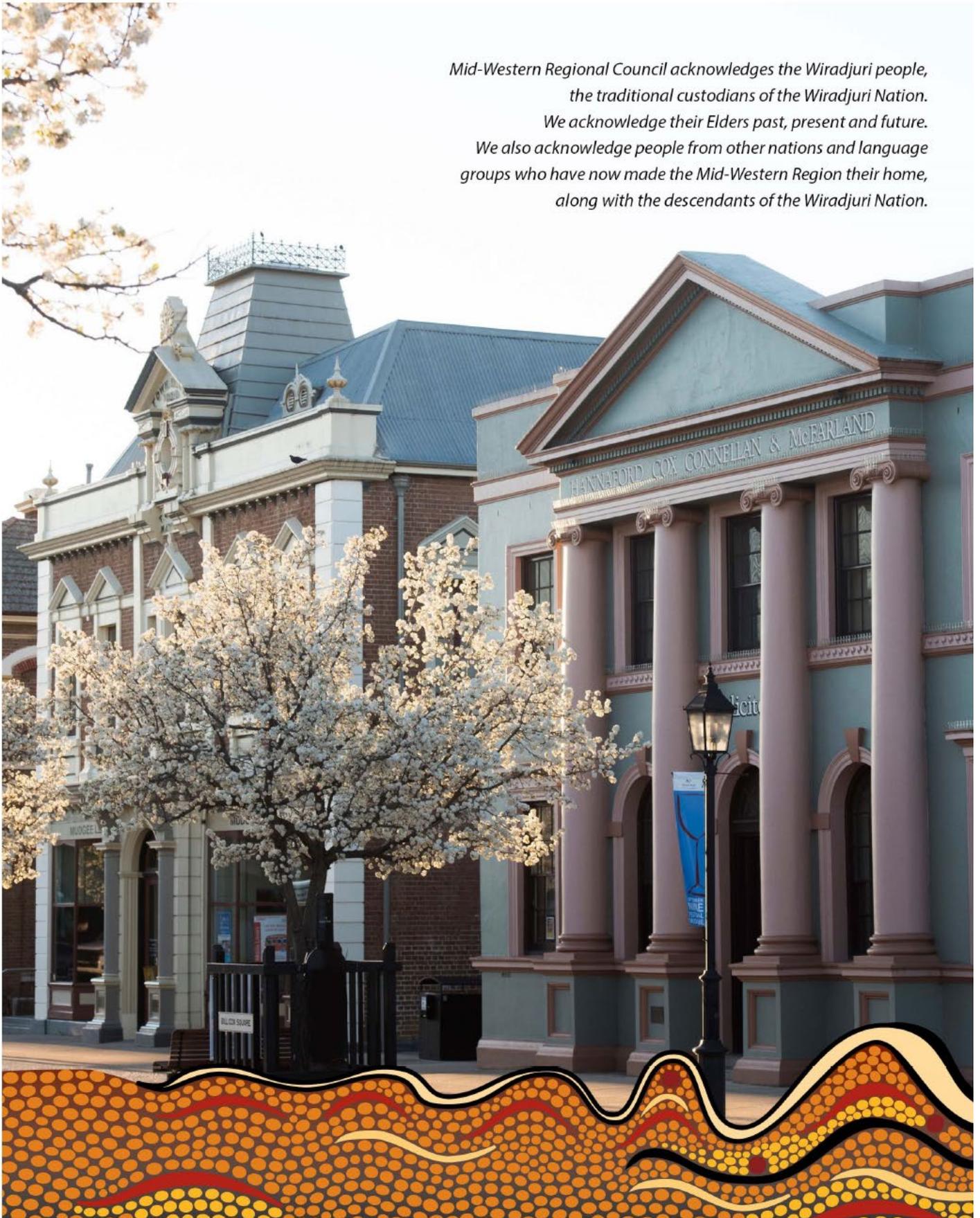
MID-WESTERN REGIONAL COUNCIL

OCTOBER 2022



ECONOMIC DEVELOPMENT | COMMUNITY ENGAGEMENT STRATEGY

*Mid-Western Regional Council acknowledges the Wiradjuri people,  
the traditional custodians of the Wiradjuri Nation.  
We acknowledge their Elders past, present and future.  
We also acknowledge people from other nations and language  
groups who have now made the Mid-Western Region their home,  
along with the descendants of the Wiradjuri Nation.*



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# 1. Introduction

## 1.1 Background

Residents of the Mid-Western Region are living in a modern and growing local government area committed to continuous improvement.

Mid-Western Regional Council is continuously working to engage our community in a diverse range of methods to reach all stakeholders so that our community have input to the decision making processes shaping our local government area.

The development of the Community Engagement Strategy 2022 – 2026 is based on social justice principles, for engagement with the local community when developing plans, determining and prioritising key activities and gathering feedback on services delivered by Council.

## 1.2 What is community engagement?

Community engagement enables the community to have a say on matters that may impact or interest them.

It is strategic, information sharing and collecting with the purpose of working with the community and stakeholders to make better informed decisions.

It does not replace the final decision-making power of Council, but enhances Council's capacity to make well informed and sustainable decisions.

## 1.3 Why do we engage?

Mid-Western Regional Council is committed to listening to our community's views. The data collected from community engagement is then used in conjunction with accompanying information such as technical, financial and legislative requirements to help Council make better decisions.

Our residents and business owners have a wealth of knowledge to contribute and in return, Council want to make informed decisions that provide the best outcome for our community.

Community participation in decision-making:

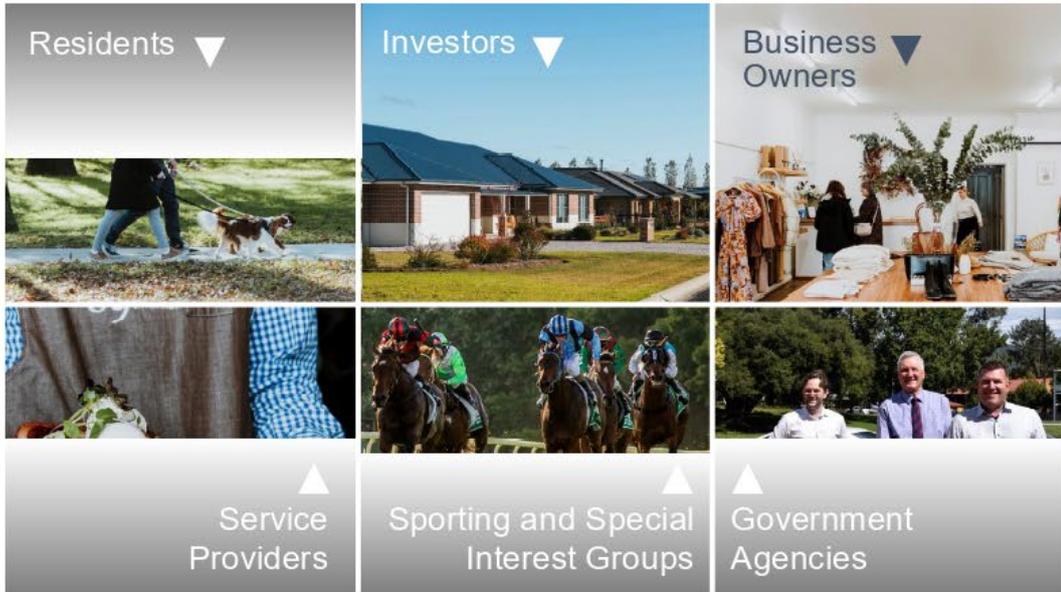
- Improves communication and understanding of the process and the outcome
- Creates better relationships between the community and the Council
- Enhances a sense of community pride and ownership
- Builds community capacity to be involved in local government decision making

ECONOMIC DEVELOPMENT | COMMUNITY ENGAGEMENT STRATEGY

### 1.4 Who do we engage with?

When referring to stakeholders this includes individuals and groups of people living, working or spending time in the Mid-Western Region.

#### STAKEHOLDER GROUPS



#### ALL INDIVIDUALS BUT NOT LIMITED TO:



## 2. How do we engage?

Mid-Western Regional Council uses a multitude of engagement tools to reach out to the community. A range of tools are used so that all community stakeholders have the opportunity to provide feedback and contribute to decisions that affect our local government area. Consideration is given to different age groups, disabilities, culture, minority groups, location and busy working families.

### 2.1 Principles that underpin engagement



### 2.2 Mid-Western Regional Council engagement tools

The tools Mid-Western Regional Council may use to engage the community and stakeholders include, but are not limited to:

- **Surveys**  
Surveys seek to examine community attitudes and perceptions towards current and future services and facilities provided by Council. Surveys are designed to engage the community and capture data which provides a statistically significant representation of the community's attitudes and perceptions. These can be presented digitally, paper based, in person or over the phone and tailored to ask specific questions with a range of options available for responses.

ECONOMIC DEVELOPMENT | COMMUNITY ENGAGEMENT STRATEGY

■ **Stakeholder Workshops**

Workshops are utilised to focus on qualitative information gathering in key themes and gather feedback in relation to the levels of importance and satisfaction with underlying strategies or services.

■ **Community Roadshows**

The Community Roadshows may involve a portable display being assembled in each of the main towns of Mudgee, Gulgong, Kandos and Rylstone in a prominent position to capture pedestrian traffic. The portable displays act to inform and engage the community increasing general awareness of the key issues whilst providing information and feedback to Council. There are a range of participatory activities which the community are able to use to reveal their key priorities and engage with Council staff. The mobile library service may be used to provide access to Community Roadshows for residents in the villages.

■ **Permanent Displays**

Each of Council's Administration Centres/Libraries may host a permanent display over a period of community engagement. These displays may include signage and activities for the community to complete whilst they are visiting Council's offices and buildings. These displays may be used to relay information to target groups.

■ **Direct Mail Out / Letterbox Drop**

A direct mail out or letterbox drop to residents (either through Community News or separately sent) provides another outlet by which residents can participate in the community engagement process and have their say. This tool is used to inform the community and provide feedback. Information contained in these communications assist in opening two way communication with Council feedback tools being presented and promoted in these documents.

■ **Public Exhibition**

Draft Council documents including Policies, Budgets, Plans and Strategies will be placed on public exhibition for a period of 28 days prior to being formally adopted by Council. For Development Applications the public exhibition time is 14 days. The public exhibition period allow residents to review the draft documents and make public submissions. The Mid-Western Regional Council Community Participation Plan provides further detailed information regarding development activities. This can be found on Council's website [www.midwestern.nsw.gov.au](http://www.midwestern.nsw.gov.au)

■ **Local Media / Media Releases and Alerts**

Local media can be used for promotion of events, provide critical information during an emergency or be used to encourage participation and educate the community about the process of reviewing and developing key Council Plans and Strategies.

■ **Council Website**

Redesigned in December 2021, Council's website provides an important information outlet with links to 100 digital forms and applications that can be submitted online. The website offers a self-service option and is a tool to educate the community about the key themes and relevant documents comprising the IP&R framework. There are a number of opportunities for the community to engage Council with feedback options including;

- Reporting a problem with a public facility or infrastructure
- Direct links to public exhibition documents and contact details for submissions and comment
- Webcasting of Council meetings

ECONOMIC DEVELOPMENT | COMMUNITY ENGAGEMENT STRATEGY

- **Community News – distributed to all households in the region monthly**  
Community News features regular updates about the activities being undertaken and reminding residents about the importance of capturing the views of a broad cross-section of the community. Community News can also be used as a direct mail tool to encourage participation in and completion of activities.
- **Social Media**  
Council's social media platforms assist in reinforcing educational messages and encouraging participation in engagement activities. It informs the community of key events and provides links to online engagement activities. Social media can be targeted to particular audiences through boosting advertising to specific audiences.
- **Door Knocking**  
Where required Council will door knock in smaller villages to ensure individuals living in more remote locations are notified of important information. Door knocking can also be used when a specific street is impacted by an event.
- **Postcards**  
Postcards make it is easy to participate in and catered for all ages (ie children and adults). A postcard can include targeted questions to prompt the community in their responses, making it a quick and simple task.
- **Open Feedback Forms**  
Open feedback forms are specifically designed to capture information and allow free text for ideas or support to be relayed to Council. This allows the community to document any other feedback or issues that they feel has not been addressed or is relevant for consideration by Council.
- **SMS**  
Outbound SMS is used when information is time sensitive or requires immediate broadcast and where phone numbers are available.
- **Targeted Electronic Digital Mail**  
Targeted electronic digital mail is used to connect to residents, visitors, community groups and businesses for a multitude of purposes. This may be to provide general information, deliver the Community News digitally, and target information to specific user groups or to encourage engagement and feedback. Targeted electronic digital mail can also be a vehicle to deliver online surveys.
- **Rates and Water Notices**  
Rates and water notices are used as a tool to provide information to the community and encourage participation in engagement activities. These notices are delivered by post and digital mail.
- **Public Forums**  
Members of the public can address Council at the Public Forum before each regular monthly meeting, commencing at 5:30pm. Speakers are given five minutes to present any issue of relevance to the Council. Presenters are not permitted to direct questions to Councillors, although Councillors may question the speakers.

ECONOMIC DEVELOPMENT | COMMUNITY ENGAGEMENT STRATEGY

### 2.3 Who do our engagement tools reach?

	Residents	Elderly	People with Disabilities	Youth	Remote	Visitors	Cultural/ community grps	Business	Schools	Govt agencies
General communication	Community News – online and mail out	Y	Y	Y	Y	Y				
	Rates / Water Notices – online and mail out	Y	Y	Y	Y	Y		Y		
	Social Media (FB, Tik Tok, Instagram)	Y	Y	Y	Y	Y	Y	Y		
	Media Releases/Engagement	Y	Y	Y	Y	Y	Y	Y	Y	
	Customer Service Centre	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Council Website	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Direct Mail Out	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Radio Interviews	Y	Y	Y	Y	Y	Y	Y	Y	
	Permanent Displays	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Public Exhibition	Y	Y	Y	Y	Y	Y	Y	Y	Y
	SMS	Y	Y	Y	Y	Y				
Electronic Direct Mail (EDM)	Y	Y	Y	Y	Y	Y	Y	Y	Y	
Online/digital tools for community engagement and participation	Surveys	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Council Website	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Social Media	Y	Y	Y	Y	Y	Y	Y	Y	
	Postcards	Y	Y	Y	Y	Y		Y		
	Online Surveys	Y	Y	Y	Y	Y	Y	Y	Y	
	Open Feedback Forms	Y	Y	Y	Y	Y	Y	Y	Y	Y
	SMS	Y	Y	Y	Y	Y				
Electronic Direct Mail (EDM)	Y	Y	Y	Y	Y	Y	Y	Y		
Face to face community engagement and participation	Facilitated Workshops	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Community Roadshow	Y	Y	Y	Y	Y				
	Door-knocking	Y				Y				
	Key Stakeholder Meetings	Y	Y	Y	Y	Y	Y	Y	Y	Y
	Public Forums	Y	Y	Y	Y	Y	Y	Y	Y	

### 2.4 The level of engagement

The Community Engagement Strategy is intended to make it easier for the community to understand how to participate in Council decisions and strategies. Every project is different, which requires scoping and planning to determine the most suitable tool used for each engagement.

Stakeholders are identified in each project and the expected level of interest from the community will determine the level of engagement required. The communication and engagement methods are then chosen to support the level of engagement required.

### Mid-Western Regional Council Engagement Process



### Level of engagement required based on impact assessment

When assessing the level of engagement required on any project, the extent of the impact of that project must be considered. The impact may be real or perceived and are classified as follows:

<p><b>Low impact – region wide</b></p> <ul style="list-style-type: none"> <li>▪ Not likely to be controversial</li> <li>▪ Small scale change over a long period</li> <li>▪ Affects the whole region</li> </ul> 	<p><b>Low impact – localised</b></p> <ul style="list-style-type: none"> <li>▪ Localised to one town or locality</li> <li>▪ Low cost/funded project</li> <li>▪ Small change unlikely to affect the community</li> </ul> 
<p><b>High impact – region wide</b></p> <ul style="list-style-type: none"> <li>▪ Potential to be controversial</li> <li>▪ Large budget projects</li> <li>▪ High profile projects</li> <li>▪ High community interest</li> <li>▪ Impact across multiple town/localities</li> </ul> 	<p><b>High impact – localised</b></p> <ul style="list-style-type: none"> <li>▪ Project or activity likely to cause controversy</li> <li>▪ In one area only</li> <li>▪ Possibly large budget</li> <li>▪ High profile projects</li> <li>▪ High community interest</li> </ul> 

### 2.5 How do we close the loop?

It is important that Council closes the loop and provides feedback to stakeholders and participants on the outcomes and decisions made. This demonstrates that input is both considered and valued in the decision making process. As levels of engagement will vary from project to project feedback may be in the following forms:

- Mid-Western Regional Council website [www.midwestern.nsw.gov.au](http://www.midwestern.nsw.gov.au)
- Notification to impacted residents / properties
- Through the library or customer service buildings
- Through electronic digital mail
- Social media
- Mail out to residents
- Community News
- Media release

### 3. How does it all fit together?

#### 3.1 Strategic planning framework

All local councils across the state are required to plan and report in line with the NSW Office of Local Government’s Integrated Planning and Reporting Framework. This “recognises that most communities share similar aspirations: a safe, healthy and pleasant place to live, a sustainable environment, opportunities for social interaction, opportunities for education and employment, and reliable infrastructure. The difference lies in how each community responds to these needs. It also recognises that council plans and policies should not exist in isolation and that they are inter-connected. This framework allows NSW councils to draw their various plans together, understand how they interact and get the maximum leverage from their efforts by planning holistically and sustainably for the future.”



ECONOMIC DEVELOPMENT | COMMUNITY ENGAGEMENT STRATEGY

The following Mid-Western Regional Council documents form our Strategic Planning Framework.

### Community Plan

Our Community Plan is a 'big picture' plan based around the seven outcomes our community has told us will improve the Mid-Western region as a place to live, work, invest and visit. These are long term goals and Council cannot deliver them alone – we need to work with State and Federal government, businesses, other organisations and our community to achieve these outcomes together. Our Community Plan not only sets out where we want to be, but also where we are now and how we'll know we're on the right track.

### Delivery Program and Operational Plan

Our Delivery Program, which incorporates our Operational Plan, sets out Council's role in delivering the seven outcomes over the four years from 2022- 26. It's our commitment to our community, and includes the services, activities and projects we will deliver, our annual budget, our detailed works programs and how we will measure our performance to ensure we're delivering the right services, the best way we can.

### Resourcing Strategy

We cannot deliver the services the community needs without properly managing our people, our assets and our money. The Resourcing Strategy looks at the key risks and opportunities we're likely to face over the next 10 years, and how they may impact our long-term financial sustainability. It looks at how we will use our resources and what we need to do to ensure our assets and our workforce are best placed to deliver on our commitments over the next four years.

## 3.2 Roles and responsibilities

### Community

- Receive and consider information provided by Council related to community engagement projects
- Participate in engagement activities
- Provide valuable and constructive feedback to Council

### Councillors

- Responsible for decision making whilst considering community feedback in conjunction with accompanying information such as technical, financial, legislative requirements
- Promote engagement on key strategic plans
- Participate in the development of Integrated Planning and Reporting documents
- Promote partnership between key stakeholders and Council

ECONOMIC DEVELOPMENT | COMMUNITY ENGAGEMENT STRATEGY

### Council Staff

- Ensure Council policies and procedures are followed
- Ensure community engagement is carried out as per the policies and procedures approved by Council
- Provide Council with technical, financial and legislative information and reports to assist Council to make informed decisions
- Analyse feedback from community engagement activities and use this information to provide informed recommendations to Council
- Communicate the outcome of decisions made by Council to the Community
- Evaluating the effectiveness of community engagement activities
- Ensuring adequate feedback is relayed to stakeholders and participants in engagement activities

### Consultants and contractors

- Deliver engagement activities in line with Council policy and procedures as directed by Council Staff

### 3.3 Public exhibition

The Local Government Act, NSW Environmental Planning and Assessment Act and other legislation requires Council to publicly display certain documents for a prescribed amount of time for public comment. Mid-Western Regional Council documents are available on public exhibition through our website [www.midwestern.nsw.gov.au](http://www.midwestern.nsw.gov.au) or at our offices:

Mudgee	86 Market Street	Monday to Friday	8am–4.30pm
Gulgong	109 Herbert Street	Monday to Friday	8am–4.30pm
Rylstone	77 Louee Street	Monday to Friday	8am–4.30pm (closed for lunch 1–2pm)

### Public exhibition (where required) and timeframes

Draft policies, plans, budgets and strategies	28 days
Draft Strategic Plan	28 days
Draft contribution plans	28 days
Development applications	14 days
Draft community participation plans	28 days
Draft planning proposals for local environmental plans	28 days
Environmental impact plans	28 days

## 8.3 Events Assistance Applications

REPORT BY THE EVENTS COORDINATOR  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, ECO800009, FIN300052

### RECOMMENDATION

#### That Council:

1. receive the report by the Events Coordinator on the Events Assistance Applications;
2. provide Events Assistance to the below applicant (includes cash and in-kind amounts) for Period 2, January – June 2023; and

Cudgegong Valley Antique Machinery Association	\$2500
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3. provide multi-year Events Assistance funding to the below applicants (includes cash and in-kind amounts) for the period of 2023, 2024 and 2025;

	<u>2023</u>	<u>2024</u>	<u>2025</u>
Rylstone Kandos Street Machine Club	\$2000	\$2000	\$2000
Gulgong Eisteddfod	\$2500	\$2500	\$2500

### Executive summary

This report considers applications for Events Assistance under Council's Events Assistance Policy. It relates to events to be held in period 2, between 1 January and 30 June 2023 and period 2 January – June 2025. A total of 4 complete applications were considered, and an additional 2 applications were passed to Community Grants.

It should be noted that the following events are also already approved in the 2022/23 budget via Events Assistance, under multi-year funding (Mudgee Ray Gooley Memorial Endurance Ride, Kandos Bush Dance, Gulgong Gold Cup, Can Cruise, Henry Lawson Festival, and Uneathed).

### Disclosure of Interest

Nil

### Detailed report

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

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

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

### Cudgegong Valley Antique Machinery Association

The National Historical Machinery Association (NHMA) Rally will be held at AREC on 14-16 April 2023. It will involve stationary displays of antique machinery and equipment as well as a tractor pull, grand parade, earthmoving demos and much more. The proposed event has an expected attendance of over 8,000 (local and visitors). \$2,500 has been requested for marketing the event. It is recommended that if Council wishes to support the event, the amount of funding based on the scoring scale is \$2,500. This event received Council support of \$5,000 when the event was last held in Mudgee (2013).

**Rylstone Kandos Street Machine Club**

The Kandos Street Machine and Hot Rod Show will be held in January 2023, 2024 and 2025 at Waratah Park. The proposed event has an expected attendance of 2500 (local and visitors). \$1,190 in-kind has been requested for the venue hire of Waratah Park and \$1,310 cash assistance has been requested for marketing and catering costs. It is recommended that if Council wishes to support the event in 2023, 2024 and 2025, the amount of funding based on the scoring scale is \$2,000. Council has previously supported the event in 2019-2022 with \$2,500 in Events Assistance Funding.

**Gulgong Eisteddfod**

The Gulgong Prince of Wales Eisteddfod attracts approximately 3,500 attendees during its 16 day program. \$3,000 of cash assistance has been requested. If Council wishes to support the event, the recommended amount based on the scoring scale is \$2,500, in 2023, 2024 and 2025. Council supported the event in 2019- 2022 with \$2,500 in Events Assistance Funding.

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

LOCAL COMMUNITY/VOLUNTEER PARTICIPATION IN EVENT		
SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	Unsatisfactory	No or limited local community/volunteer participation or impact (<500 residents)
1	Poor	Community/volunteer participation or local benefits impacting (500 to 1,000 residents)
2	Satisfactory	Community/volunteer participation or local benefits impacting between (1,000 to 2,000 residents)
3	Good	Direct community/volunteer involvement or local benefits impacting (>2,000 residents)
CAPACITY TO ENSURE EVENT CONTINUES AND DEVELOPS IN THE FUTURE		
SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	Unsatisfactory	First time event being held, no plans outlined in application, unclear capacity to deliver event
1	Poor	Limited event history (year one), limited plans outlined in application
2	Satisfactory	Event is at least two years old, appropriate planning
3	Good	Well-established event with detailed planning for the future outlined
ECONOMIC ACTIVITY GENERATED FROM EVENT		
SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT

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

### ADDITIONAL POINTS IN-KIND REQUESTS

#### SCORE VALUE JUDGEMENT

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

Attachment 1 and 2 outline the requests and recommendations for funding.

## Community Plan implications

<b>Theme</b>	<b>Building a Strong Local Economy</b>
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

Applications for Events Assistance are required to have clear linkages to the Community Plan Towards 2040 outcomes. This includes promoting the region as a great place to live, work, invest and visit. By supporting events that provide opportunities for local and visitor attendance, this increases visitation to the region and provides social and economic benefits to the region.

### Council Policies

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

### Legislation

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

## Financial implications

Funding of \$50,000 was provided in the 2022/23 Operational Plan for Events Assistance. Based on the scoring system above, the recommendation of staff is to provide \$7,000 in Events Assistance. An additional \$32,684 has been previously allocated through multi-year funding and from events previously approved in Period 1. This leaves a balance of \$10,316 in Events Assistance.

## Associated Risks

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

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

JOANNA LINDSAY  
EVENTS COORDINATOR

MICHELE MINI  
MANAGER - ECONOMIC DEVELOPMENT

6 October 2022

*Attachments:* 1. Events Assistance Applications.  
2. Events Assistance - Period 2 Summary.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

# Events Assistance Program



Submission date: 8 September 2022, 10:44PM  
Receipt number: 9  
Related form version: 12

## Before you begin

Mid-Western Regional Council's [Events Assistance Program](#) is designed to assist community events which benefit the local economy and attract visitors to the region.

**Please note you will need the following to complete this form:**

- Your business or organisation details
- Bank details for cash component of grant
- A copy of your current Certificate of Currency
- Event details including dates, expected attendance, planned marketing activity, event costings
- A hi-res image of your event

Please ensure you have read the [eligibility guidelines and criteria](#) to ensure you are eligible to apply for Events Assistance Funding.

**ALL questions must be completed. Incomplete applications will not be accepted.**

Please read and accept the [privacy statement](#) and any applicable [terms and conditions](#). If a fee or charge is required, payment must be made before submitting the form.

## Your details

First name Stacey

Last name



Organisation Rylstone Kandos Street Machine Club

ABN 47514668436

Email

A copy of your submissions will be sent to this email address.

Phone number

Address

(-32.8621473, 149.9705765)

[Map](#)

## Organisation details

Are you registered for GST?

No

Is your organisation incorporated?

Yes

Is your organisation not-for-profit?

Yes

## Certificate of Currency

Please upload a copy of your current Certificate of Currency.

Please note: Events MUST have insurance current at time of the event, [31012022 Australian National Street Machine Association COC \(Rylstone Kandos - Mid-Western Re\[2305843009217818731\].pdf](#) to be eligible to receive funding. If this will expire before your event date, an updated version will be required before funding is released.

## Event details

Name of the event

Kandos Street Machine and Hot Rod Show

Event start date

28/01/2023

Number of event days

2

Event location

62 Cooper Dr, Kandos NSW 2848, Australia [Map](#)  
(-32.8621473, 149.9705765)

How often is the event held?

annually

What year was the event established?

2000

Local community members or volunteers participating in the event 500 - 1,000 residents

Number of expected single day visitors to the region for this event **1500**

Number of expected overnight visitors **1500**

What methods do you use to collect data on attendance? **Ticket sales / entries  
Gut-feel**

How do you plan to promote or market the event? **Posters  
Flyers  
Social media  
Print advertising  
Street banners / flags  
Radio**

## Booking details

Is this event being held on Council land or venue? **Yes**

Has a booking form been completed or a request to book been made? **Yes**

Please provide your Bookable booking ID - this can be found in the top right corner of your booking confirmation PDF **9913**

Does the booking relate to Glen Willow? **No**

## Funding details

Has your event previously received funding from Council? **Yes**

Please list year(s) and amount(s) received **2019 - \$2500**

Do you wish to apply for multi-year funding? **Yes**

Please select the years you are applying for **2023  
2024  
2025**

### Funding requested

Must not exceed \$2,500

What funding are you applying for? **Both**

### In-kind support

If you are requesting **IN-KIND** support, please provide details AND value of support (dollar amounts). E.g. Council venue hire fee, preparation of Traffic Control Plan, Traffic Control Personnel, Waste Management). Refer to Council's [Fees and Charges](#) for specific amounts.

**All events requesting 100% in-kind assistance receive 10 bonus points towards scoring of application.**

Venue hire (please indicate which venue and dollar amount) **Waratah Park - \$1190**

Total in-kind requested **\$1190**

### Cash support

Please provide details of how your **CASH** assistance will be used, including. For any cash funding received, copies of invoices may be required as evidence along with an invoice.

Marketing materials **500**

Catering **810**

Total cash **1310**

### Bank details

(for cash component of grant)

Account name

BSB

Account number

## Project budget and financial details

### Event income

Please provide details of your event income:

Total events assistance funding requested	2500
Expected sales revenue (including ticket sales)	100000
Contribution from your organisation	80000
Sponsorships	10000
Stallholder fees	2000
Other grant funding received	0
Other income	0
Total income	114,500

### Event expenditure

Please provide details of your event expenditure:

Marketing	500
Venue hire	1190
Waste management	25000
Traffic control	275
Staff costs	0
Other expenses	50000
Total surplus / deficit:	76965

How do you plan to ensure the event will be sustainable in the future and not reliant on Council funding? **With community support, sponsorship from local businesses, entrants and spectator admissions**

## MWRC Website Directory

### Event image

Please upload a high resolution image

[Kandos JANUARY 2023.jpg](#)

Maximum file size 16MB. Landscape image preferred 1200 x 800.

## Event description

Please note this information may be shared on Council's public event directory.

**Please note:** This will be used on Council's public website. Please include information that is relevant for your attendees.

**The Kandos Street Machine and Hot Rod Show is on again. Are you a car enthusiast? Or keen to get out for the weekend? Kandos offers 2 action packed days for the entire family! A small country town that comes to life on Australia Day Weekend, the 28th and 29th of January, 2023. From Show n Shine, Go-to-Whoa, Burnouts and Grass Events, to jumping castles and dodgem cars, this family friendly event is sure not to be missed!**

Social media link

<https://www.facebook.com/kandosstreetmachine>

Event website / ticketing link

[www.123tix.com.au](http://www.123tix.com.au)

## Declaration

Privacy statement & terms and conditions

I have read and accept the [privacy statement](#), any above statements and applicable [terms and conditions](#) as listed on Council's website.

**I have read and accept any applicable terms and conditions**

**I have read the eligibility guidelines & criteria to ensure my application is eligible**

I confirm that:

**The information contained in the application form and within the attachments are true and correct**

**This application has been submitted with the full knowledge and support of the applicant**

**A copy of current insurance will be provided before funding is received**

**Organisations with outstanding acquittals from past events will not have their applications reviewed until acquittals are received**

Signature

Name of signatory: Stacey Walker

A handwritten signature in black ink, appearing to read 'Stacey Walker', with a long horizontal flourish extending to the right.

[Link to signature](#)

# COMMUNITY GRANTS



**Events Officer JL spoke with Pat on 27.10 and explained that they are eligible to apply for multi-year funding. They requested that their application be changed to reflect this request.**

Being assessed as Events Assistance

## Application Form

### APPLICANTS DETAILS

Name of Organisation	Gulgong Eisteddfod
Contact Person	[REDACTED]
Address	PO Box 379
Phone	[REDACTED]
Email	[REDACTED]
ABN	84176403066
Bank Account Name	[REDACTED]
BSB	[REDACTED]
Account Number	[REDACTED]

### PROJECT / ACTIVITY DETAILS

Name of Project / Activity	Gulgong Prince of Wales Eisteddfod	
Amount of funding requested	\$ 3,000.00	
Start and Finish date	START (click to tick)	FINISH (click to tick)
	May 2023	June 2026
Briefly, describe Project / Activity	The Gulgong Eisteddfod showcases the talents of the youth of our region in three disciplines: Dance, Music and Speech. The Eisteddfod gives competitors the opportunity to perform in front of a live audience and professional adjudicators and receive valuable feedback. For many it is an important springboard into varied careers within the performing arts.	



## ADDRESS CRITERIA

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

(Note: limited number of characters)

The Eisteddfod provides an opportunity for performers in Dance, Music and Speech to perform onstage, and receive valuable experience and feedback. It also creates an opportunity for community engagement via sponsors and volunteers. In 2022 over 3500 people were engaged in the Eisteddfod through volunteering, performing or by being a member of the audience. In 2022 the Eisteddfod culminated in a Music Concert where musicians competed at the highest level for the highly prized Roger Woodward Perpetual Trophy (sponsored by Roger Woodward himself).

What is the expected amount of resident participation?

(Please provide no. of estimated participants)

(Note: limited number of characters)

In 2022 the Gulgong Eisteddfod attracted the following in participants, audience and volunteers:  
Over 2500 spectators  
Over 1000 Competitors in a variety of performances  
Over 40 Volunteers throughout the duration of the Eisteddfod  
Most of these are local residents, but the competition draws entries from surrounding towns and as far away as Sydney and the Central Coast with many whom spend time in our region by staying & visiting local attractions while supporting local cafes, Restaurants while here.

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

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

(Note: limited number of characters)

All Disciplines of the Eisteddfod liaises throughout the year with local schools and music teachers, Dance Studios to ensure they're aware of the opportunities for their students to compete.

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

(Note: limited number of characters)

The Gulgong Eisteddfod has a track record of success. Except for a gap due to covid (only Dance ran in 2021) the Eisteddfod has been running every year since it was first established in 1981. A dedicated committee draws on local volunteers to run an Eisteddfod of the highest standard across the three disciplines of Dance, Music and Speech.



Project Income	Community Grant (amount sought from Council)	\$ 3,000.00
	Expected Sales Revenue i.e. Entry Fee, Membership Sales	
	Other Income	
<b>TOTAL INCOME</b>		<b>\$ 3,000.00</b>

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

Project Expenditure		
<b>TOTAL EXPENDITURE</b>		<b>\$ 0.00</b>
<b>TOTAL SURPLUS / DEFICIT</b>		<b>\$ 3,000.00</b>

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

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

**FINANCIAL DETAILS**

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



Has your organisation/group previously received a Community Grant from Council?	YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
If yes, please advise date and amount	DATE / YEAR 5/12/2019	AMOUNT \$ 2,500.00
Did your group return the acquittal form?	YES (click to tick) <input checked="" type="radio"/>	NO (click to tick) <input type="radio"/>
Closing bank balance from the most recent bank statement or treasurer's report	<input type="text"/>	
Comment on cash set aside for specific projects (optional)	<input type="text"/>	

**APPLICATION CHECKLIST**

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

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

**AUTHORISATION OF APPLICANT**

Name	Pat Rowles
Position	Eisteddfod Treasurer
Date	28/9/2022

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

COMMUNITYGRANTS

SUBMIT YOUR APPLICATION

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

**DELIVER TO:** Customer Service Locations

86 Market Street  
MUDGEE

109 Herbert Street  
GULGONG

77 Louee Street  
RYLSTONE

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

SUBMIT ONLINE

COMMUNITY GRANTS POLICY

PRINT MY APPLICATION



# Events Assistance Program



Submission date: **29 September 2022, 12:20PM**  
Receipt number: **16**  
Related form version: **12**

## Before you begin

Mid-Western Regional Council's [Events Assistance Program](#) is designed to assist community events which benefit the local economy and attract visitors to the region.

**Please note you will need the following to complete this form:**

- Your business or organisation details
- Bank details for cash component of grant
- A copy of your current Certificate of Currency
- Event details including dates, expected attendance, planned marketing activity, event costings
- A hi-res image of your event

Please ensure you have read the [eligibility guidelines and criteria](#) to ensure you are eligible to apply for Events Assistance Funding.

**ALL questions must be completed. Incomplete applications will not be accepted.**

Please read and accept the [privacy statement](#) and any applicable [terms and conditions](#). If a fee or charge is required, payment must be made before submitting the form.

## Your details

First name	Cassandra
Last name	Stanford

Organisation	Cudgegong Valley Antique Machinery Association (AREC as secretariat)
ABN	83407072426
Email	[REDACTED]
A copy of your submissions will be sent to this email address.	
Phone number	[REDACTED]
Address	[REDACTED] <a href="#">Map</a> (-32.5710667, 149.6070859)

## Organisation details

Are you registered for GST?	Yes
Is your organisation incorporated?	Yes
Is your organisation not-for-profit?	Yes

## Certificate of Currency

Please upload a copy of your current Certificate of Currency.

Please note: Events MUST have insurance current at time of the event, [AREC CoC 2021-22.pdf](#)

to be eligible to receive funding. If this will expire before your event date,

an updated version will be required before funding is released.

## Event details

Name of the event	18th National Historical Machinery Association Rally
Event start date	14/04/2023
Number of event days	3
Event location	267 Ulan Rd, Bombira NSW 2850, Australia <a href="#">Map</a> (-32.5710667, 149.6070859)
How often is the event held?	Bi-annually
What year was the event established?	1987

Local community members or volunteers participating in the event **500 - 1,000 residents**

Number of expected single day visitors to the region for this event **6000**

Number of expected overnight visitors **2000**

What methods do you use to collect data on attendance? **Ticket sales / entries**

How do you plan to promote or market the event?  
**Posters**  
**Flyers**  
**Social media**  
**Print advertising**  
**Street banners / flags**  
**Radio**  
**TV**

## Booking details

Is this event being held on Council land or venue? **No**

Does the booking relate to Glen Willow? **No**

## Funding details

Has your event previously received funding from Council? **Yes**

Please list year(s) and amount(s) received **2013 \$5,000 plus earth works**

Do you wish to apply for multi-year funding? **No**

## Funding requested

Must not exceed \$2,500

What funding are you applying for? **Cash support**

### In-kind support

If you are requesting **IN-KIND** support, please provide details AND value of support (dollar amounts). E.g. Council venue hire fee, preparation of Traffic Control Plan, Traffic Control Personnel, Waste Management). Refer to Council's [Fees and Charges](#) for specific amounts.

**All events requesting 100% in-kind assistance receive 10 bonus points towards scoring of application.**

Total in-kind requested	0
-------------------------	---

### Cash support

Please provide details of how your **CASH** assistance will be used, including. For any cash funding received, copies of invoices may be required as evidence along with an invoice.

Marketing materials	2500
---------------------	------

Total cash	2500
------------	------

### Bank details

(for cash component of grant)

Account name	[REDACTED]
--------------	------------

BSB	[REDACTED]
-----	------------

Account number	[REDACTED]
----------------	------------

## Project budget and financial details

### Event income

Please provide details of your event income:

Total events assistance funding requested	2500
---	------

Expected sales revenue (including ticket sales)	48000
---	-------

Contribution from your organisation	10000
-------------------------------------	-------

Sponsorships	22500
--------------	-------

Stallholder fees	27000
------------------	-------

Other grant funding received	0
Other income	0
<b>Total income</b>	<b>110000</b>

**Event expenditure**

Please provide details of your event expenditure:

Marketing	30000
Venue hire	15000
Event infrastructure	25000
Waste management	2500
Traffic control	5000
Staff costs	32500
Other expenses	0
<b>Total surplus / deficit:</b>	<b>0</b>

If surplus budget, please provide further details on what this will be used for **If any surplus, divided evenly between AREC and CVAMC to fund facility upgrades and future endeavours.**

How do you plan to ensure the event will be sustainable in the future and not reliant on Council funding? **This event generally moves from state to state, town to town, but Mudgee, NSW, has been lucky enough to host it a second time. We do not expect to host this event again.**

**MWRC Website Directory**

**Event image**

Please upload a high resolution image [2023 NHMA logo.jpg](#)  
 Max mum f e size 16MB. Landscape image preferred 1200 x 800.

## Event description

Please note this information may be shared on Council's public event directory.

**Please note:** This will be used on Council's public website. Please include information that is relevant for your attendees.

**The National Historical Machinery Association (NHMA) Rally will be held at AREC on 14-16 April 2023. It will involve stationary displays of antique machinery and equipment as well as a tractor pull, grand parade, earthmoving demos and much more.**

Social media link

<https://www.facebook.com/2023NHMARally>

Event website / ticketing link

<https://www.arec.com.au/nhma2021/>

## Declaration

Privacy statement & terms and conditions

I have read and accept the [privacy statement](#), any above statements and applicable [terms and conditions](#) as stated on Council's website.

**I have read and accept any applicable terms and conditions**

**I have read the eligibility guidelines & criteria to ensure my application is eligible**

I confirm that:

**The information contained in the application form and within the attachments are true and correct**

**This application has been submitted with the full knowledge and support of the applicant**

**A copy of current insurance will be provided before funding is received**

**Organisations with outstanding acquittals from past events will not have their applications reviewed until acquittals are received**

Signature

Name of signatory: Cassandra Stanford



[Link to signature](#)

Summary of Applications with Recommendations

Organisation	Event Name	Event Start Date	Description	Requested Amount Cash	Requested Amount In kind	Request for Multi-Year Funding	Local Community /Volunteer Participation	Capacity to ensure event continues and develops in the future	Economic Activity Generated from event	Bonus Points	Total Score	Recommendation	Approved for
Rylstone Kandos Street Machine Club	Kandos Street Machine and Hot Rod Show	28/01/2023	The Kandos Street Machine and Hot Rod Show will be held in January 2023, 2024 and 2025 at Waratah Park. The proposed event has an expected attendance of 2500 (local and visitors). \$1190 in-kind has been requested for the venue hire of Waratah Park and \$1,310 cash assistance has been requested for marketing and catering costs. It is recommended that if Council wishes to support the event in 2023, 2024 and 2025, the amount of funding based on the scoring scale is \$2,000. Council has previously supported the event in 2019-2022 with \$2,500 in Events Assistance Funding.	\$1,310.00	\$1,190.00	Yes - 23, 24, 25	1	3	14	0	18	\$2,000.00	
Cudgegong Valley Antique Machinery Association (AREC as secretariat)	18th National Historical Machinery Association Rally	14/04/2023	The National Historical Machinery Association (NHMA) Rally will be held at AREC on 14-16 April 2023. It will involve stationary displays of antique machinery and equipment as well as a tractor pull, grand parade, earthmoving demos and much more. The proposed event has an expected attendance of over 8000 (local and visitors). \$2,500 has been requested for marketing the event. It is recommended that if Council wishes to support the event, the amount of funding based on the scoring scale is \$2,000. This event received Council support of \$5,000 when the event was last held in Mudgee (2013).	\$2,500.00	\$0.00	No	2	3	14	0	19	\$2,500.00	
Gulgong Eisteddfod	Gulgong Prince of Wales Eisteddfod	May-23	The Gulgong Prince of Wales Eisteddfod attracts approximately 3500 attendees during its 16 day program. \$3,000 of cash assistance has been requested. If Council wishes to support the event, the recommended amount based on the scoring scale is \$2,500. Council supported the event in 2019- 2022 with \$2,500 in Events Assistance Funding.	\$3,000.00	\$0.00	No	2	3	14		19	\$2,500.00	

## 8.4 Acceptance of Funding - NSW Government Regional Events Acceleration Fund A-League

REPORT BY THE EVENTS COORDINATOR  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, GRA600048

### RECOMMENDATION

#### That Council:

1. receive the report by the Events Coordinator on the Acceptance of Funding - NSW Government Regional Events Acceleration Fund;
2. if successful, accept \$130,000 in grant funding from the NSW Government Regional Events Acceleration Fund;
3. if successful, amend the 2022/23 budget to increase grant funding by \$130,000 and increase expenditure by \$130,000; and
4. if successful, authorise the General Manager to finalise and sign the funding agreement with the NSW Government.

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### Executive summary

Council has the opportunity to host a formal A-League Match at Glen Willow Stadium in 2023, after the October 2022 match was relocated due to weather events. The NSW Government has advised funds are available to assist with the delivery costs of this match through the Regional Events Acceleration Fund. This report recommends acceptance of grant funding from the NSW Government Regional Events Acceleration Fund if the application is successful.

### Disclosure of Interest

Nil

### Detailed report

Council was invited to apply for grant funding from the NSW Government Regional Events Acceleration Fund in regards to an A-League Match to be held at Glen Willow Stadium in 2023. The intention of this grant is to support major events held in regional NSW. The funding aims to help meet the costs of attracting or retaining major events and help fund the operational and infrastructure improvements existing events need to increase visitation and length of stay. The Regional Events Acceleration funding will help Council cover delivery costs of the A-League event and cover broadcast expense incurred by the host team in relocating the event to Mudgee.

### Community Plan implications

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

## Strategic implications

### Council Strategies

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

### Council Policies

Not Applicable

### Legislation

Not Applicable

## Financial implications

The provision of this grant will reduce reliance on Council funds to deliver the A-league Event.

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

## Associated Risks

Nil

JOANNA LINDSAY  
EVENTS COORDINATOR

ALINA AZAR  
DIRECTOR DEVELOPMENT

25 October 2022

*Attachments:* Nil

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 8.5 Policy Review - Occupation of Caravans, Mobile Homes and Temporary Residential Structures on Private Land

REPORT BY THE MANAGER BUILDING AND DEVELOPMENT  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, A0100021

### RECOMMENDATION

#### That Council:

1. receive the report by the Manager Building and Development on the Policy Review - Occupation of Caravans, Mobile Homes and Temporary Residential Structures on Private Land;
2. place the revised Occupation of Caravans, Mobile Homes and Temporary Residential Structures Policy on public exhibition for 28 days; and
3. adopt the revised Occupation of Caravans, Mobile Homes and Temporary Residential Structures Policy if no submissions are received.

---

### Executive summary

The existing Occupation of Caravans, Mobile Homes and Temporary Residential Structures Policy has been reviewed and proposed amendments are suggested as part of Council's ongoing policy review program.

### Disclosure of Interest

Nil

### Detailed report

The existing Occupation of Caravans, Mobile Homes and Temporary Residential Structures Policy provides guidance to enable Mid-Western Regional Council (Council) to permit the temporary occupation of caravans, mobile homes and other temporary residential structures on private land in conjunction with the construction of an approved dwelling.

Minor updates to the Occupation of Caravans, Mobile Homes and Temporary Residential Structures Policy are shown as "track changes" within the copy of the Policy included as **Attachment 1** and simply seek to provide clarity on the approval requirements.

### Community Plan implications

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

## Strategic implications

### **Council Strategies**

Not Applicable

### **Council Policies**

Occupation of Caravans, Mobile Homes and Temporary Residential Structures Policy (existing).  
Mid-Western Local Environmental Plan 2012  
Mid-Western Development Control Plan 2013

### **Legislation**

Local Government Act 1993  
Environmental Planning and Assessment Act 1979

## Financial implications

Not Applicable

## Associated Risks

Without an appropriate policy in place to regulate temporary use of such buildings and structures, unauthorised use may occur and compliance action may be required.

TY ROBSON  
MANAGER BUILDING AND DEVELOPMENT

ALINA AZAR  
DIRECTOR DEVELOPMENT

31 October 2022

*Attachments:* 1. Policy - Occupation of Caravans, Mobile Homes and Temporary Structures on Private Land - Amended Version October 2022.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## POLICY

### Occupation of Caravans, Mobile Homes and Temporary Residential Structures on Private Land

*A prosperous and progressive community.*

ADOPTED	VERSION NO
COUNCIL MEETING MIN NO 176/17	REVIEW DATE <b>October 2026</b>
DATE: <b>October 2022</b>	FILE NUMBER <b>A0100021</b>

## Objective

To provide guidance to enable Mid-Western Regional Council (Council) to permit the temporary occupation of caravans, mobile homes and other temporary residential structures on private land in conjunction with the construction of an approved dwelling.

## Legislative requirements

Local Government Act 1993

Environmental Planning and Assessment Act 1979

## Related policies and plans

- Mid-Western Local Environment Plan 2012
- Mid-Western Development Control Plan 2013

## Policy

This policy applies to the Mid-Western Region Local Government Area.

1. A person shall not use or occupy a caravan or structure (other than an approved dwelling) for residential purposes on any land without prior consent and obtaining approval from Council.
2. Approval will not be issued unless the following have been complied with:
  - a. A Development Application for the erection of a permanent dwelling ~~has been approved by Council or a Principal Certifying Authority~~ and the temporary occupation of a caravan, mobile home or residential structure has been lodged and approved by Council.
  - b. Adequate sanitary and ablution facilities have been provided to the satisfaction of Council. This may be by way of a temporary connection to Council's sewer infrastructure or installation of an On Site Sewer Management System. Approval pursuant to Section 68 of the Local Government Act 1993 is to be obtained from Council.
  - c. Adequate all weather internal access road is provided (rural areas only).
  - d. The caravan or structure is to be inspected and an approval will not be issued for any caravan or structure unless Council is satisfied that it is suitable for habitation.
  - e. All dwellings not connected to town water supplies shall be provided by the owner/occupier with water storage facilities with a minimum capacity of 45,000 litres. The storage facilities shall be designed so that 20,000 litres are reserved at all times for fire fighting purposes.

**POLICY: OCCUPATION OF CARAVANS, MOBILE HOMES AND TEMPORARY RESIDENTIAL STRUCTURES ON PRIVATE LAND**

3. The following conditions shall apply to the approval:
  - a. The approval shall be for an initial period of six months and commence from the first day of occupation of the temporary structure. The occupier may apply in writing to Council, to extend the period of the approval for a further six months where it is demonstrated that the erection of the permanent dwelling on the land is proceeding satisfactorily. The combined time period shall not exceed twelve months in total.
  - b. The property and particularly the area immediately surrounding the temporary living site shall be maintained in a clean and tidy state at all times. Building materials shall be stacked and stored in an orderly fashion.
  - c. No nuisance whatsoever is to be caused by virtue of the occupation.
  - d. The caravan and structure is maintained in a habitable state at all times to the satisfaction of Council.
  - e. The approval is not transferable.
  - f. Council reserves the right to revoke any approval given if the conditions are not complied with.
  - g. The applicant agrees to vacate the site within one month of approval being revoked and the applicant understands that legal proceedings will be instituted if a direction to vacate is not complied with.
4. Council may not require compliance with Clause 3a above and allow extended occupation of a caravan, mobile home and other temporary residential structures, if medical and financial evidence substantiates that there is no alternative.

## 8.6 Fire and Rescue NSW Fire Safety Inspection Reports

REPORT BY THE MANAGER BUILDING AND DEVELOPMENT  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, P0020611

### RECOMMENDATION

#### That Council:

1. **table the report by the Manager Building and Development on the Fire and Rescue NSW Fire Safety Inspection Reports of 6 Lewis Street, Mudgee, 67 Market Street, Mudgee, and 141-143 Mayne Street Gulgong;**
2. **proceed to exercise Council's powers to give Order No 1 in Schedule 5, Part 2 of the *Environmental Planning and Assessment Act 1979* regarding these properties; and**
3. **give notice of Council's determination under Schedule 5, Part 8, Section 17(4), of the *Environmental Planning and Assessment Act 1979* to the Commissioner of Fire and Rescue NSW.**

---

### Executive summary

Council has received a three (3) reports from Fire and Rescue NSW (dated 12 October 2022 and 1 November 2022). The findings of these reports state that Fire and Rescue NSW believes that there are inadequate provisions for fire safety within the noted buildings identified as the Oriental Hotel located at 6 Lewis Street, Mudgee, the Woolpack Hotel located at 67 Market Street, Mudgee and the Centennial Hotel located 141-143 Mayne Street, Gulgong.

Council must consider the findings and recommendations of the inspection reports and determine whether it will exercise its powers to give a fire safety order in accordance with the provisions of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

### Disclosure of Interest

Nil

### Detailed report

#### Background

Council has received three reports from Fire and Rescue NSW (dated 12 October 2022 and 1 November 2022) following an inspection conducted on the 16 September 2022 of 'The Oriental Hotel' located at 6 Lewis Street, Mudgee, 'The Woolpack Hotel' located 67 Market Street, Mudgee, and 'The Centennial Hotel' located at 141-143 Mayne Street, Gulgong.

The premises was inspected pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*, which provides inspection powers to an authorised fire officer of Fire and Rescue NSW for the purpose of inspecting a building to determine whether or not:-

- (a) *adequate provision for fire safety has been made in or in connection with the building,*  
or

(b) *the fire safety provisions prescribed for the purposes of this section by the regulations have been complied with.*

A copy of the inspection reports are provided in **Attachment 1, 2 and 3** of this report.

**Findings**

As a result of a number of non-compliances identified and the recommendations provided within the reports, Council is required pursuant to Schedule 5, Part 8, Section 17(2) of the *EP&A Act* to table the report at the next available meeting of Council and determine whether it will exercise its powers to give a fire safety order under the *EP&A Act*.

Schedule 5, Part 2 of the *EP&A Act* provides the relevant orders which may be issued by Council to address the matters raised by Fire and Rescue NSW which is provided below:

**Part 2 Fire safety orders**

	<i>To do what?</i>	<i>In what circumstances?</i>	<i>To whom?</i>
1	<i>To do or stop doing things for the purposes of ensuring or promoting adequate fire safety or fire safety awareness</i>	<i>When provision for fire safety or fire safety awareness is inadequate to— prevent fire, or suppress fire, or prevent the spread of fire.  To ensure or promote the safety of persons in the event of fire.  When lack of maintenance of the premises or the use of the premises constitutes a significant fire hazard.</i>	<i>The owner of the premises or, in the case of a place of shared accommodation, the owner or manager</i>
2	<i>To stop doing an activity on premises, including on premises used for the purposes of shared accommodation</i>	<i>The activity is or is likely to be— life threatening hazard, or threat to public health or public safety, and the activity is not regulated or controlled under any other Act by a public authority.</i>	<i>Any person apparently engaged in promoting, conducting or carrying out the activity</i>
3	<i>To stop the use of premises or to evacuate premises, or not to enter the premises</i>	<i>When an order under item 1 or 2 above has already been served and has not been complied with.</i>	<i>Any person</i>

**Recommendation**

Based on all available information to-date, it is recommended that a fire safety order be issued pursuant to Schedule 5, Part 2(1) of the *EP&A Act* on the owner and operator of the premises' in order to address items 1 to 4 of the inspection reports contained within **Attachments 1 and 2** and items 1 to 3 of **Attachment 3** provided by Fire and Rescue NSW.

Noting that Order No.1 in Part 2 of Schedule 5 to the EPA Act requires the giving of a notice of intention to issue the proposed order and the consideration of representations concerning the proposed order before the order may be given (see Schedule 5(6) – (15)).

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	A safe and healthy community
Strategy	Work with key partners and the community to reduce crime, anti-social behaviour and improve community safety

## Strategic implications

### Council Strategies

Not Applicable

### Council Policies

Not Applicable

### Legislation

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment (Development Certification & Fire Safety) Regulation 2021

Local Government Act 1993

## Financial implications

Nil

## Associated Risks

Should Council proceed to issue a Development Control Order, the owner / licensee of the building may proceed to appeal the Order in the Land and Environment Court.

TY ROBSON  
MANAGER BUILDING AND DEVELOPMENT

ALINA AZAR  
DIRECTOR DEVELOPMENT

28 October 2022

*Attachments:*

1. FRNSW Inspection Report - Oriental Hotel - 6 Lewis Street Mudgee.
2. FRNSW Inspection Report - Woolpack Hotel - 67 Market Street Mudgee.
3. FRNSW Inspection Report - Centennial Hotel - 141-143 Mayne Street, Gulgong.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

Unclassified



File Ref. No: BFS22/4878  
TRIM Ref. No: D22/89240  
Contact: Conor Hackett

12 October 2022

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

E-mail: [council@midwestern.nsw.gov.au](mailto:council@midwestern.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
ORIENTAL HOTEL  
6 LEWIS ST, MUDGEE NSW 2850 (“the premises”)**

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW) inspected ‘the premises’ on 16 September 2022, The NSW Police Force were also present during the inspection.

On behalf of the Commissioner of FRNSW, comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

Unclassified

Unclassified

## COMMENTS

This report is limited to observations and sections of the building accessed during the inspection. This report lists potential deviations from the National Construction Code 2019 Building Code of Australia – Volume One (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items listed may relate to the building's age or contradict development consent approval. In this regard, it is at the Council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified during the inspection:

### 1. Essential Fire Safety Measures

- 1A. Smoke Alarm System – The premises appear to have a Clause 3 smoke alarm system installed as required by Specification E2.2a of the NCC.
  - A. Clause 3b(iii)(B) of the NCC states that:
    - i. The smoke alarm system must activate a building occupant warning system under Clause 7. Observations revealed no loudspeakers installed in the ceilings, and it is unclear whether the installed system complies with Clause 3.22 of AS1670.1 and will sound through all occupied areas.
    - ii. The smoke alarms installed in public corridors and other internal public spaces must be located per the requirements for smoke detectors in Australian Standard AS 1670.1. The location of the smoke alarms appears intermittent and haphazardly installed in public spaces.
  - B. Clause 3.28 of Australian Standard AS1670.1 sets out the locations where smoke alarms are not required. No smoke alarm was observed at the skylight over the small bar adjacent to the main bar, and the skylight does not appear to meet the criteria prescribed 3.28(g) for the omission of a detector at this location.
  - C. The manager onsite at the time indicated that a security company monitors the smoke detection and alarm system. Upon activation of a smoke alarm, the security company receives the signal and contacts management, who then investigate. Considering the above anomalies, further investigation regarding the installed smoke detection and alarm system may be required by Council.
- 1B. Annual Fire Safety Statement (AFSS) and Fire Safety Schedule (FSS) – Section 89(4)(b) of the Environmental Planning And Assessment (Development Certification And Fire Safety) Regulation 2021 (EPAR 2021) requires an AFSS to be prominently displayed within the building. The AFSS and FSS could not be located at the time of the inspection. As a result, the essential fire safety measures maintained under the relevant Australian Standard could not be established.

Unclassified

**Unclassified**

- 1C. Floor Area – Clause E1.3 of the NCC requires buildings with a total floor area greater than 500m<sup>2</sup> to be installed with a fire hydrant system per Australian Standard AS2419.1. The total floor area of the building appears to be greater than 500m<sup>2</sup>, and a review may be required.
2. Access & Egress
  - 2A. Fire Exits and Fire Exit Doors – Section 109 of EPAR 2021 requires that nothing must obstruct the free passage of persons in using a fire exit or a path of travel leading to a fire exit for the building. At the time of the inspection:
    - A. The exit door from the first-floor accommodation to the stair leading to Lewis Street contained a deadlatch.
    - B. The final exit door to Lewis Street contained a lockable latch.
    - C. A table and chairs were observed obstructing the exit door discharging from the small bar adjacent to the main bar, discharging to the passageway leading to Mortimer Street.
  - 2B. Exit Signs – With regard to Clause E4.6 and E4.8 of the NCC, the following issues were identified as concerns at the time of inspection:
    - A. The exit sign at the top of the stairs to the first-floor restaurant/wine bar was missing the pictorial element on one side.
    - B. The exit sign at the top of the stairs to the first-floor restaurant/wine bar pointed opposite the exit path.
    - C. The exit sign above the exit door from the first-floor corridor to the central stair was missing the pictorial element.
  - 2C. Swinging Doors – Clause D2.20(b) of the NCC requires that if a swinging door is located in a required exit or forms part of a required exit, the door must swing in the direction of egress. At the time of the inspection:
    - A. The exit door from the first-floor corridor to the central stair swings against the direction of egress.
    - B. The final exit door from the first-floor accommodation to Lewis Street swings against the direction of egress.
3. Compartmentation
  - 3A. Having regard to performance requirements CP2, CP4 and CP8 of the NCC, the following items were observed as concerns in relation to maintaining the tenable conditions of the building to prevent the spread of fire to exits, Sole Occupancy Units (SOUs), public corridors, openings and penetrations:

**Unclassified**

- A. Bounding Construction – The doors to room no's 5 & 7 did not have a fully operational self-closing device. As access was not available to all SOUs at the time of the inspection, it is unclear whether all of the doors to the SOUs are self-closing, tight fitting, solid core, not less than 35 mm thick, under the requirements of Clause C3.11(d)(ii) of the NCC.
- B. Type of Construction – Clause C1.1 of the NCC requires a building with a specific building class to achieve the minimum fire-resisting construction. It is the Council's discretion to conduct an inspection and review the development approval to confirm the type of construction and whether the different uses require compartmentation.

4. Generally

- 4A. Review of Fire Safety Requirements – It is the Council's discretion to confirm that the maintenance of the essential fire safety systems meets its obligations to enforce the Annual Fire Safety Statement and development approval. Specifically, the Council's policy and procedures meet the commitments to maintain essential fire safety measures to a standard no less than initially designed and implemented.
- 4B. Evacuation Plan – Owners and managers of hospitality facilities should provide oversight to fire safety training for the staff and ensure that adequate plans and procedures are ready to be executed in the event of a fire or emergency. A fire prevention plan should be developed under the Australian Standard, AS 3745 - 2010 Planning for Emergencies in Facilities, which outlines the minimum requirements for developing the emergency plan. The Council could consider including this as part of an approved management plan for "the premises", particularly for the hotel.

FRNSW believes that there are inadequate provisions for fire safety within the building.

**RECOMMENDATIONS**

FRNSW recommends that Council:

- a. Inspect and address items 1 to 4 of this report and any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

**Unclassified**

Please do not hesitate to contact Conor Hackett of FRNSW's Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto:FireSafety@fire.nsw.gov.au) or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS22/4878 regarding any correspondence concerning this matter.

Yours faithfully



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

**Unclassified**

Unclassified



File Ref. No: BFS22/4879 (23872)  
TRIM Ref. No: D22/88078  
Contact: Edren Ravino

12 October 2022

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

E-mail: [council@midwestern.nsw.gov.au](mailto:council@midwestern.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT  
'THE WOOLPACK HOTEL'  
67 MARKET STREET, MUDGEE ("the premises")**

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW) inspected 'the premises' on 16 September 2022. The NSW Police Force was also present during the inspection.

On behalf of the Commissioner of FRNSW, comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

Unclassified

Unclassified

**COMMENTS**

Please be advised that the items in this report are limited to observations of the building accessed at the time of the inspection and identify possible nonconformities with the National Construction Code 2019, Volume 1 Building Code of Australia (NCC) and provisions for fire safety. The items are not an exhaustive list of non-compliances. FRNSW acknowledges that the differences observed at the time may contradict development consent approval or relate to the building's age. Therefore, it's the Council's discretion as the appropriate regulatory authority to consider the most appropriate action.

The following items were identified during the inspection:

1. Essential Fire Safety Measures
  - 1A. Regular Maintenance – Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021) requires maintenance of the Essential Fire Safety Measure to a standard no less than when it was first installed. Australian Standard AS1851-2012 (amendment 1) - "Service of fire protection systems and equipment" details how essential service measures are regularly tested and maintained. Having regard to Section 81 of EPAR2021 and the Australian Standard AS1851, authorised fire officers observed the following at the time of the inspection:
    - A. Exit signs – Many exit signs either were not illuminated or did not operate when the test button was pressed.
    - B. Portable Fire Extinguishers (PFE) – Table 10.4.1 of AS1851 requires PFE to remain conspicuous, readily accessible and in its assigned location. At the time of the inspection, items were restricting access to many PFE. While other PFEs were missing from their hook.
    - C. Fire Hose Reels (FHR) – Table 9.4.1 of AS1851 requires FHR to be accessible with no obstacles restricting its access. At the time of the inspection, items were limiting access to many FHRs at "the premises".
  - 1B. Fire Hose Reel (FHR) Signage – Clause 10.4 of AS 2441-2005 requires signage to identify the location of the FHR. The FHR in the public bar has been painted white and used as a whiteboard, and as a result, the installed signage above the cabinet is no longer prominent. At first glance, the FHR is not readily identifiable.
  - 1C. Portable Fire Extinguishers (PFE) – Table E1.6 of the NCC details the risk class (as defined in AS 2444) for the selection of PFEs in specific areas of a building. It is the Council's discretion to conduct an inspection and review the development approval to confirm whether a Class F (wet chemical) PFE is required in the kitchen.
  - 1D. Floor Area – Clause E1.3 of the NCC requires buildings with a total floor area greater than 500m<sup>2</sup> to be installed with a fire hydrant system per Australian Standard AS2419.1. The total floor area of the building appears to be greater than 500m<sup>2</sup>, and a review may be required.

**Unclassified**

- 1E. Zone Block Plan – Clause 3.10 of the Australian Standard 1670.1 -2015 outlines details to be included in the block plan and securely mounted adjacent to the Fire Indicator Panel (FIP). At the time of the inspection, the zone block plan was a hand-drawn temporary plan. It is at the Council's discretion to ensure the permanent block plan includes items listed in Clause 3.10.
- 1F. Annual Fire Safety Statements (AFSS) and Fire Safety Schedule (FSS) – Section 89(4)(b) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021) requires the building owner prominently display a copy of the AFSS and FSS.
  - A. Displaying an AFSS and FSS means:
    - i. That each essential fire safety measure specified in the AFSS has been assessed by an accredited practitioner (fire safety) as capable of performing to a standard no less than that specified in the FSS;
    - ii. An original measure, as defined under Section 81 of EPAR 2021 — is maintained to a standard no less than when the measure was initially designed and implemented, AND
    - iii. The building had been inspected by an accredited practitioner (fire safety). When it was inspected, it was found to be in a condition that did not disclose grounds for prosecution.
  - B. The AFSS and FSS could not be located during the inspection.
- 2. Access and Egress
  - 2A. Operation of Latch – Clause D2.21 of the NCC requires that a door must be readily openable without a key from the side that faces a person seeking egress. The latch must be a single-hand downward action on a single device between 900 mm and 1.1 m from the floor if the door is a required exit or forming part of a required exit or in the path of travel to a required exit. At the time of the inspection:
    - A. The hotel doors from Market Street and the metal gate from the hotel leading to the beer garden included a single-cylinder deadlock. The deadlocks did not allow for a single-hand downward action and were in locations that did not appear to meet the requirements of Clause D2.21 of the NCC.
    - B. There were doors in and around “the premises” that did not appear to meet the requirements of Clause D2.21. A review may be required.
  - 2B. Swinging Doors – Clause D2.20 of the NCC requires swinging doors in a required exit or forms part of a required exit to swing in a direction that does not impede the path or direction of egress. At the time of the inspection, the hotel door opens against the direction of egress onto Market Street, and

**Unclassified**

many signposted exit doors open against the path of egress. A review of the exit strategy may be required.

- 2C. Exit Sign – Clause E4.8 of the NCC details the requirements for “Design and operation of Exit Signs”, where every “required exit” sign must comply with Australian Standard AS/NZS 2293.1; alternatively, a photoluminescent exit sign. The photoluminescent exit sign must comply with Specification E4.8 and be visible to any person occupying the building with the right of legal entry. At the time of the inspection, the front entry door to the hotel included an exit sign directly above the door that did not appear to comply with Clause E4.8 of the NCC. A review and assessment may be required.
  - 2D. Distance & Dimensions – Performance Requirements DP4 and DP6 of the NCC specify the requirements for exits and the “path of travel” to an exit. At the time of the inspection, many exits and “paths of travel” at “the premises” may require the Council’s review, where Clause D1.4 and Clause D1.6 of the NCC would need to be considered. A review of the rear storage area for the restaurant in particular.
3. Compartmentation
- 3A. Type of Construction – Clause C1.5 of the NCC outlines when a Class 3 building having a “rise in storeys” of 2 may be of Type C. A Class 3 building considered Type C construction would be on the proviso that each Sole Occupancy Unit (SOU) has access to at least two exits. Alternatively, each SOU has direct access to a road or open space. At the time of the inspection, some SOUs do not have access to two exits or immediate access to a road or open space. Subject to review by the Council, the proceeding comments are provided.
  - 3B. Protection of openings in external walls – C3.2 of the NCC details the requirements to protect openings in exterior walls of a specific Fire Resistance Level (FRL). At the time of the inspection, it was unclear where the boundary allotment was located for the adjoining property and “the premises.” It is the Council’s discretion to review the development approval and determine whether there are openings that require protection under C3.4 of the NCC.
  - 3C. Separation by Fire Walls – C2.7 of the NCC details the requirements to separate a fire compartment from the remainder of the building by a firewall. A glass door provides entry to the hotel via the public bar. A review and assessment may be required to determine whether separating the two building classes is required.
  - 3D. Bounding Construction (Class 2, Class 3 & Class 4 Parts) – Clause C3.11 of the NCC requires any sole occupancy unit (SOU) or public corridor in a building of Class 2, Class 3 and Class 4 parts to maintain the performance of the bounding walls. In this regard, the following items are provided:
    - A. If occupants exit an SOU of Class 2 or Class 3 onto an open balcony, landing (or the like) and pass an external wall of another sole-occupancy unit (or a room not within a sole-occupancy unit). Then that external wall must comply with C3.11(g)[(iii) to (v)] of the NCC if the

**Unclassified**

path of travel to an exit lacks a choice of travel in different directions to alternative exits. The Council may need to inspect “the premises” and review the development approval for the rooms on the first floor because:

- i. Some occupants appear to travel a distance that exceeds 6 metres from the SOU onto the balcony to an exit.
  - ii. The occupants then have to enter the main building before there is a choice of exit in different directions.
- B. Doors to SOUs in a Class 3 building with a “rise in storey” of 2 of Type B or C construction must be constructed and installed in a specific manner. At the time of the inspection:
- i. The doors to the SOUs accessed at the time lacked an operable self-closer.
  - ii. It is unclear whether any doors to the SOUs are tight fitting, solid core and not less than 35 mm thick.
- 3E. Separation of Classifications in Different Storeys – The balconies to the SOUs of the Class 3 storey face onto a glass roof. The glass roof is sufficiently transparent to reveal the plasterboard ceiling of the gaming area. The Council may need to inspect, review the development approval and consider Clause C2.9 of the NCC.

4. Generally

- 4A. Items for Further Investigation – The Council may require an investigation to confirm the following
- A. Assembly Buildings – The draft evacuation plan provided by the licensee references a dance floor, and the building appears to contain Class 6 and Class 3. A review may be required to confirm whether there is a development approval for a dance floor. As such, whether the ground floor is considered a Class 6 building or a Class 9b bar area of a hotel containing a dance floor.
  - B. Smoke Detection System – As no AFSS could be located, it was difficult to establish what type of smoke detection and alarm system was installed. “The premises” appear to have installed a Clause 5 system under Specification E2.2a of the NCC. A review may be required to establish the spacings, locations and type of detectors or alarms installed.
- 4B. Review of Fire Safety Requirements – It is the Council’s discretion to confirm that the maintenance of the essential fire safety systems meets its obligations to enforce the Annual Fire Safety Statement and development approval. Specifically, the Council’s policy and procedures meet the commitments to maintain essential fire safety measures to a standard no less than initially designed and implemented.

**Unclassified**

- 4C. Evacuation Plan – Owners and managers of hospitality facilities should provide oversight to fire safety training for the staff and ensure that adequate plans and procedures are ready to be executed in the event of a fire or emergency. A fire prevention plan should be developed under the Australian Standard, AS 3745 - 2010 Planning for Emergencies in Facilities, which outlines the minimum requirements for developing the emergency plan. The Council could consider including this as part of an approved management plan for “the premises”, particularly for the hotel.

FRNSW believes that there are inadequate provisions for fire safety within the building.

**RECOMMENDATIONS**

FRNSW recommends that Council:

- a. Inspect and address items 1 to 4 of this report and any other deficiencies identified on “the premises”.

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council’s advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Edren Ravino of FRNSW’s Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto:FireSafety@fire.nsw.gov.au) or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS22/4879 (23872) regarding any correspondence concerning this matter.

Yours faithfully



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

Unclassified



File Ref. No: BFS22/4881  
TRIM Ref. No: D22/92275  
Contact: Conor Hackett

1 November 2022

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

Email: [council@midwestern.nsw.gov.au](mailto:council@midwestern.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
'CENTENNIAL HOTEL'  
141-143 MAYNE ST, GULGONG NSW 2852 ("the premises")**

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW) inspected 'the premises' on 16 September 2022, the NSW Police Force were also present during the inspection.

On behalf of the Commissioner of FRNSW, comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.
- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

## COMMENTS

This report is limited to observations and sections of the building accessed during the inspection. This report lists potential deviations from the National Construction Code

Fire and Rescue NSW

ABN 12 593 473 110

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

Community Safety Directorate  
Fire Safety Compliance Unit

1 Amarina Ave  
Greenacre NSW 2190

T (02) 9742 7434  
F (02) 9742 7483

[www.fire.nsw.gov.au](http://www.fire.nsw.gov.au)

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**Unclassified**

2019 Building Code of Australia – Volume One (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items listed may relate to the building's age or contradict development consent approval. In this regard, it is at the Council's discretion as the appropriate regulatory authority to consider the most appropriate action and determine whether an investigation is required.

The following items were identified during the inspection:

1. Essential Fire Safety Measures

- 1A. Annual Fire Safety Statement (AFSS) – Clause 89(4)(b) of the EPAR 2021 requires an AFSS to be prominently displayed within the building. At the time of the inspection, an AFSS could not be located, and the essential fire safety measures maintained under the relevant Australian Standard could not be established.

2. Access & Egress

- 2A. Operation of Latch – Clause D2.21 of the NCC requires that a door must be readily openable without a key from the side that faces a person seeking egress. The latch must be a single-hand downward action on a single device between 900 mm and 1.1 m from the floor if the door is a required exit or forming part of a required exit or in the path of travel to a required exit. Multiple doors throughout 'the premise' contain lockable devices, tulip-style handles or slide bolts that fail to comply with Clause D2.21 of the NCC.
- 2B. Exit Signs – Clause E4.8 of the NCC details the requirements for the "Design and operation of Exit Signs", where every "required exit" sign must comply with Australian Standard AS2293.1. Alternatively, a photoluminescent exit sign may be provided. The photoluminescent exit sign must comply with Specification E4.8 and be visible to any person occupying the building with the right of legal entry. The exit sign above the exit door from the bistro to the rear included an exit sign that did not appear to comply with Clause E4.8 of the NCC.
- 2C. Swinging Doors – Clause D2.20(b) of the NCC requires that if a swinging door is located in a required exit or forms part of a required exit, the door must swing in the direction of egress. Multiple exit doors from the premises swing against the direction of egress.

3. Generally

- 3A. Review of Fire Safety Requirements – It is the Council's discretion to confirm that the maintenance of the essential fire safety systems meets its obligations to enforce the Annual Fire Safety Statement and development approval. Specifically, the Council's policy and procedures meet the commitments to maintain essential fire safety measures to a standard no less than initially designed and implemented.

**Unclassified**

- 3B. Evacuation Plan – Owners and managers of hospitality facilities should provide oversight to fire safety training for the staff and ensure that adequate plans and procedures are ready to be executed in the event of a fire or emergency. A fire prevention plan should be developed under the Australian Standard, AS 3745 - 2010 Planning for Emergencies in Facilities, which outlines the minimum requirements for developing the emergency plan. The Council could consider including this as part of an approved management plan for “the premises”, particularly for the hotel.

FRNSW believes that there are inadequate provisions for fire safety within the building.

**RECOMMENDATIONS**

FRNSW recommends that Council:

Inspect and address items 1 to 3 of this report and any other deficiencies identified on ‘the premises’.

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council’s advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Conor Hackett of FRNSW’s Fire Safety Compliance Unit at [FireSafety@fire.nsw.gov.au](mailto:FireSafety@fire.nsw.gov.au) or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS22/4881 regarding any correspondence concerning this matter.

Yours faithfully



Edren Ravino  
Senior Building Surveyor  
Fire Safety Compliance Unit

## 8.7 Monthly Development Applications Processing and Determined

REPORT BY THE MANAGER, PLANNING  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, 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 October 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

<b>Theme</b>	<b>Looking After Our Community</b>
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 November 2022

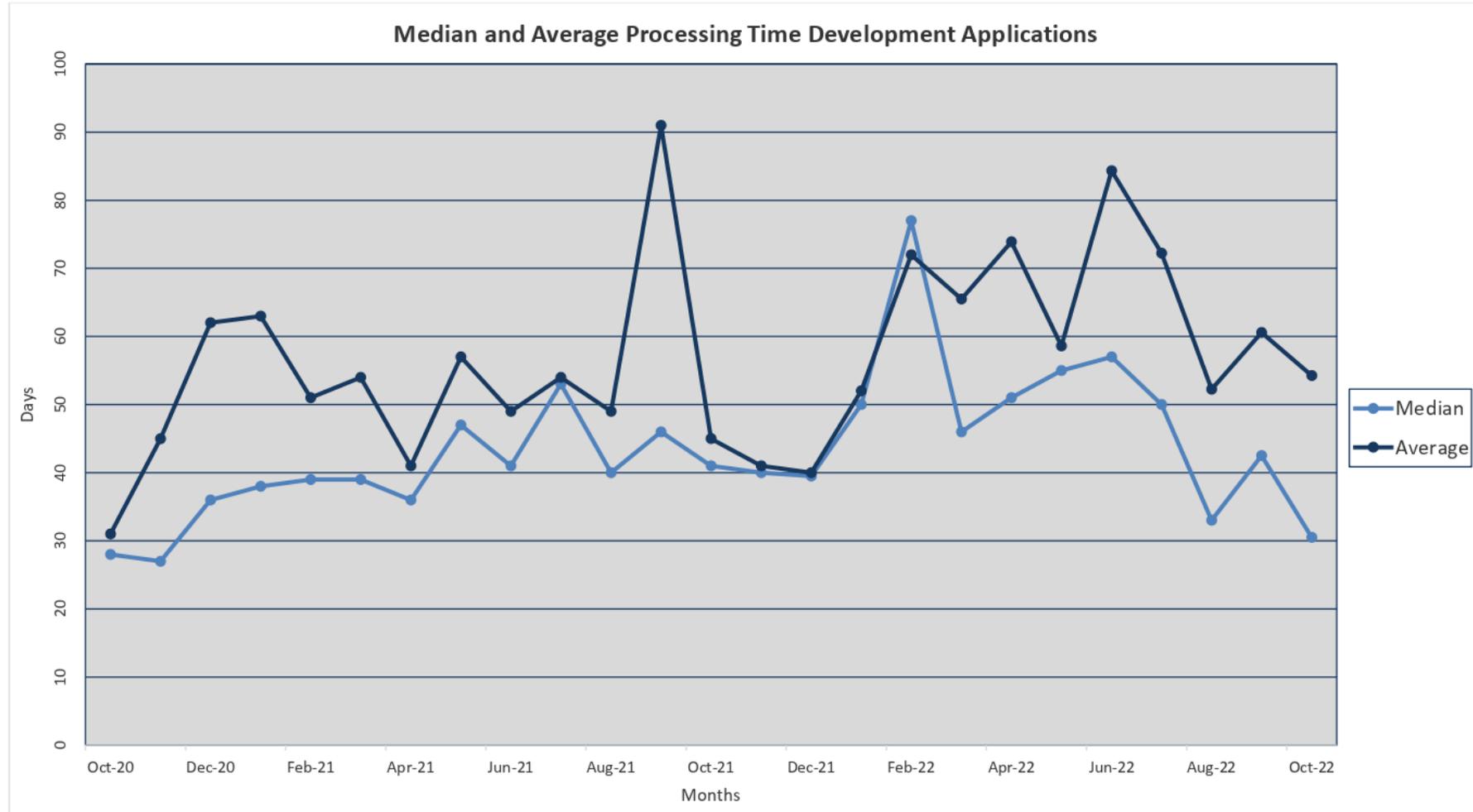
*Attachments:* 1. DA applications processing and determined ATTACHMENT October 2022.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

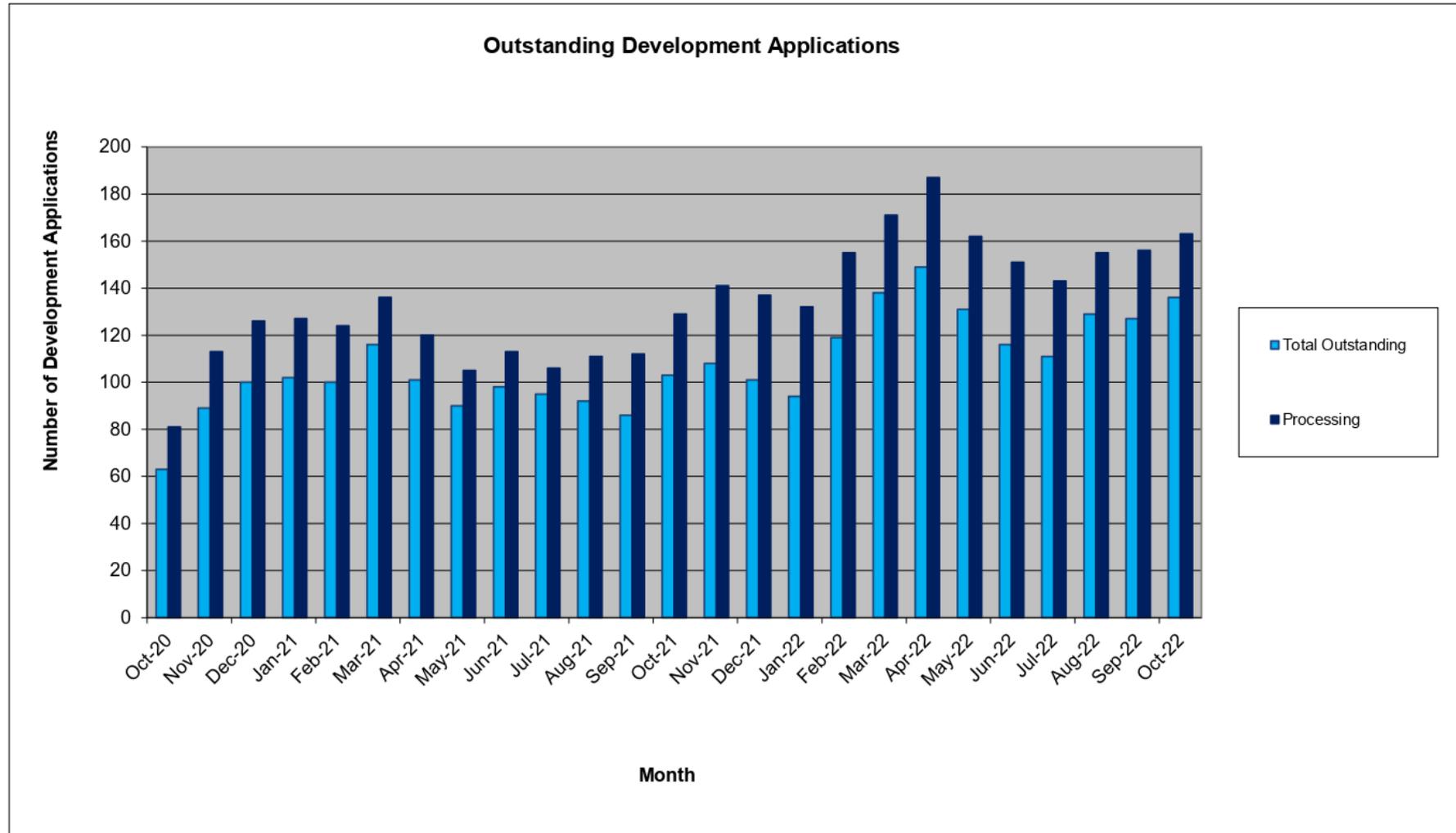
### Monthly Development Application Processing Report – October 2022

This report covers the period for the month of October 2022. Graph 1 indicates the processing times up to 31 October 2022 with the month of October having an average of 54.26 days and a median time of 30.5 days.



## Monthly Development Application Processing Report – October 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 – October 2022

The Planning and Development Department determined 30 Development Applications either by Council or under delegation during October 2022.

### Development Applications Determined – October 2022

Appl/Proc ID	Description	House No	Street Name	Locality
DA0263/2019	Camping ground	40	Grevillea Street	GULGONG
DA0218/2022	Demolition	1858	Cudgegong Road	CUDGEGONG
DA0270/2022	Dual Occupancy	64	Inglis Street	MUDGEE
DA0301/2022	Dual Occupancy	25	Fairydale Lane	MUDGEE
DA0311/2022	Dwelling House	31	McLachlan Street	KANDOS
DA0338/2022	Dual Occupancy	9	Goodlet Lane	MUDGEE
DA0380/2022	Secondary dwelling	62	Rodgers Street	KANDOS
DA0396/2022	Subdivision - Torrens Title	227	Melrose Road	MOUNT FROME
DA0423/2022	Dual Occupancy	155	Suzanne Road	TALLAWANG
DA0432/2022	Secondary dwelling	17	Buckaroo Road	BUCKAROO
DA0445/2022	Dwelling House	320	Beechworth Road	PIAMBONG
DA0011/2023	Farm building	200	Lesters Lane	PIAMBONG
DA0054/2023	Demolition	844	Castlereagh Highway	MENAH
DA0057/2023	Ancillary Residential Development	17	Florence Close	MUDGEE
DA0060/2023	Farm building	687	Springfield Lane	GULGONG
DA0070/2023	Residential Shed	11	McLachlan Street	KANDOS
DA0079/2023	Alterations & Additions	17	Belmore Street	MUDGEE
DA0082/2023	Residential Shed	164	Denison Street	MUDGEE
DA0087/2023	Swimming Pool	158	Bruce Road	MUDGEE
DA0093/2023	Dwelling House	19	Dunnachie Street	MUDGEE
DA0095/2023	Dwelling House	24	Dunnachie Street	MUDGEE
DA0097/2023	Dwelling House	22	Webster Street	BOMBIRA
DA0102/2023	Dwelling House	661	Black Springs Road	BUDGEE BUDGEE
DA0104/2023	Dwelling House	13	Dunnachie Street	MUDGEE
DA0105/2023	Dwelling House	18	Dunnachie Street	MUDGEE
DA0106/2023	Other (DA)	2358	Henry Lawson Drive	CANADIAN LEAD
DA0108/2023	Dwelling House	36	Meramie Street	CAERLEON
DA0116/2023	Dwelling House	39	Suttor Avenue	CAERLEON
DA0119/2023	Dwelling House	2191	Hill End Road	GRATTAI
DA0135/2023	Shed >150m2	65	Elouera Road	STUBBO

## Monthly Development Application Processing Report – October 2022

**\*NOTE – One Development Applications was approved with a variation to the DCP as listed below:**

DA number	Number of DCP variation (s)	Type of variation
DA0301/2022	1	Private open space

## Monthly Development Application Processing Report – October 2022

### Development Applications currently being processed – October 2022.

App/Proc ID	Description	House No	Street Name	Locality
DA0214/2011	Dwelling House	663	Castlereagh Highway	BURRUNDULLA
DA0327/2011	Shed >150m2	23	Horatio Street	MUDGEE
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTA BUCCA
DA0266/2017	Residential Shed	3	Cudgegong Street	RYLSTONE
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE
DA0089/2019	Change of use - shed to habitable dwelling	2037	Coxs Creek Road	RYLSTONE
DA0024/2021	Subdivision - Community Title	20	Sydney Road	MUDGEE
DA0087/2021	Carport	63	Court Street	MUDGEE
DA0166/2021	water storage facility	51	Oaklands Road	MOUNT FROME
DA0199/2021	Change of use to serviced apartments	1	Sydney Road	MUDGEE
DA0434/2021	Subdivision - Torrens Title	2	Stewart Street	KANDOS
DA0094/2022	Dwelling House	96	Madeira Road	MUDGEE
DA0164/2022	Change of use - retail premises	9	Sydney Road	MUDGEE
DA0216/2022	Dwelling House	1858	Cudgegong Road	CUDGEGONG
DA0226/2022	Garage	12	Wandoona Court	MUDGEE
DA0243/2022	Emergency Services/Bushfire Hazard Reduction	3	Garner Street	LUE
DA0247/2022	Ancillary Residential Development	25	Burrundulla Avenue	MUDGEE
DA0267/2022	telecommunications facility	20	Robison Street	ULAN
DA0268/2022	Subdivision - Torrens Title	313	Magpie Lane	GALAMBINE
DA0312/2022	Subdivision - Torrens Title	55	Ilford Road	KANDOS
DA0313/2022	Subdivision - Torrens Title	194	Hill End Road	CAERLEON
DA0329/2022	Other (DA)	19	Sydney Road	MUDGEE
DA0336/2022	Shed >150m2	44	Burrundulla Road	BURRUNDULLA
DA0349/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON
DA0388/2022	Subdivision - Torrens Title	52	Nicholson Street	MUDGEE
DA0401/2022	Dual Occupancy	41	Suttor Avenue	CAERLEON
DA0406/2022	Subdivision - Torrens Title	36	Tinja Lane	PUTTA BUCCA
DA0413/2022	Subdivision - Torrens Title	900	Castlereagh Highway	BERYL
DA0414/2022	Subdivision - Torrens Title	5056	Hill End Road	HARGRAVES

### Monthly Development Application Processing Report – October 2022

DA0417/2022	Other (DA)	59	Church Street	MUDGEE
DA0419/2022	Subdivision - Torrens Title	53	Cox Street	MUDGEE
DA0425/2022	Shed >150m2	56	Rocky Waterhole Road	MOUNT FROME
DA0426/2022	Dual Occupancy	49	Suttor Avenue	CAERLEON
DA0427/2022	Subdivision - Torrens Title	161	Gladstone Street	MUDGEE
DA0429/2022	Multi dwelling housing	81	Lawson Street	MUDGEE
DA0433/2022	Earthworks	16	Robert Jones Street	MUDGEE
DA0439/2022	Subdivision - Torrens Title	1329	Pyramul Road	PYRAMUL
DA0443/2022	Dual Occupancy	51	Saleyards Lane	MUDGEE
DA0450/2022	Dwelling House	344	Castlereagh Hwy	BURRUNDULLA
DA0451/2022	Other (DA)	1403	Blue Springs Road	BUNGABA
DA0453/2022	Secondary dwelling	209	Mortimer Street	MUDGEE
DA0456/2022	Dwelling House	111	Adams Lead Road	GULGONG
DA0001/2023	Other (DA)	42	Angus Avenue	KANDOS
DA0002/2023	Other (DA)	1062	Blue Springs Road	COPE
DA0008/2023	Secondary dwelling	604	Wallawaugh Road	HARGRAVES
DA0012/2023	Change of use to food and drink premises	82	Mortimer Street	MUDGEE
DA0016/2023	Dwelling House	1368	Castlereagh Highway	CULLENBONE
DA0018/2023	Shed >150m2	18	Bumberra Place	BOMBIRA
DA0023/2023	Dwelling House	38	38 Rifle Range Road	MUDGEE
DA0024/2023	Other (DA)	209	Pipeclay Lane	BUDGEE BUDGE
DA0027/2023	Demolition	134	Lions Drive	BURRUNDULLA
DA0032/2023	Shed >150m2	19	Spring Creek Road	GULGONG
DA0033/2023	Shed >150m2	3	Saleyards Lane	GULGONG
DA0034/2023	Subdivision - Torrens Title	845	Henry Lawson Drive	EURUNDEREE
DA0036/2023	Dwelling House	235	Gladstone Street	MUDGEE
DA0037/2023	Other (DA)	49	Old Grattai Road	ERUDGERE
DA0038/2023	Dwelling House	1930	Bylong Valley Way	KANDOS
DA0040/2023	Subdivision - Torrens Title	194	Hill End Road	CAERLEON
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
DA0048/2023	Secondary dwelling	68	Perry Street	MUDGEE

### Monthly Development Application Processing Report – October 2022

DA0050/2023	Subdivision - Torrens Title	5	Xavier Court	MUDGEE
DA0056/2023	Other (DA)	1141	Crudine Road	CRUDINE
DA0058/2023	Alterations & Additions	1476	Henry Lawson Drive	ST FILLANS
DA0063/2023	Dwelling House	3	Mustang Road	RYLSTONE
DA0066/2023	Dwelling House	26	Hone Creek Drive	CAERLEON
DA0068/2023	Shed >150m2	688	Queens Pinch Road	MULLAMUDDY
DA0071/2023	Subdivision - Torrens Title	2	Banjo Paterson Avenue	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
DA0078/2023	Multi dwelling housing	232	Mortimer Street	MUDGEE
DA0084/2023	Subdivision - Torrens Title	7	Thomas Clark Place	MUDGEE
DA0086/2023	Garage	4	Worobil Street	GULGONG
DA0089/2023	Dual Occupancy	6	Queen Street	GULGONG
DA0090/2023	Dwelling House	1121	Ulan Road	BUDGEE BUDGE
DA0091/2023	Dwelling House	4	Eleanor Dark Court	MUDGEE
DA0092/2023	Secondary dwelling	156	Gladstone Street	MUDGEE
DA0098/2023	Ancillary Residential Development	1244	Spring Creek Road	YARRAWONGA
DA0099/2023	Garage	180	Broadhead Road	SPRING FLAT
DA0100/2023	Shed >150m2	44	Winter Street	MUDGEE
DA0101/2023	Other (DA)	21	Shepherds Lane	GULGONG
DA0107/2023	Subdivision - Torrens Title	28	Melton Road	MUDGEE
DA0110/2023	Other (DA)	269	Henry Lawson Drive	EURUNDEREE
DA0111/2023	Other (DA)	58	Pitts Lane	PUTTA BUCCA
DA0113/2023	Dwelling House	14	Market Street	MUDGEE
DA0114/2023	Shed >150m2	36	Sydney Road	MUDGEE
DA0115/2023	Dwelling House	45	Suttor Avenue	CAERLEON
DA0118/2023	Alterations & Additions	804	Castlereagh Highway	MENAH
DA0120/2023	Dual Occupancy	3	Suttor Avenue	CAERLEON
DA0121/2023	Signage	36	Church Street	MUDGEE
DA0122/2023	Dwelling House	42	Wurth Drive	BOMBIRA
DA0123/2023	Dual Occupancy	37	Fairydale Lane	MUDGEE
DA0124/2023	Change of use to hold events	267	Ulan Road	BOMBIRA

### Monthly Development Application Processing Report – October 2022

DA0125/2023	Dual Occupancy	45	Nullo Mountain Road	OLINDA
DA0126/2023	Dual Occupancy	3	Beryl Road	GULGONG
DA0127/2023	Secondary dwelling	101	White Circle	MUDGEE
DA0128/2023	Dual Occupancy	21	Dunnachie Street	MUDGEE
DA0129/2023	Other (DA)	191	Kaolin Road	HOME RULE
DA0130/2023	Garage	207	Mortimer Street	MUDGEE
DA0131/2023	Ancillary Residential Development	97	Lewis Street	MUDGEE
DA0132/2023	Shed >150m2	19	Lahy Court	MUDGEE
DA0134/2023	Other (DA)	713	Black Springs Road	BUDGEE BUDGEE
DA0136/2023	Dwelling House	192	Mayne Street	GULGONG
DA0137/2023	Other (DA)	6	Wirrang Close	EURUNDEREE
DA0138/2023	Dwelling House	32	Dunnachie Street	MUDGEE
DA0139/2023	Dwelling House	10	Suttor Avenue	CAERLEON
DA0140/2023	Subdivision - Torrens Title	7	Stan Boal Court	MUDGEE
DA0141/2023	secondary dwelling	1199	Ulan Road	BUDGEE BUDGEE
DA0142/2023	Dual Occupancy	33	Fairydale Lane	MUDGEE
DA0144/2023	Food and drink premises	5	Wilkins Crescent	MUDGEE
DA0145/2023	Subdivision - Torrens Title	37	Calderwood Road	RYLSTONE
DA0146/2023	Shed >150m2	36	Aerodrome Road	RYLSTONE
DA0147/2023	Shed >150m2	27	Short Street	MUDGEE
DA0148/2023	Subdivision - Torrens Title	30	Banjo Paterson Avenue	MUDGEE
DA0149/2023	Dwelling House	252	Henry Lawson Drive	BOMBIRA
DA0151/2023	Dual Occupancy	248	Grattai Creek Road	GRATTAI
DA0152/2023	Alterations & Additions	470	Castlereagh Highway	BURRUNDULLA
DA0154/2023	Dwelling House	42	Nicholson Street	MUDGEE
DA0155/2023	Dwelling House	2505	Ulan Road	COOKS GAP
DA0156/2023	Shed >150m2	8	Thomas Clark Place	MUDGEE
DA0157/2023	Shed >150m2	24	Saleyards Lane	MUDGEE
DA0158/2023	Swimming Pool	6	Constantia Road	MUDGEE
DA0159/2023	Dwelling House	873	Blue Springs Road	STUBBO
DA0160/2023	Dwelling House	22	Dunnachie Street	MUDGEE
DA0161/2023	Shed >150m2	23	Suttor Avenue	CAERLEON
DA0162/2023	Retaining Wall	38	Hughson Avenue	MUDGEE

### Monthly Development Application Processing Report – October 2022

DA0164/2023	Dual Occupancy	30	Dunnachie Street	MUDGEES
DA0165/2023	Subdivision - Torrens Title	28	Banjo Paterson Avenue	MUDGEES
DA0166/2023	Swimming Pool	177	Snakes Creek Road	WILBETREE
DA0167/2023	Shed >150m2	36	Enfield Avenue	CAERLEON
DA0168/2023	Alterations & Additions	12	Banjo Paterson Avenue	MUDGEES
DA0169/2023	Alterations & Additions	142	Yarrabin Road	COLLINGWOOD
DA0170/2023	Alterations & Additions	93	Norris Lane	GALAMBINE

## Monthly Development Application Processing Report – October 2022

### Heritage Development Applications currently being processed – October 2022.

App/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEES
DA0198/2021	Change of use 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
DA0392/2022	Secondary dwelling	31	Gladstone Street	MUDGEES
DA0393/2022	Educational Establishment	70	Court Street	MUDGEES
DA0398/2022	Secondary dwelling	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
DA0046/2023	Demolition	13	Horatio Street	MUDGEES
DA0052/2023	Dwelling House	15	Loy Avenue	MUDGEES
DA0072/2023	Signage	62	Church Street	MUDGEES
DA0080/2023	Pub	49	Church Street	MUDGEES
DA0085/2023	Secondary dwelling	183	Church Street	MUDGEES
DA0109/2023	Garage	79	Lawson Street	MUDGEES
DA0112/2023	Other (DA)	19	Church Street	MUDGEES
DA0150/2023	Other (DA)	93	Herbert Street	GULGONG
DA0153/2023	Subdivision - Torrens Title	21	Douro Street	MUDGEES
DA0163/2023	Demolition	3	McFarlane Street	MUDGEES

## Item 9: Finance

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### 9.1 Presentation of the 2021/22 Financial Statements

REPORT BY THE FINANCIAL OPERATIONS COORDINATOR  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, FIN300347

#### RECOMMENDATION

**That Council receive the report by the Financial Operations Coordinator on the Presentation of the 2021/22 Financial Statements.**

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#### Executive summary

Council's 2021/22 general purpose and special purpose financial reports have been audited by the Auditor-General and submitted to the Office of Local Government.

The Auditor-General has engaged Prosperity Advisors Group to provide audit and assurance services on this engagement. Mr Luke Malone of Prosperity, will make the public presentation of the financial reports at the 16 November 2022 Council meeting.

#### Disclosure of Interest

Nil

#### Detailed report

In accordance with Section 419 of the Local Government Act 1993 (the Act), Council must present its audited financial reports together with the Auditor's reports at a meeting of the Council. Council has requested the Auditor to attend this meeting. Public notice of the meeting has been given in the approved form, in accordance with Section 418(3) of the Act.

Section 418 of the Act requires that the public presentation of the audited financial reports must not be more than 35 days after the auditor's reports are given to Council. The date of the Auditor's report is 25 October 2022 and the public presentation falls within the timeframe.

As per Section 420 of the Act, any person may make a submission to Council regarding the audited financial reports or the Auditor's reports. Any such submissions must be in writing and must be lodged with Council within seven days of the reports being publicly presented. Council must ensure that copies of all submissions received by it are referred to the Auditor. Council may take any such action as it considers appropriate with respect to any such submission, including the giving of notice to the Director-General of any matter that appears to require amendment of the Council's financial reports.

Copies of the financial reports are available for inspection at the Mudgee, Gulgong and Rylstone Administration Centres. A copy of the report has also been placed on Council's website. Copies of the reports have been distributed to Councillors.

On 14 October 2022 The Audit Risk and Improvement Committee (ARIC) met, at this meeting ARIC unreservedly endorsed Mid-Western Regional Councils (MWRC) 21/22 Financial Statements with the non-inclusion of Rural Fire Services assets noting that it may result in a qualified Audit Opinion.

## Community Plan implications

<b>Theme</b>	<b>Good Government</b>
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

The Local Government Act 1993 Division 2 – Accounting Records, Financial Reports and Auditing sets out the requirements surrounding Council’s financial reports. This report, with the attached Audited Financial Statements, demonstrates that Council has met all of these requirements. Detailed information on the public notice and presentation requirements have been supplied in the detailed report section of this report.

## Financial implications

Not Applicable

## Associated Risks

Not Applicable

TRISH ELSEGOOD  
FINANCIAL OPERATIONS COORDINATOR

NEIL BUNGATE  
ACTING CHIEF FINANCIAL OFFICER

26 October 2022

*Attachments:* 1. Financial Statements 2022. (separately attached)

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.2 Annual Report 2021/22

REPORT BY THE FINANCIAL OPERATIONS COORDINATOR  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, GOV400088

### RECOMMENDATION

#### That Council:

1. **receive the report by the Financial Operations Coordinator on the Annual Report 2021/22;**
2. **endorse the Annual Report 2021/22; and**
3. **post a copy of the Annual Report 2021/22 to Council's website and provide to the Minister for Local Government.**

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### Executive summary

Council is required to prepare an Annual Report summarising the achievements of the financial year, along with a number of statutory disclosures, financial statements and a State of the Environment Report. The report has been prepared, and is enclosed under separate cover for Council to review prior to its publication.

### Disclosure of Interest

Nil

### Detailed report

Council's Annual Report 2021/22 is attached. The Annual Report meets all requirements as set out in the Local Government Act 1993, the Local Government Regulations 2021, and the Integrated Planning and Reporting Guidelines for Local Government in NSW issued by the Office of Local Government.

The Annual Financial Statements and Audit Reports for the year ended 30 June 2022 also form part of the Annual Report (noted on page 66). The Financial Statements is subject to a separate report within this meeting agenda.

The Annual Report also includes:

- A message from the Mayor and General Manager
- Details of Council structure
- Requirements under Civic Leadership
- Councils Vision and Values
- Information about the region
- Progress on the Operational Plan and Delivery Program
- Financial Snapshots and performance measures
- Statutory Information, and
- State of the Environment Report snapshots

## Community Plan implications

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

## Strategic implications

### **Council Strategies**

The Annual Report provides Councils achievements in implementing the Operational Plan 2021/22 and Delivery Program 2017/18 – 2021/22.

### **Council Policies**

Not Applicable

### **Legislation**

Section 428 of the Local Government Act 1993 requires that:

Council prepare an annual report within 5 months of the end of the year outlining its achievements in implementing its delivery program and the effectiveness of the principal activities undertaken in achieving the objectives at which those principal activities are directed.

The annual report must contain the following:

- a) a copy of the council's audited financial reports prepared in accordance with the Local Government Code of Accounting Practice and Financial Reporting published by the Department, as in force from time to time,
- b) such other information or material as the regulations or the guidelines under section 406 may require.
- c) The Annual Report must be published on Council's website and a link provided to the Minister (OLG).

The Annual Report must contain a copy of Council's audited financial reports, State of the Environment report, and a number of other items of information as set out in various sections of the Local Government (General) Regulation 2021, in particular Section 217.

## Financial implications

Not Applicable

## Associated Risks

Not Applicable

TRISH ELSEGOOD  
FINANCIAL OPERATIONS COORDINATOR

NEIL BUNGATE  
ACTING CHIEF FINANCIAL OFFICER

26 October 2022

*Attachments:* 1. Annual Report 2021/22. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.3 Monthly Budget Review - October 2022

REPORT BY THE ACCOUNTANT REPORTING & ANALYSIS  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, FIN300315

### RECOMMENDATION

**That Council receive the report by the Accountant Reporting & Analysis on the Monthly Budget Review - October 2022.**

### Executive summary

This report provides Council with information on the progress of the 2022/23 Capital Works Program at 31 October 2022.

### 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

<b>Theme</b>	<b>Good Government</b>
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 2021, states that the responsible accounting officer of a Council must:

- 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
- if any instance arises where the actual income or expenditure of the council is materially different from its estimated income or expenditure, report the instance to the next meeting of Council.

## Financial implications

There are no budget variation in the report.

<b>Budget Year</b>	<b>Operating Performance Ratio</b>	<b>Own Source Revenue</b>	<b>Building &amp; Infrastructure Renewal</b>
<b>2021/22</b>	-	-	-
<b>Future Years</b>	-	-	-

## Associated Risks

Not Applicable

SUMEDHA UPRETI  
ACCOUNTANT REPORTING & ANALYSIS

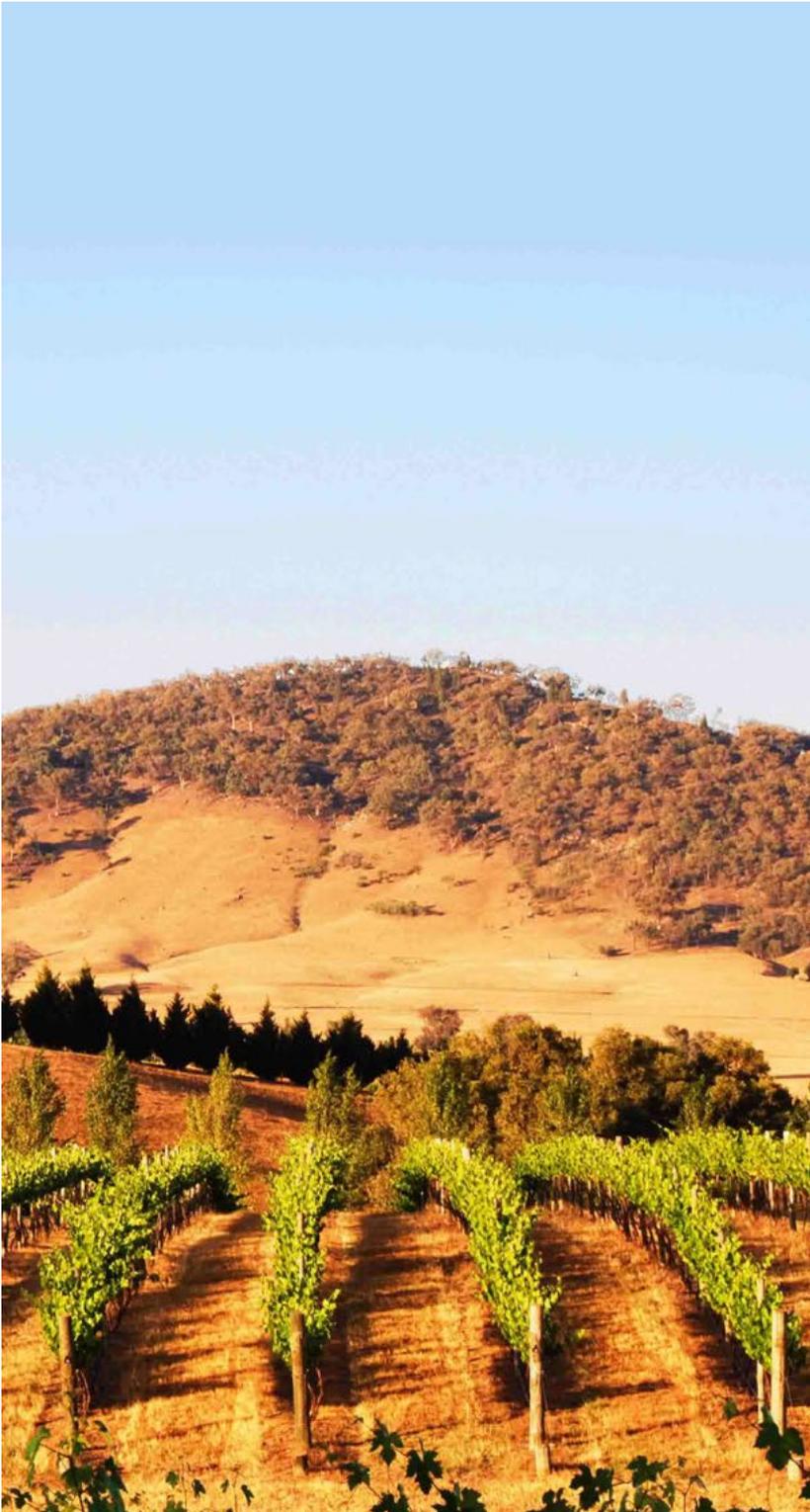
NEIL BUNGATE  
ACTING CHIEF FINANCIAL OFFICER

31 October 2022

*Attachments:* 1. Monthly Budget Review - October 2022.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



*Good  
Government*

MONTHLY BUDGET  
REVIEW -  
31 OCTOBER 2022

ATTACHMENT 1 – CAPITAL  
PROGRAM UPDATE

16 NOVEMBER 2022

MID-WESTERN REGIONAL COUNCIL  
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



1. CAPITAL WORKS PROGRAM

Summary of capital works program as at 31 October 2022.

**\$ 8.87 M**

Actual YTD

**258**

Capital Projects

**\$75.33 M**

Budget

**\$11.72 M**

Commitments

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
<b>Looking after our Community</b>							
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	Project Scope
RURAL FIRE SERVICE - BOTOBOLAR STATION (CAPITAL)	10	0	10	0	0%	0	Project Scope
BUSHFIRE RECOVERY - EMERGENCY RADIO COMMUNICATIONS	0	35	35	0	0%	0	Procurement
MUDGEES POUND UPGRADE - RENOVATION & EXTENSION	164	50	214	99	46%	50	Construction
FAMILY DAY CARE - EXTERNAL WORKS	60	(60)	0	0	0%	0	Deferred/Cancelled
COMM. TRANSPORT- VEHICLE PURCHASE	85	36	121	0	0%	37	Procurement
COUNTRY UNIVERSITY CENTER	894	(800)	94	5	5%	0	Design
KILLDALLON RENOVATION (L BLOCK)	0	15	15	0	0%	0	Consultation
CEMETERY CAPITAL PROGRAM	16	0	16	0	0%	5	Construction
GULGONG CEMETERY ROAD UPGRADE	30	0	30	0	0%	0	Project Scope
CEMETERY SHORING	0	15	15	0	0%	0	Consultation
PUBLIC TOILETS - ROTARY PARK KANDOS UPGRADE	98	(98)	0	0	0%	0	Deferred/Cancelled
PUBLIC TOILETS - ROBERTSON PARK MUDGEES	0	10	10	0	0%	0	Procurement
PUBLIC TOILETS - ST JOHN'S ANGLICAN CHURCH	80	0	80	0	0%	0	Consultation
PUBLIC TOILETS - ANZAC PARK CAPITAL	0	8	8	0	0%	0	Procurement
LIBRARY BOOKS	95	0	95	13	14%	0	Initial works
MUDGEES LIBRARY AIR CONDITIONING	11	0	11	0	0%	6	Final works
HARGRAVES COURT HOUSE BUILDING - EXTERNAL WORKS	57	(33)	24	0	0%	14	Multi-year project - complete for this year
COMMUNITY CENTRE - COURT STREET CAPITAL WORKS	80	0	80	10	12%	20	Construction
TOWN HALL - EXTERNAL BRICKWORK	50	(50)	0	0	0%	0	Deferred/Cancelled
CAPITAL UPGRADE - RYLSTONE GUIDE HALL ROOF REPLACEMENT	25	15	40	0	0%	0	Procurement

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – OCTOBER 2022

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
KANDOS HALL & LIBRARY - EXTERNAL PAINTING & KITCHEN UPGRADE	94	(82)	12	12	100%	0	Complete
KANDOS HALL & LIBRARY - TOILETS	59	0	59	0	1%	4	Multi-year project - complete for this year
RYLSTONE SHOWGROUND - AMENITIES CHANGE ROOM UPGRADE	45	0	45	0	0%	0	Project Scope
KANDOS COMMUNITY HALL - FLOORING REFURBISHMENT	102	0	102	65	64%	0	Final works
GULGONG MEN'S SHED - EXTERNAL WALL REPLACEMENT	35	0	35	0	0%	0	Procurement
GOOLMA HALL - FLOORING & WINDOW REFURB	20	0	20	11	57%	0	Consultation
TOWN HALL THEATRE - DRESSING ROOM AMENITIES UPGRADE	40	(40)	0	0	0%	0	Deferred/Cancelled
CAP UPGRD- SWIMMING POOLS BUDGET ONLY	(0)	0	(0)	0	0%	0	Budget only
GULGONG/ KANDOS POOL - LOCKERS	10	0	10	0	0%	0	Procurement
KANDOS POOL - EXTERNA WORKS	55	0	55	2	4%	0	Construction
POOL SHADE PROGRAM	46	0	46	5	10%	0	Complete - awaiting invoices
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	3	3%	1	Procurement
MUDGEES SHOWGROUNDS - REDEVELOPMENT	107	0	107	0	0%	48	Final works
GLEN WILLOW SPORTS GROUND UPGRADES	777	0	777	310	40%	139	Construction
CAHILL PARK SYNTHETIC CRICKET WICKET	30	0	30	1	3%	10	Construction
MUDGEES 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 MUDGEES - FENCING	60	55	115	0	0%	0	Procurement
GULGONG TENNIS COURTS	130	100	230	0	0%	0	Procurement
GLEN WILLOW FIELD ONE REFURBISHMENT	550	(550)	0	0	0%	0	Design
CLANDULLA RECREATION PARK AMENITIES	120	0	120	0	0%	0	Consultation

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
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%	35	Initial works
GLEN WILLOW STORMWATER RETICULATION SYSTEM	266	0	266	16	6%	127	Construction
PUTTA BUCCA TRAINING CAMP FACILITY - STAGE 1	996	0	996	105	10%	59	Initial works
PUTTA BUCCA TRAINING CAMP FACILITY -STAGE 2	953	0	953	189	20%	51	Initial works
PUTTA BUCCA TRAINING CAMP FACILITY - STAGE3 (REQUIRES GRANT)	1,166	0	1,166	0	0%	0	Design
MUDGEES SHOWGROUNDS - PATHWAY IMPROVEMENTS	40	0	40	0	0%	3	Design
GLEN WILLOW - PUMP TRACK	700	0	700	0	0%	0	Design
WALKERS OVAL MUDGEES CARPARK UPGRADES	20	0	20	0	0%	0	Project Scope
VICTORIA PARK GULGONG - CANTEEN EQUIPMENT	10	0	10	0	0%	0	Design
GLEN WILLOW PARKING - LIGHTING AND SECURITY	76	0	76	0	0%	0	Design
MUDGEES SHOWGROUND - MAIN ARENA RENOVATION	0	40	40	0	0%	0	Consultation
MUDGEES SHOWGROUNDS - ROAD REHAB AND FENCING	75	0	75	0	0%	0	Procurement
MUDGEES SHOWGROUNDS - GRANDSTAND FIT-OUT	196	0	196	1	0%	0	Final works
VICTORIA PARK MUDGEES - SIGHT SCREENS & SEATING	70	10	80	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
MUDGEES SHOWGROUND EQUIPMENT	47	5	52	52	100%	0	Complete
RYLSTONE SHOWGROUND ARENA - UPGRADE	30	0	30	0	0%	0	Design
RYLSTONE SHOWGROUND ACCESS ROAD	56	0	56	0	0%	2	Initial works
SAMMY'S FLAT FENCE REPLACEMENT (RYLSTONE SHOWGROUND)	105	0	105	0	0%	18	Initial works
RED HILL - PATHWAY AND LANDSCAPING UPGRADE	40	0	40	0	0%	0	Procurement

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
RED HILL EXHIBITION SPACE	50	0	50	7	14%	0	Initial works
ROBERTSON PARK - EQUIPMENT UPGRADE	159	0	159	0	0%	0	Procurement
PUBLIC SPACES - INSTALL CAMERA & SECURITY LIGHTING	60	0	60	0	0%	0	Consultation
HENRY LAWSON MEMORIAL RENEWAL	0	15	15	0	0%	0	Consultation
JACK TINDALE PARK RYLSTONE - UPGRADE	40	0	40	0	0%	0	Design
SHADE SAIL - MUDGEES DOG PARK	12	0	12	0	0%	9	Procurement
SCULPTURES ACROSS THE REGION	61	0	61	31	52%	0	Construction
RYLSTONE RIVER WALK - IMPROVEMENT	20	0	20	0	0%	0	Project Scope
JACK TINDALE PARK ROADS	11	0	11	0	0%	0	Design
ROTUNDA PARK KANDOS - IRRIGATION RENEWAL	21	0	21	0	0%	0	Procurement
APEX PARK GULGONG - IRRIGATION RENEWAL	20	0	20	0	0%	0	Procurement
GILBEY PARK - FENCING	10	0	10	0	0%	9	Procurement
MEMORIAL PARK MUDGEES - IRRIGATION RENEWAL	20	0	20	0	0%	0	Procurement
PLAYGROUND SHADING PROGRAM	152	0	152	0	0%	0	Procurement
RED HILL CAPITAL WORKS	312	50	362	47	13%	193	Construction
CORONATION PARK FENCE	35	10	45	0	0%	14	Procurement
PLAYGROUND EQUIPMENT UPGRADE - LAWSON PARK MUDGEES	30	0	30	28	92%	0	Complete
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%	233	Procurement
BRIDGE AND STEPS REPLACEMENT - RYLSTONE COMMON	40	0	40	0	1%	0	Procurement
MUDGEES RIVERSIDE - WALKING TRACK IMPROVEMENTS	35	0	35	0	0%	0	Project Scope
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	307	37%	173	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
STREET SCAPE IMPROVEMENTS	31	0	31	0	0%	0	Design
STREETSCAPE - STREET BINS	7	0	7	0	4%	8	Consultation
<b>Total</b>	<b>12,734</b>	<b>(1,244)</b>	<b>11,490</b>	<b>1,319</b>	<b>11%</b>	<b>1,322</b>	

### Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	340	0	340	0	0%	9	Procurement
MUDGEES WASTE DEPOT UPGRADES	53	0	53	0	0%	30	Initial works
NEW TIP CELL CONSTRUCTION	3,293	(2,000)	1,293	156	12%	80	Initial works
NEW RECYCLING BINS	30	0	30	0	0%	0	Consultation
WASTE SITES REHABILITATION	2,340	(800)	1,540	0	0%	55	Initial works
REMOTE SECURITY CAMERAS AT WTS	39	0	39	20	50%	15	Construction
LEACHATE POND ENLARGEMENT	11	0	11	0	0%	2	Final works
KANDOS WTS OFFICE REPLACEMENT	12	0	12	0	0%	0	Design
DRAINAGE CAPITAL IMPROVEMENTS	259	(26)	233	0	0%	11	Budget only
CULVERTS, SHOULDER & K&G - BELLVUE RD MUDGEES	0	1	1	1	100%	0	Complete
CAUSEWAY IMPROVEMENT - TALLAWAY ST GULGONG	23	0	23	2	7%	0	Complete
PUTTA BUCCA WETLANDS CAPITAL	17	0	17	0	0%	0	Consultation
PUTTA BUCCA WETLANDS TOILET	95	0	95	1	1%	87	Final works
PUTTA BUCCA WETLANDS -PATHWAYS AND CAR PARK (REQUIRES GRANT)	25	(25)	0	0	0%	0	Deferred/Cancelled
PUTTA BUCCA WETLANDS INFRASTRUCTURE - CAPITAL	379	0	379	1	0%	184	Initial works
WATER NEW CONNECTIONS	97	50	147	36	25%	0	Construction
WATER AUGMENTATION - MUDGEES HEADWORKS	2,950	(1,476)	1,473	3	0%	959	Initial works
WATER DISTRIBUTION - MUDGEES	2,800	(2,800)	0	0	0%	0	Project Scope
WATER AUGMENTATION - RYLSTONE & KANDOS	500	(500)	0	0	0%	2	Project Scope
WATER MAINS - CAPITAL BUDGET ONLY	1,080	(373)	707	0	0%	0	Budget only
WATER MAINS - MAYNE STREET	207	0	207	64	31%	93	Complete

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
WATER MAINS - BAYLY STREET	0	110	110	0	0%	0	Consultation
WATER MAINS - TALLAWANG ROAD	0	180	180	0	0%	0	Consultation
WATER MAINS - LITTLE BAYLY STREET	0	70	70	0	0%	0	Consultation
WATER MAINS - NICHOLSON ST COURT ST EAST ROAD CROSSING	17	(17)	0	0	0%	0	Construction
WATER MAINS - HORATIO ST COURT TO COX	27	50	77	68	89%	1	Complete
WATER MAINS - SYDNEY ROAD	0	90	90	0	0%	0	Consultation
WATER PUMP STATION - CAPITAL RENEWALS	175	0	175	0	0%	1	Complete
RAW WATER SYSTEMS RENEWALS	78	0	78	0	0%	10	Construction
WATER TREATMENT PLANT - RENEWALS	120	0	120	0	0%	8	Initial works
SEWER NEW CONNECTIONS	38	30	68	11	17%	0	Complete
SEWER AUGMENTATION - RYLSTONE & KANDOS	4,417	(4,000)	417	20	5%	18	Procurement
SEWER AUGMENTATION - MUDGEE	1,000	0	1,000	0	0%	0	Construction
SEWER MAINS - CAPITAL BUDGET ONLY	1,745	0	1,745	0	0%	311	Project Scope
RISING MAIN ULAN RD TO PUTTA BUCCA	387	(387)	0	0	100%	0	Project Scope
SEWER PUMP STATION - CAPITAL RENEWALS	1,130	0	1,130	0	0%	0	Construction
SEWER PUMP STATION - RACECOURSE MUDGEE	125	0	125	0	0%	0	Budget only
SEWER TREATMENT WORKS - RENEWALS	62	(30)	32	0	0%	0	Project Scope
SEWER TREATMENT WORKS - GULGONG STP SPILLWAY	30	0	30	0	0%	0	Deferred/Cancelled
<b>Total</b>	<b>23,901</b>	<b>(11,853)</b>	<b>12,048</b>	<b>384</b>	<b>3%</b>	<b>1,875</b>	

### Building a Strong Local Economy

MUDGEE VALLEY PARK NON-CAPITAL WORKS	0	20	20	0	0%	4	Initial works
CUDGEGONG WATERS CARAVAN PARK - KIOSK & OFFICE	501	0	501	17	3%	58	Construction
RYLSTONE CARAVAN PARK - CAPITAL	466	0	466	32	7%	333	Initial works
RIVERSIDE CARAVAN PARK FIRE SERVICES	1	0	1	0	0%	2	Construction
MUDGEE VALLEY PARK UPGRADE	8	0	8	0	2%	0	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
CUDGEGONG WATERS PARK CAMP KITCHEN (REQUIRES GRANT)	60	0	60	0	0%	0	Consultation
CUDGEGONG WATERS PARK HOUSE	233	25	258	90	35%	152	Construction
MUDGEES VALLEY PARK EXPANSION	3,235	(30)	3,205	1,755	55%	154	Construction
CUDGEGONG WATERS - PUBLIC TOILETS (REQUIRES GRANT)	375	(365)	10	0	2%	0	Design
MUDGEES VALLEY PARK EXPANSION ROADS	350	30	380	0	0%	0	Project Scope
CARAVAN PARK - CUDGEGONG WATERS CAPITAL	0	12	12	0	0%	0	Consultation
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	5	16	0	0%	0	Procurement
TOOHEYS PARK - BUILDING	20	0	20	0	0%	0	Initial works
PROPERTY - EX SALEYARDS STAGE II	2,396	0	2,396	0	0%	63	Design
PROPERTY - DEVELOPMENT MORTIMER ST	10	0	10	4	42%	1	Construction
COMMERCIAL PROP - AERODROME COTTAGE RENOVATIONS	0	25	25	0	0%	0	Procurement
COMMERCIAL PROP - OLD GULGONG FIRE STATION SECURITY CAMERAS	0	15	15	0	0%	0	Consultation
<b>Total</b>	<b>7,877</b>	<b>(263)</b>	<b>7,614</b>	<b>1,898</b>	<b>25%</b>	<b>782</b>	

### Connecting our Region

MUDGEES CDB HIGH PEDESTRIAN ACTIVITY AREA	26	40	66	0	0%	0	Design
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

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
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	Initial works
URBAN REHAB - DUNN STREET KANDOS SEG 10-30	176	0	176	58	33%	27	Construction
ROAD EXTENSION - BETWEEN PUTTA BUCCA & GLEN WILLOW	230	0	230	61	26%	119	Construction
URBAN REHAB - BROADHEAD RD SPRINGFL	150	0	150	0	0%	0	Project Scope
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
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 MUDGEES	10	0	10	0	0%	0	Design
URBAN RESEALS - GRANT STREET MUDGEES	10	0	10	0	0%	0	Design
URBAN RESEALS - HARDY CRESCENT MUDGEES	19	0	19	0	0%	0	Design
URBAN RESEALS - HORATIO STREET MUDGEES	20	0	20	0	0%	0	Design
URBAN RESEALS - LANG STREET MUDGEES	15	0	15	0	0%	0	Design
URBAN RESEALS - MENCHIN STREET MUDGEES	13	0	13	0	0%	0	Design
URBAN RESEALS - MULGOA WAY MUDGEES	15	0	15	0	0%	0	Design
URBAN RESEALS - RAYNER STREET MUDGEES	10	0	10	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 - 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	Project Scope
URBAN SEALING - BRUCE ROAD	402	0	402	134	33%	52	Construction
MUDGEES SCHOOL ZEBRA CROSSING INFRASTRUCTURE UPGRADE	127	40	167	105	63%	44	Construction
KERB AND GUTTER REPLACEMENT KANDOS & RYLSTONE	100	0	100	0	0%	0	Project Scope
URBAN ROADS LAND MATTERS CAPITAL	15	0	15	1	4%	0	Initial works
RURAL RESEAL - LUE RD	436	0	436	0	0%	0	Design
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
RURAL RESEAL - BROGANS CREEK RD CLANDULL	34	0	34	0	0%	0	Design
RURAL REHAB - LUE ROAD MOUNTKNOW	500	0	500	10	2%	132	Initial works
RURAL REHAB - CUDGEGONG RD CARWELL	520	(520)	0	3	0%	0	Deferred/Cancelled
RURAL REHAB - HENRY LAWSON DR	339	(339)	0	0	0%	0	Deferred/Cancelled
HEAVY PATCHING	48	0	48	0	0%	0	Project Scope
ULAN WOLLAR ROAD - STAGE 1	0	3	3	0	7%	0	Initial works
RURAL RESEAL - BUDGEES BUDGEES	55	0	55	0	0%	0	Design
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

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
RURAL RESEALS - CAMERONS ROAD RUNNINGS	3	0	3	0	0%	0	Design
BLUE SPRING ROAD UPGRADE - ACEA STUBBO SOLAR	3,912	0	3,912	3	0%	88	Design
RURAL ROAD - COOPER DR AND CHARBON RD INTERSECTION	0	100	100	0	0%	0	Consultation
RURAL SEALED ROAD LAND MATTERS	12	0	12	0	0%	0	Initial works
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM 2021/22	336	0	336	194	58%	6	Complete
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM 2022/23	796	0	796	4	0%	0	Project Scope
RURAL HEAVY PATCHING - GOLLAN ROAD	0	263	263	91	35%	0	Construction
BYLONG VALLEY WAY HEAVY PATCHING PROGRAM	0	34	34	2	6%	18	Construction
WOLLAR ROAD HEAVY PATCHING	0	200	200	0	0%	0	Consultation
MUNGHORN GAP REALIGNMENT & UPGRADE	1,321	0	1,321	190	14%	32	Construction
MUNGHORN GAP SHOULDER WIDENING BLACKSPOT	137	0	137	81	59%	22	Construction
HILL END ROAD SAFETY IMPROVEMENTS	2,340	0	2,340	8	0%	43	Initial works
BVW UPGRADE RNSW 2080	2,326	(1,426)	900	6	1%	60	Initial works
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	3	5	8	4	52%	5	Construction
SEALING - GRIMSHAW LANE	18	0	18	16	89%	0	Final works
ZIMMER LANE (NOW MAINTAINED)	81	0	81	36	45%	4	Construction
BADGERS LANE (NOW MAINTAINED)	98	0	98	0	0%	0	Project Scope
SEAL EXTENSION - AARONS PASS RD	239	0	239	229	96%	3	Construction
SEAL EXTENSION - QUEENS PINCH RD	1,790	(403)	1,387	588	42%	197	Construction
SEAL EXTENSION - COXS CREEK RD	1,756	0	1,756	489	28%	226	Construction
SEAL EXTENSION - MEBUL RD	0	2	2	2	100%	0	Construction
SEAL EXTENSION - BOTOBOLAR RD	1,936	(968)	968	43	4%	3	Construction
SEAL EXTENSION - CORICUDGY ROAD	758	(756)	1	1	100%	0	Deferred/Cancelled
RESHEETING	2,056	0	2,056	466	23%	337	Construction
UNSEALED ROADS LAND MATTERS CAPITAL	15	0	15	1	7%	0	Initial works

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
GOODIMAN CREEK BRIDGE REPLACEMENT	950	0	950	28	3%	477	Construction
DIXONS LONG POINT CROSSING	6,299	(6,269)	30	18	60%	28	Initial works
BRIDGE TO PUTTA BUCCA ROAD	3,102	0	3,102	24	1%	532	Construction
REGIONAL ROAD BRIDGE CAPITAL	62	(30)	32	0	0%	0	Project Scope
GOULBURN RIVER BRIDGE ULAN ROAD	0	30	30	30	100%	0	Complete
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	1	0%	150	Initial works
ULAN ROAD - BLACKSPRINGS ROAD TO BUCKAROO LANE	174	0	174	0	0%	4	Initial works
FOOTWAYS - CAPITAL WORKS	221	(14)	207	7	3%	4	Construction
PEDESTRIAN ACCESS AND MOBILITY PLAN WORKS	204	0	204	5	3%	0	Construction
SHARED PATHWAY - GLEN WILLOW TO PUTTA BUCCA WETLANDS AREA	42	0	42	0	0%	0	Construction
AIRPORT - AIRCRAFT PARKING	20	0	20	3	17%	0	Final works
AIRPORT AMBULANCE TRANSFER BAY	50	50	100	1	1%	0	Initial works
AIRPORT HANGER AND STUDIO	249	0	249	1	0%	0	Procurement
AIRPORT - DRAINAGE PLAN DEVELOPMENT	0	50	50	0	0%	0	Consultation
CARPARK - MUDGEES COMMON	42	0	42	31	73%	1	Construction
CARPARK - GULGONG POOL	11	0	11	7	64%	0	Construction
<b>Total</b>	<b>36,812</b>	<b>(9,909)</b>	<b>26,903</b>	<b>2,983</b>	<b>11%</b>	<b>2,614</b>	

## 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	2	1%	0	Project Scope
MUDGEES ADMIN BUILDING EXTENSION	727	0	727	4	1%	553	Initial works
MUDGEES ADMIN BUILDING - PAINTING AND REPAIRS	27	(27)	0	0	0%	0	Deferred/Cancelled

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
MUDGEES ADMIN BUILDING - EAST WING OFFICES RECONFIGURATION	0	15	15	0	0%	0	Consultation
IT SPECIAL PROJECTS	28	0	28	0	0%	3	Consultation
IT - NETWORK UPGRADES	228	0	228	34	15%	36	Project Scope
IT CORPORATE SOFTWARE	186	0	186	4	2%	7	Consultation
IT - PAPER CUT SECURE PRINTING	25	0	25	0	0%	0	Consultation
PLANT PURCHASES	10,132	(3,007)	7,124	2,057	29%	4,413	Budget only
RYLSTONE DEPOT - CAPITAL UPGRADE	80	0	80	11	14%	8	Construction
SOLAR FARM INITIATIVE	421	0	421	118	28%	84	Construction
GULGONG DEPOT - CAPITAL UPGRADE	65	0	65	9	13%	12	Construction
SOLAR FARM INITIATIVE - STAGE 3	8,082	0	8,082	0	0%	0	Procurement
ROLLER BRAKING SYSTEM	53	8	61	45	74%	8	Complete - awaiting invoices
MUDGEES DEPOT - SECURITY CAMERAS	0	25	25	0	0%	0	Consultation
RYLSTONE WORKSHOP OFFICE - CAPITAL	0	30	30	0	0%	0	Consultation
<b>Total</b>	<b>20,235</b>	<b>(2,956)</b>	<b>17,279</b>	<b>2,285</b>	<b>13%</b>	<b>5,123</b>	
<b>Total Capital Works Program</b>	<b>101,560</b>	<b>(26,225)</b>	<b>75,334</b>	<b>8,869</b>	<b>12%</b>	<b>11,716</b>	

## 9.4 Quarterly Budget Review - September 2022

REPORT BY THE FINANCIAL PLANNING COORDINATOR  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, FIN300240

### RECOMMENDATION

#### That Council:

1. receive the report by the Financial Planning Coordinator on the Quarterly Budget Review - September 2022;
2. amend the 2022/23 Budget in accordance with the proposed variations as listed in the Quarterly Budget Review Statement attachment to this report; and
3. note the opinion of the Responsible Accounting Officer regarding the satisfactory financial position of Council.

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### Executive summary

This report, with its incorporated attachment, makes up the September 2022 Quarterly Budget Review Statement of the 2022/23 Operational Plan. Proposed budget variations to the Budget with relevant financial implications are included in the attachment.

### Disclosure of Interest

Nil

### Detailed report

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

### Certification

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulation 2021:

*It is my opinion that the attached Quarterly Budget Review Statement for Mid-Western Regional Council indicates that Council's projected financial position as at 30 June 2022 will be satisfactory, having regard to the projected estimates of income and expenditure for the 2022/23 financial year.*

### Community Plan implications

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

## Strategic implications

### Council Strategies

The recommendation, if approved will amend the 2022/23 Budget. In accordance with the Delivery Program 2022/26, a comprehensive Quarterly Budget Review reporting is required to be completed within two months of period end.

### Council Policies

Not Applicable

### Legislation

Clause 203 of the Local Government (General) Regulation 2021 requires that:

1. Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the Council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.
2. A budget review statement must include or be accompanied by:
  - a. a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure; and
  - b. if that position is unsatisfactory, recommendations for remedial action.
3. A budget statement must also include any information required by the Code to be included in such a statement.

## Financial implications

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

## Associated Risks

Not Applicable

AMANDA COVER  
FINANCIAL PLANNING COORDINATOR

LEONIE JOHNSON  
CHIEF FINANCIAL OFFICER

20 October 2022

*Attachments:* 1. Quarterly Budget Review Attachments September 2022. (separately attached)

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.5 Policy Review - Investments

REPORT BY THE FINANCIAL PLANNING COORDINATOR  
 TO 16 NOVEMBER 2022 ORDINARY MEETING  
 GOV400098, GOV400047

### RECOMMENDATION

#### That Council:

1. receive the report by the Financial Planning Coordinator on the Policy Review - Investments;
2. place the revised Investment Policy on public exhibition for 28 days; and
3. adopt the revised Investment Policy if no submissions are received.

### Executive summary

This report presents the review of Council's Investments Policy. A copy of the proposed Investment Policy with track changes is attached to this report.

### Disclosure of Interest

Nil

### Detailed report

Council's Finance department have conducted a review of the Investments Policy.

The Policy requires changes to the Credit Rating Portfolio limits so that the Investment Policy is in line with clause 11.4 of the loan agreement with TCorp for the Saleyards Lane loan.

Proposed changes to the Investment Policy's Credit limits to align with the TCorp Loan agreement are as follows:

Long Term Rating	Current Portfolio Limit	Proposed Portfolio Limit
A-	50%	40%
BBB-	5% for All ADI's	5% for Local ADIs 5% and Cap of \$250,000 for other ADI's

### 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**

The current Investments Policy requires an annual review. The recommendation if approved will amend the Investment Policy.

### **Legislation**

Local Government Act 1993 (NSW) Section 625

Local Government (General) Regulation 2005 (NSW) Clause 212

### Financial implications

Not Applicable

### Associated Risks

Investment risk and risk management strategies are included in the Investments Policy

AMANDA COVER  
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE  
ACTING CHIEF FINANCIAL OFFICER

24 October 2022

*Attachments:* 1. POLICY - REVIEW- Investments Policy November 2022.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## POLICY Investments

*A prosperous  
and progressive  
community*

ADOPTED		REFERENCE	2.2
COUNCIL MEETING MIN NO	277424TBC	REVIEW DATE	SEPTEMBER 2022TBC
DATE	13-SEPTEMBER-2021TBC	FILE NUMBER	FIN300032

### Objective

The objective of this policy is to provide a framework for managing the investment of Council funds. It aims to ensure Council:

- Complies with the relevant legislative and regulatory requirements
- Identify risks, risk management strategies and establish tolerable levels of exposure to risk
- Give due consideration to the preservation of capital
- Maintain sufficient liquidity to meet all cash flow requirements
- Maximise the rate of return in line with all requirements of this policy
- Establish guidelines in relation to monitoring and reporting on investments
- Confirm delegations of authority and other governance matters in relation to investments

### Legislative and regulatory requirements

- Local Government Act 1993 (NSW) Section 625
- Local Government (General) Regulation 2005 (NSW) Clause 212
- Ministerial Local Government Investment Order dated 12 January 2011
- The Trustee Amendment (Discretionary Investments) Act 1997 (NSW)
- Local Government Code of Accounting Practice and Financial Reporting
- Australian Accounting Standards
- Office of Local Government Investment Policy Guidelines
- Office of Local Government Circulars

### Approved Investments

Investments are limited to those allowed by the Ministerial Investment Order and must be denominated in Australian Dollars. Approved investments include:

- public funds or securities issued by or guaranteed by, the Commonwealth, any State of the Commonwealth or a Territory;
- debentures or securities issued by a NSW Council;
- interest bearing deposits with, or any debentures or bonds issued by, an authorised deposit-taking institution, but excluding subordinated debt obligations;

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- bills of exchange issued by or accepted by an authorised deposit-taking institution and not more than 200 days to maturity;
- a deposit with the New South Wales Treasury Corporation or investments in an Hour-Glass investment facility of the New South Wales Treasury Corporation.

#### Prohibited Investments

This policy prohibits any investment carried out for speculative purposes including:

- Derivative based instruments;
- Principal only investments or securities that provide potentially nil or negative cash flow;
- Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.

This policy also prohibits the use of leveraging (borrowing to invest).

## Related policies and plans

- Statement of Business Ethics
- Conflicts of Interest Policy

## Policy

#### Delegation of Authority

Authority for implementation of the Investments Policy is delegated by Council to the General Manager in accordance with the *Local Government Act 1993*.

The General Manager has in turn delegated the day-to-day management of Council's investments to the:

- Chief Financial Officer (Responsible Accounting Officer)
- Manager Finance
- Financial Planning Coordinator
- Financial Operations Coordinator
- Manager Revenue and Property

A minimum of two price quotations of like or similar investments must be obtained for the acquisition of all market investments in order to verify the fairness of the purchase price. Two authorised signatories, with appropriate delegation limits must approve each investment recommendation. Recommendations must be retained on file as a permanent record.

Any single investment exceeding \$5M, or, with a maturity term that exceeds 2 years must be authorised by the Responsible Accounting Officer or General Manager.

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The General Manager must approve delegations in writing and record them in the Register of Delegations. Delegated officers are required to acknowledge that they have received a copy of this policy and understand their obligations in this role when investing funds on behalf of Council in accordance with this policy.

Adequate controls are in place to safeguard Council's assets, such as the separation of duties in relation to authorising and executing transactions through the requirement of two authorised signatories for each transaction.

#### Conflicts of Interest

Officers shall refrain from activities that would conflict with the proper execution and management of Council's investment portfolio. Council's Conflicts of Interest Policy provides guidance for recognising and disclosing any conflicts of interest.

In accordance with Council's Statement of Business Ethics, any independent investment advisors are also required to disclose any actual or perceived conflicts of interest.

#### Investment Risk

Investment risk can take many forms:

Credit risk – the risk that the institution Council has invested in fails to pay the interest and or repay the principal of an investment.

Liquidity risk – the risk an investor is unable to realise the investment at short notice due to the illiquid nature of a particular investment. This could potentially result in Council being unable to meet payments as and when they fall due.

Market risk – the risks associated with changes in market prices such as interest rates, currency and commodity prices.

Legislative risk – the risk of laws changing that affect investment value.

#### Risk Management Strategies

There are risks associated with all investments. Council's primary consideration is the reduction of credit and liquidity risks. The following strategies aim to reduce these risks.

#### CREDIT QUALITY LIMITS

To reduce credit risk, Council will only invest in products with a Standard and Poor's (S&P) long-term credit rating of BBB- or stronger, with the exception of TCorp's Hour-Glass Funds and long-term credit rating of BBB- for Local ADI's only. Investments in BBB- that are not Local ADI's or are unrated entities will be restricted to the limits of the Commonwealth Guarantee (Financial Claims Scheme).

To further reduce risk Council's policy includes maximum holding limits for each rating category. Individual counterparties/financial institution limits are also established to ensure portfolio diversification which reduces the risk of being over exposed to a particular institution.

The following table applies to restrict investments in institutions by the S&P long-term credit rating. Percentage limits in the table refer to percentages of the total portfolio.

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Long-Term Credit Rating	Portfolio Limit	Limit Per Institution
AAA to AA-	100%	40%
A+ to A-	50%	20%
<u>A-</u>	<u>40%</u>	<u>20%</u>
BBB+	20%	10%
BBB	10%	5%
BBB- : <u>Local ADI's</u>	5%	5%
<u>BBB- : Other</u>	<u>5%</u>	<u>Limited to the Commonwealth Guarantee amount</u>
TCorp's Hour-Glass Growth Funds (No Rating)	15%	Not Applicable
TCorp's Hour Glass Short Term Income Fund (No Rating)	15%	Not Applicable
TCorp's Hour-Glass Cash Fund (No Rating)	30%	Not Applicable
No Rating	5%	Limited to the Commonwealth Guarantee amount

Credit guidelines to be adopted reference the S&P ratings system criteria and format. Credit ratings measure relative credit strength and in no way do they guarantee the Council against investment losses. Despite this challenge, credit ratings provide the best independent information available to assess exposure to credit risk. The format of S&P rating criteria is shown in the below table.

S&P		RATING DESCRIPTION	
LONG-TERM	SHORT-TERM		
AAA	A-1+	PRIME	INVESTMENT-GRADE
AA+		HIGH GRADE	
AA			
AA-			
A+	A-1	UPPER MEDIUM GRADE	
A			
A-			
BBB+	A-2	LOWER MEDIUM GRADE	
BBB			
BBB-			

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NR	NR	NO RATING	NO RATING HAS BEEN REQUESTED
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Investments graded lower than BBB- are not shown as they are considered non-investment grade speculative and therefore would be prohibited under this policy.

#### TERMS TO MATURITY FRAMEWORK

The term to maturity framework is structured around the cash requirements of the Council and the management of liquidity and market risk. The portfolio liquidity parameters specify the maximum and minimum amounts or percentages of the total investment portfolio that can be held within the various investment maturity bands. The liquidity/maturity profile of the total investment portfolio must comply with the parameters shown in the table below.

Period to Maturity	Cumulative Minimum % of Total Portfolio
< 3 months	Greater of 20% or \$15 million
< 1 year	40%
< 2 years	50%
< 4 years	85%

The minimum requirement for short term access to investments is set at a minimum of \$15 million to ensure adequate funds are available to meet Council's expected liabilities based on the current budget.

Term to Maturity	Maximum % of Total Portfolio
< 3 months	100%
3 months to 1 year	80%
1 to 2 years	60%
2 to 4 years	50%
Greater than 4 years	15%

The term to maturity of individual investments will also be limited according to the institutions credit rating, as shown in the table below.

Long-Term Credit Rating	Maximum Term
AA- or above	5 years
A+ to A	3 years
A- to BBB+	2 years
Below BBB+	1 year

#### PROCEDURE FOR THE BREACH OF LIMITATIONS OR THRESHOLDS

Where a breach of threshold or limitation occurs due to an unavoidable change in the total investment portfolio or downgrade in credit rating, the following process will apply:

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- an immediate freeze is imposed on the acquisition of new investment in the relevant category until the portfolio can be effectively managed back to accord with the requirements of this policy
- the relevant category of investments must be managed back in accord with the policy limits within a period that takes into account any adversity created by market, liquidity and credit risk.

The immediate forced sale of the investment in breach of limits or thresholds will not be required.

#### Performance Benchmarks

Investment performance will be measured quarterly against the following benchmarks according to the term of investment.

Term of Investment	Benchmark
< 2 years	Bloomberg Ausbond Bank Bill Index (Quarterly and 1 year)
2 years and over	Bloomberg Ausbond Composite 2-5 year Index

#### Reporting

Documentary evidence must be held for each investment and details thereof maintained in the Investment Register. The documentary evidence must provide Council legal title to the investment.

Details to be included in the Investment Register:

- The source and the amount of money invested;
- Particulars of the security or form of investment in which the money is invested;
- The term of the investment; and
- The rate of interest to be paid, and the amount of money that Council has earned, in respect of the investment.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on Council's behalf as at 30 June each year and reconciled to the Investment Register.

All investments are to be appropriately recorded in Council's financial records and reconciled at least monthly.

Council will be provided with a written report each month setting out details of the entire investment portfolio. The report will confirm compliance of Council's investments with legislative and policy requirements. The report will be made up to the last day of the month immediately preceding the meeting.

As part of the quarterly budget review process, Council will be provided with a detailed commentary and performance benchmarking of the portfolio.

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Review of Policy and Investments

ANNUAL REVIEW

In accordance with the Office of Local Government Investment Policy Guidelines, Council will review the Investments Policy annually or in the event of significant legislative or market changes.

PROFESSIONAL ADVICE

Council may from time to time use the services of suitably qualified investment professionals to provide assistance in investment strategy formulation, portfolio implementation and monitoring.

Any such advisor must be approved by Council and licensed by the Australian Securities and Investment Commission. The advisor must be an independent person who has no actual or potential conflict of interest in relation to investment products being recommended and is free to choose the most appropriate product within the terms and conditions of this Investment Policy.

Any independent advisor engaged by Council is required to provide written confirmation that they do not have any actual or potential conflicts of interest in relation to the investments they are recommending or reviewing, including that they are not receiving any commissions or other benefits in relation to the investments being recommended or reviewed.

Definitions

Term	Meaning
Authorised Deposit-Taking Institution	Authorised Deposit-Taking Institutions are corporations which are authorised under the <i>Banking Act 1959</i> to accept deposits and conduct banking activities.
BBSW	The Bank Bill Swap reference rate (BBSW) is the average of mid-rate bank-bill quote from brokers on the BBSW Panel. The BBSW is calculated daily. Floating rate securities are most commonly reset quarterly to the 90-day BBSW.
Bill of Exchange	A bill of exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain in money to or to the order of a specified person, or to bearer.
Bloomberg Ausbond Bank Bill Index	The Bloomberg Ausbond Bank Bill Index is a leading benchmark for the fixed income market in Australia.
Commonwealth Guarantee (Financial Claims Scheme)	The Financial Claims Scheme (FCS) is an Australian Government scheme that protects depositors of authorised deposit-taking institutions (banks, building societies and credit unions) and policyholders of general insurance companies from potential loss due to the failure of these institutions. For banks, building societies and credit unions incorporated in Australia, the FCS provides protection to depositors up to \$250,000 per account-holder per ADI. The Scheme seeks to provide depositors with timely access to their protected deposits in the unlikely event of the failure of their ADI.

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<p>Debenture</p>	<p>A debenture is a document evidencing an acknowledgement of a debt, which a company has created for the purposes of raising capital. Debentures are issued by companies in return for medium and long-term investment of funds by lenders.</p>
<p>FRN</p>	<p>A Floating Rate Note (FRN) is a medium to long-term fixed interest investment where the coupon is a fixed margin ("coupon margin") over a benchmark, also described as a "floating rate". The benchmark is usually the BBSW and is reset at regular intervals – most commonly quarterly.</p>
<p>TCorp's Hour-Glass Funds</p>	<p>New South Wales Treasury Corporation (TCorp) is the financial markets partner for New South Wales public sector agencies. Hour-Glass Funds are permitted under Ministerial Local Government Investment Order. Hour-Glass Funds are ready made Unit Trusts catering to most investment objectives.</p>

## 9.6 Monthly Statement of Investments as at 31 October 2022

REPORT BY THE FINANCIAL PLANNING COORDINATOR  
TO 16 NOVEMBER 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 October 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 October 2022.

### Community Plan implications

<b>Theme</b>	<b>Good Government</b>
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 2021 the Responsible Accounting Officer certifies that:

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

## Financial implications

Not Applicable

## Associated Risks

Not Applicable

AMANDA COVER  
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE  
ACTING CHIEF FINANCIAL OFFICER

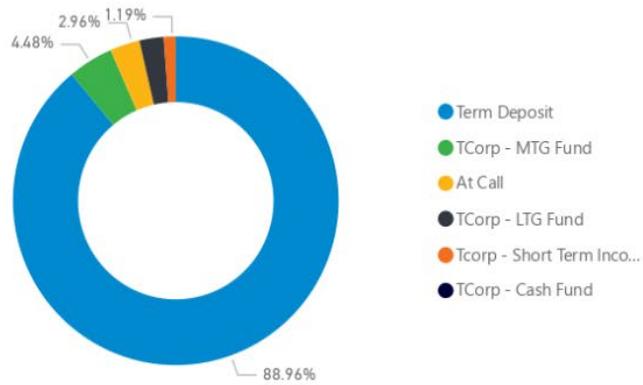
4 November 2022

*Attachments:* 1. Investment Report - October 2022.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

Investments by Type

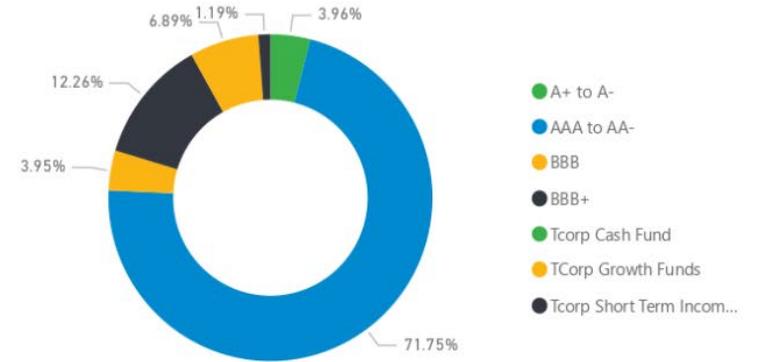


## Mid-Western Regional Council Cash and Investments as at 31 October 2022

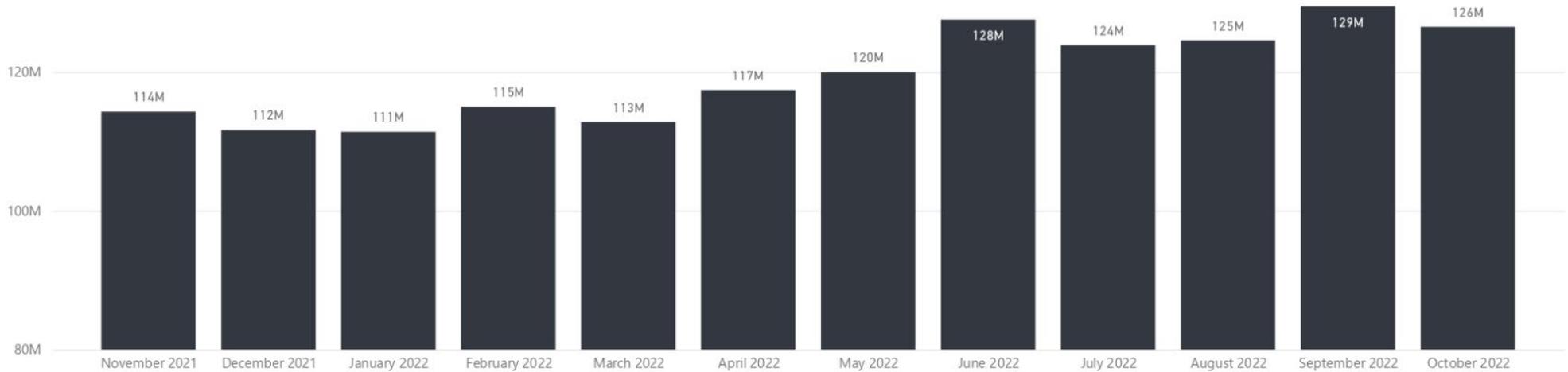
Total Investment Portfolio (\$)

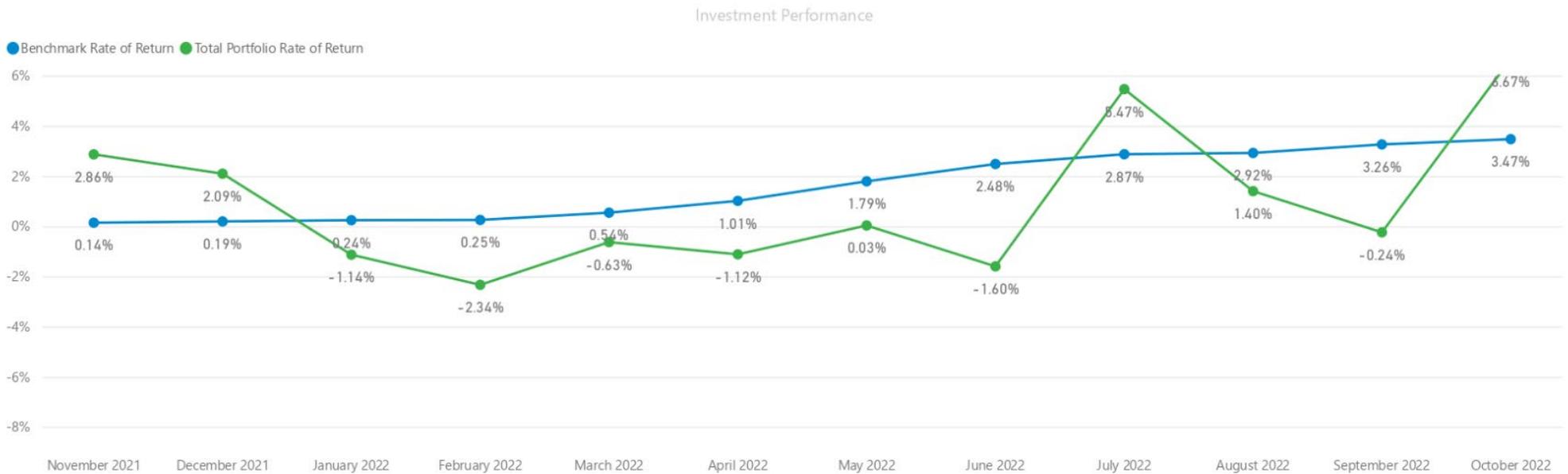
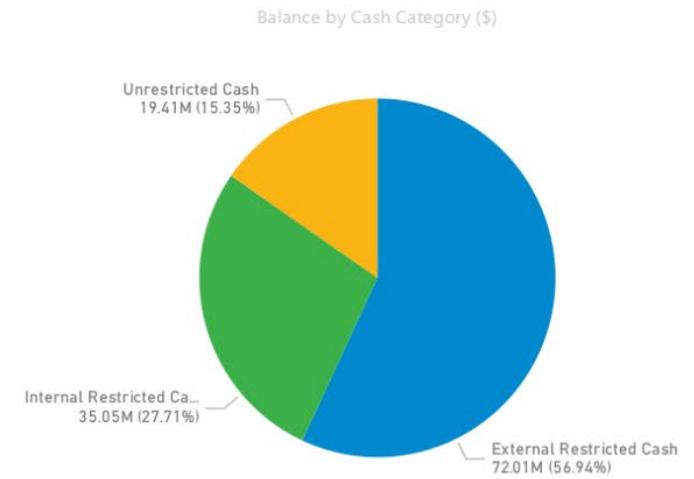
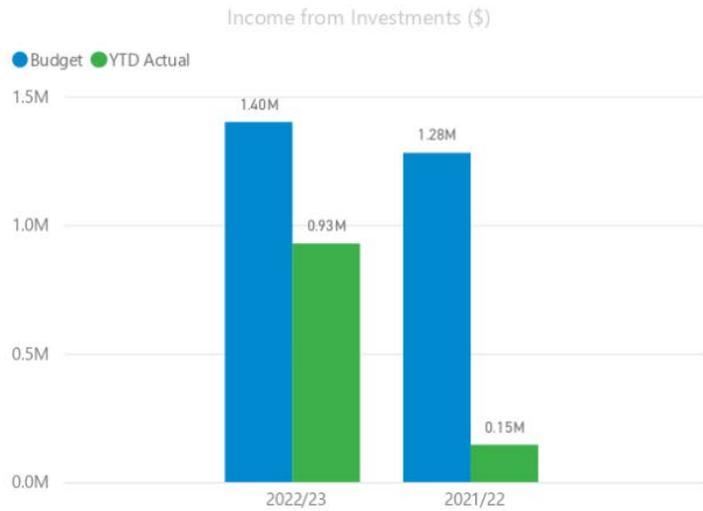
126.48M

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	2.75%	0	\$	3,747,135
TCorp - Cash Fund	3.00%	1	\$	-
TCorp - Long Term Growth Fund	3.00%	5	\$	3,038,938
TCorp - Medium Term Growth Fund	3.00%	5	\$	5,672,388
Tcorp - Short Term Income Fund	3.00%	5	\$	1,503,447
<b>Total</b>			<b>\$</b>	<b>13,961,908</b>

**Current Term Deposits**

Institution	Yield	Term to Maturity	Principal	Amount
AMP	1.00%	24	\$	2,000,000
AMP	1.10%	93	\$	1,500,000
Australian Unity	3.50%	415	\$	2,000,000
Australian Unity	4.35%	394	\$	2,000,000
Australian Unity	4.10%	485	\$	1,500,000
Australian Unity	4.30%	457	\$	2,000,000
Bank Of Queensland	0.50%	9	\$	1,500,000
Bank Of Queensland	0.85%	51	\$	1,000,000
Bank Of Queensland	1.20%	191	\$	2,000,000
Bank Of Queensland	3.92%	513	\$	1,000,000
Bank Of Queensland	4.25%	387	\$	1,000,000
CBA	0.72%	583	\$	2,000,000
CBA	0.77%	681	\$	1,000,000
CBA	0.47%	51	\$	1,500,000
CBA	0.85%	723	\$	2,500,000
CBA	0.48%	79	\$	2,000,000
CBA	0.73%	177	\$	1,500,000
CBA	3.05%	541	\$	2,000,000
CBA	2.63%	345	\$	1,500,000
CBA	2.31%	205	\$	1,500,000
CBA	2.75%	317	\$	1,500,000
CBA	3.15%	212	\$	1,000,000
CBA	4.15%	604	\$	2,000,000
CBA	3.68%	219	\$	1,500,000
CBA	4.17%	233	\$	1,000,000
CBA	3.94%	240	\$	1,000,000
CBA	3.72%	261	\$	1,500,000
CBA	3.99%	289	\$	1,500,000
CBA	4.20%	373	\$	1,500,000
Defence Bank	3.20%	212	\$	1,500,000
ING	3.21%	268	\$	1,500,000
Macquarie	1.40%	121	\$	1,014,077
Macquarie	1.15%	149	\$	1,000,000
Macquarie	4.50%	436	\$	1,000,000
Macquarie	4.50%	436	\$	500,000
MyState Bank	4.20%	247	\$	1,500,000
NAB	0.57%	121	\$	1,700,000
NAB	0.65%	240	\$	2,000,000
NAB	0.51%	52	\$	1,800,000
NAB	0.45%	23	\$	1,500,000
NAB	0.45%	37	\$	2,000,000
NAB	0.80%	667	\$	1,500,000

Institution	Yield	Term to Maturity	Principal	Amount
NAB	0.64%	359	\$	3,000,000
NAB	0.45%	65	\$	1,500,000
NAB	0.70%	331	\$	2,500,000
NAB	0.48%	93	\$	1,000,000
NAB	0.79%	107	\$	1,500,000
NAB	0.68%	30	\$	1,000,000
NAB	0.85%	149	\$	1,500,000
NAB	0.75%	30	\$	1,000,000
NAB	0.95%	149	\$	1,500,000
NAB	1.51%	303	\$	2,500,000
NAB	1.21%	177	\$	1,000,000
NAB	4.49%	779	\$	2,500,000
NAB	4.45%	695	\$	2,000,000
Westpac	0.65%	7	\$	2,000,000
Westpac	1.06%	471	\$	2,000,000
Westpac	0.70%	86	\$	1,500,000
Westpac	0.78%	135	\$	1,500,000
Westpac	0.90%	163	\$	2,500,000
Westpac	0.95%	114	\$	2,000,000
Westpac	2.28%	499	\$	1,500,000
Westpac	3.70%	639	\$	2,000,000
Westpac	4.22%	401	\$	1,000,000
Westpac	4.35%	625	\$	1,500,000
Westpac	4.30%	443	\$	1,000,000
Westpac	4.67%	415	\$	1,000,000
Westpac	4.78%	569	\$	2,500,000
Westpac	4.89%	821	\$	2,500,000
Westpac	4.46%	555	\$	1,500,000
<b>Total</b>			<b>\$</b>	<b>112,514,077</b>

Investment Portfolio Summary

Term to Maturity	Amount	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	\$ 34,261,908	27%	27%	20%	OK
Between 3 months and 1 year	\$ 47,714,077	38%	65%	40%	OK
Between 1 year and 2 years	\$ 39,500,000	31%	96%	50%	OK
Between 2 years and 4 years	\$ 5,000,000	4%	100%	85%	OK
More than 5 years	\$ -	0%	100%	0%	OK
<b>Total</b>	<b>\$ 126,475,985</b>				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
<b>AA-</b>	<b>CBA</b>	40%	OK	22%	\$ 28,000,000
	<b>NAB</b>	40%	OK	29%	\$ 36,747,135
	<b>Westpac</b>	40%	OK	21%	\$ 26,000,000
<b>A+</b>	<b>Macquarie</b>	20%	OK	3%	\$ 3,514,077
<b>A</b>	<b>ING</b>	20%	OK	1%	\$ 1,500,000
<b>BBB+</b>	<b>Australian Unity</b>	10%	OK	6%	\$ 7,500,000
	<b>Bank Of Queensland</b>	10%	OK	5%	\$ 6,500,000
	<b>MyState Bank</b>	10%	OK	1%	\$ 1,500,000
<b>BBB</b>	<b>AMP</b>	5%	OK	3%	\$ 3,500,000
	<b>Defence Bank</b>	5%	OK	1%	\$ 1,500,000
<b>Tcorp Cash Fund</b>	<b>TCorp - Cash Fund</b>	30%	OK	0%	\$ -
<b>TCorp Growth Funds</b>	<b>TCorp - Long Term Growth Fund</b>	15%	OK	2%	\$ 3,038,938
	<b>TCorp - Medium Term Growth Fund</b>	15%	OK	4%	\$ 5,672,388
	<b>Tcorp - Short Term</b>				
<b>Tcorp Short Term Income</b>	<b>Income Fund</b>	15%	OK	1%	\$ 1,503,447
<b>Grand Total</b>				<b>100%</b>	<b>\$ 126,475,985</b>

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
<b>AAA to AA-</b>	<b>100%</b>	<b>OK</b>	72%	\$ 90,747,135
<b>A+ to A-</b>	<b>50%</b>	<b>OK</b>	4%	\$ 5,014,077
<b>BBB+</b>	<b>20%</b>	<b>OK</b>	12%	\$ 15,500,000
<b>BBB</b>	<b>10%</b>	<b>OK</b>	4%	\$ 5,000,000
<b>Tcorp Cash Fund</b>	<b>30%</b>	<b>OK</b>	0%	\$ -
<b>TCorp Growth Funds</b>	<b>15%</b>	<b>OK</b>	7%	\$ 8,711,327
<b>Tcorp Short Term Income Fund</b>	<b>15%</b>	<b>OK</b>	1%	\$ 1,503,447
<b>Grand Total</b>			<b>100%</b>	<b>\$ 126,475,985</b>

**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)	4,447,585		3,747,135
TCorp - Cash Fund	-		-
TCorp - Long Term Growth Fund	2,925,212		3,038,938
TCorp - Medium Term Growth Fund	5,555,951		5,672,388
TCorp - Short Term Income Fund	1,499,007		1,503,447
<b>Total</b>	<b>14,427,755</b>	<b>-</b>	<b>13,961,908</b>

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
NAB	0.70%	12/10/2022	1,000,000	13,962
CBA	0.50%	26/10/2022	1,500,000	9,945
CBA	0.47%	26/10/2022	1,000,000	5,679
Judobank	0.90%	26/10/2022	1,000,000	8,975
Judobank	1.01%	12/10/2022	1,000,000	9,298
<b>Total</b>			<b>5,500,000</b>	<b>47,858</b>

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Macquarie	4.50%	10/01/2024	1,000,000	56,959
Macquarie	4.50%	10/01/2024	500,000	28,479
Westpac	4.46%	8/05/2024	1,500,000	105,207
<b>Total</b>			<b>3,000,000</b>	<b>190,645</b>

## Item 10: Operations

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Nil

## Item 11: Community

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### 11.1 Bushfire Community Recovery and Resilience Fund Grants

REPORT BY THE MANAGER, COMMUNITY & CULTURAL SERVICES  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, A0060009, RIS900010, GRA600048, FIN300379

#### RECOMMENDATION

##### That Council:

1. **receive the report by the Manager, Community & Cultural Services on the Bushfire Community Recovery and Resilience Fund Grants; and**
2. **provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Policy:**
  - **Hargraves Bush Fire Brigade** **\$27,670**
  - **Mid-Western Mentoring** **\$10,000**
  - **Lawson Bush Fire Brigade** **\$12,415**
  - **Rylstone & District Historical Society** **\$12,415**
3. **decline to provide financial assistance to the following applicants, for the reasons provided in the report:**
  - **NSW RFS Heritage; and**
  - **North Balgowlah Earthmoving Pty Ltd.**

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#### Executive summary

This report considers requests for financial assistance under Council's Community Grants Policy, specifically its Bushfire Community Recovery and Resilience Fund.

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

Specifically, the Bushfire Community Recovery and Resilience Fund Grants Category focuses on projects that meet one or more of the following objectives:

- Improve community capacity, capability and resilience.
- Improve community connectedness, identity of place and cultural heritage.
- Improve and build regional and community knowledge.
- Assist in local preparedness to future disasters and hazards.
- Promote future disaster resilience following the bushfires.
- Promote community well-being.
- Support social and broader community recovery.

- Support commemoration.

The applications are also reviewed first for eligibility and then assessed against the following criteria relative to the amount of funding requested:

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

Even though an application meets the criteria it may be judged that there is not a significant enough benefit to the community in order to fund or fully fund the request. In any event, total requests for funding (approximately \$184,000) far exceeded the value of the fund itself (\$62,500). A summary of each recommended application is shown below:

Applicant	Project/Activity	Funding request (\$)	Total Score out of 9	Recommended grant amount (\$)
Hargraves Bush Fire Brigade (application auspiced by NSW Rural Fire Service)	Supply and installation of 160,000L water tank for firefighting operations	27,760	6	27,760
Mid-Western Mentoring	Leadership program for local small business operators	10,000	7	10,000
Lawson Bush Fire Brigade (application auspiced by NSW Rural Fire Service)	Construction of three bay shed at Mudgee Airport to house firefighting equipment utilised for aerial operations	40,015	6	12,415
Rylstone & District Historical Society	Research, supply and installation of heritage plaques to enhance/extend self-guided history walks	35,000	6	12,415
<b>TOTAL</b>				<b>62,500</b>

## Disclosure of Interest

Nil

## Detailed report

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

### **Hargraves Bush Fire Brigade (application auspiced by NSW Rural Fire Service)**

Hargraves Bush Fire Brigade requests \$27,670 for the supply and installation of a 160,000L water tank (and associated plumbing) to assist with future firefighting operations in the Hargraves area and to enhance the Neighbourhood Safer Place located at the station.

#### *Links to Community Plan:*

- 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community.
- 1.1.4 Work with key partners and the community to reduce crime, anti-social behaviour and improve community health and safety.

1.3.1 Provide infrastructure and services to cater for the current and future needs of our community.

*Recommendation:*

\$27,760

This application scored six points and there are significant links with the project's objectives to that of Council's Community Plan. There is also a clear link between the project and the intent of the funding. Further, water tank was originally considered in the aftermath of the 2019-2020 Black Summer Bushfires, but the project did not proceed at the time. The full amount of funding requested is recommended.

Any grant for this funding request must not be construed as Council consent to undertake the works noted. Any works or activities by the Hargraves Bush Fire Brigade or NSW Rural Fire Service must be subject to planning permissions and legislative obligations and restrictions as in place from time to time.

**Mid-Western Mentoring**

Mid-Western Mentoring requests \$10,000 for a nine-month leadership program for local small business operators, providing mentoring and networking opportunities.

*Links to Community Plan:*

3.1.1 Support the attraction and retention of a diverse range of businesses and industries.

3.2.1 Promote the Region as a great place to live, work, invest and visit.

3.2.2 Provide leadership on economic development initiatives and identify resources and infrastructure required to drive investment and economic growth in the Region.

*Recommendation:*

\$10,000

This is a strong application with several links to Council's Community Plan, experience in delivering the project in past years, multiple opportunities for collaboration and thorough business planning and consultation with a broad range of stakeholders. The application scored a solid seven points and full amount of funding requested is, therefore, recommended.

**Lawson Bush Fire Brigade (application auspiced by NSW Rural Fire Service)**

Lawson Bush Fire Brigade requests \$40,015 to construct a three-bay shed at Mudgee Airport to house firefighting equipment utilised in support for aerial firefighting operations during bush fire emergencies. The Brigade has noted to funding in part would also be welcome.

*Links to Community Plan:*

1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community.

1.1.4 Work with key partners and the community to reduce crime, anti-social behaviour and improve community health and safety.

1.3.1 Provide infrastructure and services to cater for the current and future needs of our community.

*Recommendation:*

\$12,415

This grant application links to a number of actions within Council's Community Plan and scored six points. The application, however, does not detail whether the applicant has the necessary permissions to undertake this project. It is also considered that any funding granted will actually

support responsibilities of NSW Rural Fire Service, rather than the Lawson Bush Fire Brigade itself. Partial funding only, therefore, is recommended, together with the proviso below.

Any grant for this funding request must not be construed as Council consent to undertake the works noted. Any works or activities by the Lawson Bush Fire Brigade or NSW Rural Fire Service undertaken at Mudgee Airport must be subject to Service Level Agreements (or other agreements) that exist between Council and the NSW Rural Fire Service (or its brigades) (as well as planning permissions and legislative obligations and restrictions) as required from time to time.

### **Rylstone & District Historical Society**

Rylstone & District Historical Society applies for \$35,000 to research, supply and install heritage plaques around historic buildings and sites in Rylstone and Kandos as well as outlying villages.

#### *Links to Community Plan:*

1.2.1 Respect and enhance the historic character of our Region and heritage value of our towns and villages.

1.2.4 Maintain and promote the aesthetic appeal of the towns and villages within the Region.

1.4.1 Support programs which strengthen the relationships between the range of community groups.

#### *Recommendation:*

\$12,415

This application clearly supports the objectives of the Bushfire Community Recovery and Resilience Fund by supporting commemoration and scored six points. Given the limitation of this funding, and the applicant's capacity to successfully apply for other funding streams in the past, only partial payment of the requested amount is recommended.

Any grant from this funding request must not be construed as Council consent to erect signage as contemplated by the application. All regulatory permissions must still be sought and obtained as required.

### **NSW Rural Fire Service Heritage**

NSW Rural Fire Service Heritage applies for \$8,843.57 for the purchase of items at a Community Engagement Centre at Mudgee Airport.

#### *Links to Community Plan:*

1.2.1 Respect and enhance the historic character of our Region and heritage value of our towns and villages.

3.2.1 Promote the Region as a great place to live, work, invest and visit.

#### *Recommendation:*

\$0

Given the limited links to Council's Community Plan, together with limited demonstration of experience in delivering a similar project, this application only scored five points and it is not recommended that it be supported.

### **North Balgowlah Earth Moving Pty Ltd**

This application was received on 9 October 2022 (almost one month after submissions closed) and, therefore, not assessed.

## Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
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

Recommendations are made under the Community Grants Program Policy.

### Legislation

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

## Financial implications

Funding of \$62,500 for the Bushfire Community Recovery and Resilience Fund Grants Category is provided in Council's Operational Plan for financial assistance. Funding requests will exhaust this budget in the event that Council endorses the recommendations outlined above.

## Associated Risks

Not Applicable

FIONA SHEARMAN  
MANAGER, COMMUNITY & CULTURAL  
SERVICES

SIMON JONES  
DIRECTOR COMMUNITY

10 October 2022

*Attachments:* Nil

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 11.2 Policy Review - Electoral Matter in Public Places

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, GOV400047

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Policy Review - Electoral Matter in Public Places;**
2. **place the Electoral Matter in Public Places Policy on exhibition for 28 days to seek feedback from the community; and**
3. **adopt the Electoral Matter in Public Places Policy if no submissions are received during the exhibition period.**

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### Executive summary

This report seeks Council endorsement of the revised Electoral Matter in Public Places Policy which was last reviewed in April 2019.

### Disclosure of Interest

Nil

### Detailed report

Council first developed this policy following the 2016 Council election when complaints were received from residents relating to damage to trees within road reserves and concerns of inhibited road user view.

During the 2022 Federal Election, Council Law Enforcement Officers removed 160+ signs across the LGA. Letters were issued to the political parties in advance warning of the action however it was given little attention. We also advised we had signs in our possession awaiting their collection. Only 1 political party collected their signs, all the others were disposed of. Note whilst we made some suggestion that penalties could be enforced, none were, as we were not confident at the time under which legislation this would fall under.

Advice was sought from Local Government NSW Legal Officer, Liz Hayes, who advised that Council have the power under the Impounding Act to remove and impound signage. Authorised officers can also issue penalty notices under the Impounding Act.

The Impounding Act also provides for fees that can be imposed in respect of the impounding, holding and disposing of items whether or not a decision is made to prosecute an offender. Council's fees and charges has an Impounding Officer Travel fee of \$0.85 per km as well as an Impounding Officer Labour fee of \$61 per hour.

Adoption of this policy will reinforce Council's position to taking action when unlawful electoral matter requires action.

## Community Plan implications

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

## Strategic implications

### Council Strategies

Not Applicable

### Council Policies

Local Environment Plan 2012  
Development Control Plan 2013  
Compliance and Enforcement Policy

### Legislation

State Environment Planning Policy 2008  
State Environment Planning Policy No 64  
Commonwealth Electoral Act 1918  
Parliamentary Electorates and Elections Act 1912  
NSW Electoral Act 2017  
Local Government Act 1993  
Impounding Act 1993

## Financial implications

Not Applicable

## Associated Risks

Risks of negative Council reputation may arise from improper law enforcement actions. The adoption and compliance with this policy will mitigate those risks.

RICHARD CUSHWAY  
MANAGER, CUSTOMER SERVICES &  
GOVERNANCE

SIMON JONES  
DIRECTOR COMMUNITY

24 October 2022

*Attachments:* 1. Electoral Matter In Public Places Policy Draft.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## POLICY

### Electoral Matter in Public Places

*A prosperous  
and progressive  
community.*

ADOPTED	VERSION NO
COUNCIL MEETING MIN NO	REVIEW DATE
DATE:	FILE NUMBER <b>GOV400047</b>

## Objective

To clarify for both candidates of Elections and residents of the Mid-Western Regional Council limitations and enforcement powers that apply to election material (posters) being displayed in public places within the Local Government Area.

## Legislative requirements

- Commonwealth Electoral Act 1918
- Parliamentary Electorates and Elections Act 1912
- NSW Electoral Act 2017
- Local Government Act 1993
- Public Spaces (Unattended Property) Act 2021

## Related policies and plans

- State Environment Planning Policy 2008
- State Environment Planning Policy No 64
- Local Environment Plan 2012
- Development Control Plan 2013

## Policy

Both State and Federal laws for the conduct of elections lays down the requirements of registering and identifying electoral matter. Candidates of elections are informed of these requirements when enrolling as a candidate. The laws also provide for the display of electoral matter in public places 5 weeks immediately preceding the day on which the election is held and at polling places on the day of polling.

The control and management of electoral posters in public places other than at polling places on polling day, Councils in NSW are the responsible local authority for compliance.

It is unlawful for a person to post up, permit, or cause to be posted up, electoral matter on any premises under the control or management of a local authority (Council).

**POLICY: ELECTORAL MATTER IN PUBLIC PLACES | GOV400047**

### Election Signage – Polling Place

The display of an election poster is lawful in relation to posters being posted up at polling places, in the grounds of polling places and on the boundaries of polling places 5 weeks preceding the day on which the election is held only.

### Election Signage – On or within any Local Authority Managed Premises

A person must not post up, or permit or cause to be posted up a poster on or within any premises under the control or management of any local authority. The definition of premises under NSW legislation includes any structure, building, vehicle or vessel or any place, whether built on or not, and any part thereof. Posters are not permitted to be posted up within a road reserve or any public space including; being fixed to trees, fixed to power or telegraph poles, fixed road signage or attached to approved advertising signage erected within road reserves.

### Election Signage – Posters displayed on trailers

State Environmental Planning Policy number 64 makes it unlawful to advertise on trailers parked on (or visible from) roads or road related areas.

### Election Signage – Notification of Council requirements

Council will notify election candidates in writing of this policy. Breaches of this policy will be rectified by council staff removing the offending electoral material and notifying the candidate.. Breaches may result in a fee being charged and penalty infringement notices being issued. Council also have the right to dispose of posters if not collected within 28 days.

### Penalty

Under NSW legislation noncompliance may incur a penalty not exceeding 5 penalty units per offence. Council also have the right to charge a fee for the impounding, holding and disposing of posters.

## 11.3 Policy Review - Complaints

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, GOV400047

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Policy Review - Complaints;**
2. **place the Complaints Policy on exhibition for 28 days to seek feedback from the community; and**
3. **adopt the revised Complaints Policy if no submissions are received during the exhibition period.**

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### Executive summary

The Complaints policy was last adopted by Council in June 2018 and is due for review in this Council term of office.

The Policy objective is to develop a system that ensures complaints are handled in an appropriate, effective and systematic way whilst increasing the level of community satisfaction.

### Disclosure of Interest

Nil

### Detailed report

This policy is intended to ensure complaints are handled fairly, efficiently and effectively. The complaint management system will enable staff to respond to issues raised by people making complaints in a timely and cost-effective way, to boost public confidence in the administrative processes and provide information that can be used to deliver quality improvements in services, facilities, staff and overall handling of complaints. This policy provides guidance to Council staff and people who wish to make a complaint on the key principles and concepts of Council's complaint management system.

This policy applies to all staff receiving or managing complaints from the public made to or about Council regarding its services, facilities and staff or the process in which Council have handled a complaint.

Note the revised policy presented to Council now includes a 'triage system' of reviewing potential complaints which involves records staff identifying incoming correspondence that presents criticism. Records staff present this correspondence to Director Community, Manager Customer Service & Governance and Governance Coordinator to assess whether it should be dealt with under the Complaints policy and what Manager should be assigned the complaint.

Since the adoption of the Complaints Policy in June 2018 we have managed 62 complaints across the organisation, with each financial year seeing a reduction in the number of complaints. In 2018/9 we managed 24 complaints, 2019/20 was 16, 2020/21 was 12 and currently for 2021/22 its 10.

### Key Changes to the Policy

- Introduction of a 'Triage' team to review and determine if the incoming correspondence is deemed a complaint.
- Ensuring clearer lines of responsibility that aligns to current processes, particularly for the manager assigned to the complaint.
- Updating the scope to exclude complaints specifically about staff, these are to be managed through separate Policies and Procedures.
- Revision of the Policy guidelines and related Policies and Plans.
- Updating roles and responsibilities that aligns to the current organisational chart.

### Community Plan implications

<b>Theme</b>	<b>Good Government</b>
Goal	An effective and efficient organisation
Strategy	Pursue excellence in service delivery

### Strategic implications

#### Council Strategies

Community Strategic Plan

#### Council Policies

Unreasonable Complainants Conduct Policy  
Privacy Management Plan

#### Guidelines

- Australian and New Zealand Standard Guidelines for complaint handling in organizations AS/NZS 10002:2014
- NSW Ombudsman Effective Complaint Handling Guidelines, 3rd Edition, February 2017
- Joint publication of the NSW Ombudsman and Department of Local Government Complaints Management in Councils Practice note no. 9, revised July 2009
- NSW Ombudsman Managing Unreasonable Complaint Conduct – a Model Policy and Procedure 2012

### Financial implications

Not Applicable

### Associated Risks

Without a robust policy that follows the guidelines set out by the NSW Ombudsman, there is a risk that Council will not manage its complaints well. This could lead to a diminishing sense of respect from the community for Council's performance and transparency. There is also the potential in extreme cases for this to also result in legal action against Council.

RICHARD CUSHWAY  
MANAGER, CUSTOMER SERVICES &  
GOVERNANCE

SIMON JONES  
DIRECTOR COMMUNITY

28 October 2022

*Attachments:* 1. Policy Review - Complaints - Clean Version - Sept 2022.  
2. Policy Review - Complaints - With Track Changes - Sept 2022.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## COMPLAINTS POLICY

*A prosperous  
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community*

ADOPTED	VERSION NO	VERSION 2.1
COUNCIL MEETING	REVIEW DATE	
DATE:	FILE NUMBER	CUS600002

### Objective

To develop a system that ensures complaints are handled in an appropriate, effective and systematic way whilst increasing the level of community satisfaction.

### Guidelines

The development of this policy has been informed by the following:

- Australian and New Zealand Standard Guidelines for complaint handling in organizations AS/NZS 10002:2014
- NSW Ombudsman Effective Complaint Handling Guidelines, 3rd Edition, February 2017
- Joint publication of the NSW Ombudsman and Department of Local Government Complaints Management in Councils Practice note no. 9, revised July 2009
- NSW Ombudsman Managing Unreasonable Complaint Conduct – a Model Policy and Procedure 2012

### Related policies and plans

- Public Interest Disclosure Internal Reporting Policy
- Access to Information Policy
- Complaints Policy
- Unreasonable Complainants Conduct Policy
- Privacy Management Plan
- Records Management Policy
- Code of Conduct

**POLICY:** ERROR! REFERENCE SOURCE NOT FOUND. | **VERSION 2.1,** ERROR! REFERENCE SOURCE NOT FOUND.

## 1.0 INTRODUCTION

### 1.1 Purpose

This policy is intended to ensure complaints are handled fairly, efficiently and effectively. The complaint management system will enable staff to respond to issues raised by people making complaints in a timely and cost-effective way, to boost public confidence in the administrative processes and provide information that can be used to deliver quality improvements in services, facilities, staff and overall handling of complaints.

This policy provides guidance to Council staff and people who wish to make a complaint on the key principles and concepts of Council’s complaint management system.

### 1.2 Scope

This policy applies to all staff receiving or managing complaints from the public made to or about Council regarding its services, operations, and facilities or the process in which Council have handled a complaint.

Complaints about staff behaviour, staff grievances, code of conduct complaints and public interest disclosures are dealt with through separate Council policies and procedures.

### 1.3 Organisational Commitment

All staff at Mid-Western Regional Council are committed to support a fair, effective and efficient complaint handling system.

The following table outlines the nature of the commitment expected from staff and the way that commitment should be supported.

WHO	COMMITMENT	HOW
General Manager and Executive Team	Promote a culture that values complaints and their effective resolution	Report publicly on complaint handling. Provide adequate support and direction to key staff responsible for handling complaints. Review quarterly reports about complaints and issues arising from complaints. Encourage all staff to be alert to complaints and assist those responsible for handling complaints in order to resolve them promptly. Recognise and reward good complaint handling by staff. Support recommendations for service, facility, staff and complaint handling improvements arising from the analysis of complaint data.

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<p>Manager Customer Services &amp; Governance (Public Officer)</p>	<p>Establish and manage our complaint management system.</p>	<p>Provide quarterly reports to the Executive Team on issues arising from complaint handling work.</p> <p>Ensure there is a complaints register available for updating by the management group.</p> <p>Ensure recommendations arising out of complaint data analysis are canvassed with Executive Team and implemented where appropriate.</p> <p>Train and empower all Managers, Customer Service and Records staff to resolve complaints promptly and in accordance with Mid-Western Regional Council's related policies and procedures.</p> <p>Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints in order to resolve them promptly.</p> <p>Recognise and reward good complaint handling by staff.</p>
<p>Director Community, Manager Customer Service &amp; Governance, Coordinator Governance</p>	<p>Triage of incoming potential complaints</p>	<p>Undertake the initial assessment of potential complaints that would be managed under this policy and assign to the appropriate Manager to investigate and respond.</p> <p>Ensure that any potential conflict of interest or bias is declared and handled appropriately.</p>
<p>Managers</p>	<p>Demonstrate exemplary complaint handling practices</p>	<p>Responsible for receiving, resolving and documenting details on all complaints registered within their department.</p> <p>Acknowledge receipt of the complaint with the complainant and advise them of the process and timelines</p> <p>Treat all people with respect, including people who make complaints.</p> <p>Assist people to make/lodge a complaint (if needed).</p> <p>Ensure the complaints register is updated with details from complaints in their department.</p> <p>Comply with this policy and its associated</p>

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		<p>procedures.</p> <p>Keep informed about best practice in complaint handling.</p> <p>Provide feedback to Directors on issues arising from complaints.</p> <p>Provide suggestions to Manager CS &amp; Gov on ways to improve the organisation's complaints management system.</p> <p>Implement changes arising from individual complaints and from the analysis of complaint data as directed by the Executive Team.</p>
Customer Service staff	Understand and comply with Mid-Western Regional Council's complaint handling policy and procedures.	<p>Treat all people with respect, including people who make/lodge complaints.</p> <p>Comply with this policy and its associated procedures.</p> <p>Provide feedback to Manager Customer Services &amp; Governance on issues arising from complaints.</p> <p>Assist people who wish to make complaints and inform them about Mid-Western Regional Council's complaints process.</p>
All staff	Supports Mid-Western Regional Council's complaint handling policy and procedures.	<p>Treat all people with respect, including people who make complaints.</p> <p>Assist people who wish to make complaints access the Midwestern Regional Council's complaints process by referring them to Councils Customer Service staff.</p> <p>Note any complaints over the phone or in person received in Customer Service should be directed to the Manager or Coordinator in People and Performance.</p> <p>Assist staff handling complaints to resolve matters promptly.</p> <p>Implement changes from management that have resulting from individual complaints and analysis and evaluation of complaint data.</p>

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## 2.0 TERMS AND DEFINITIONS

**COMPLAINT:** Expression of dissatisfaction made to or about Council, its services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this Policy can be distinguished from:

- Specific complaints about an individual staff member's behaviour
- Staff grievances
- Public interest disclosures made by Council staff
- Code of conduct complaints
- Responses to requests for feedback about the standard of our service provision
- Reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response
- Service requests
- Requests for information (Formal GIPA or Informal)

**COMPLAINT MANAGEMENT SYSTEM:** All policies, procedures, practices, staff, hardware and software used by Council staff in the management of complaints.

**DISPUTE:** An unresolved complaint escalated either within or outside the organisation.

**FEEDBACK:** Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about Council staff, Councils services, facilities or complaint handling where a response is not explicitly or implicitly expected or legally required.

**SERVICE REQUEST:** The definition of a service request is likely to include:

- Requests for approval.
- Requests for action.
- Routine inquiries about the organisation's business.
- Requests for the provision of services and assistance.
- Requests for explanation of policies, procedures and decisions.

**POLICY:** A statement of instruction that sets out how Council staff should fulfil its vision, mission and goals.

**PROCEDURE:** A statement or instruction that sets out how Council policies will be implemented and by whom.

**PUBLIC INTEREST DISCLOSURE:** A report about a wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*.

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## 3.0 GUIDING PRINCIPLES



### 3.1 Facilitate Complaints

#### PEOPLE FOCUS

Council staff are committed to seeking and receiving feedback and complaints about Councils facilities, services, systems, practices, procedures and complaint handling.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- Provided with information about Councils complaint handling process.
- Provided with multiple and accessible ways to make complaints.
- Listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate.
- Provided with reasons for Councils decision/s and any options for redress or review.

The Manager assigned to manage a complaint will formally respond to the complainant within 14 days of the complaint being received by the Council. The Manager will acknowledge receipt of the complaint, informing the complainant who is managing the complaint and what the process to be followed for handling the complaint is.

#### NO DETRIMENT TO PEOPLE MAKING COMPLAINTS

Council staff will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

#### ANONYMOUS COMPLAINTS

Council can accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided. In some circumstances Council can deal with anonymous complaints however these can prove difficult where limited information is provided.

#### ACCESSIBILITY

We will ensure that information about how and where complaints may be made to or about us is well publicised. Council will ensure that our systems to manage complaints are easily understood and accessible to everyone, particularly people who may require assistance.

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If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, Council will communicate with them through their representative (if this is their wish). Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, Member of Parliament or another organisation).

### 3.2 Respond to Complaints

#### EARLY RESOLUTION

Where possible, complaints will be resolved at first contact with the relevant departmental manager. If a complaint is resolved at the first point of contact that manager who received and addressed the complaint is required to make a file note in Council's records management system.

#### RESPONSIVENESS

Once identified as a complaint by the triage team the manager assigned will promptly acknowledge receipt of the complaint with the complainant.

If the matter is urgent and is deemed a complaint, it should also be referred to relevant department or manager (e.g. safety issues should be reported to WHS)

The manager assigned to the complaint are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- The complaints process.
- The expected time frames for our actions.
- The progress of the complaint and reasons for any delay.
- Their likely involvement in the process.
- The possible or likely outcome of their complaint.

The manager assigned will advise people as soon as possible when Council are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

The manager assigned will also advise people as soon as possible when Council are unable to meet our time frames for responding to their complaint and the reason for our delay.

#### OBJECTIVITY AND FAIRNESS

The manager assigned will address each complaint with integrity and in an equitable, objective and unbiased manner.

The manager assigned will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person

**POLICY:** ERROR! REFERENCE SOURCE NOT FOUND. | VERSION 2.1, **ERROR! REFERENCE SOURCE NOT FOUND.**

other than the original decision maker.

#### RESPONDING FLEXIBLY

The manager assigned is empowered to resolve complaints promptly and with as little formality as possible. Council staff will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

The manager assigned will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

### 3.3 Confidentiality

The manager assigned, the triage team and the Records staff will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by the Mid-Western Regional Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

### 3.4 Manage the Parties to a Complaint

#### COMPLAINTS INVOLVING MULTIPLE AGENCIES OR AREAS

Where a complaint involves multiple organisations, Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Should a third party need to be contacted to resolve a complaint then the relevant Director should be informed.

Where our services are contracted out, Council expects contracted service providers to have a complaint management system. Council will take complaints not only about the actions of its staff but also the actions of contractors/service providers.

#### COMPLAINTS INVOLVING MULTIPLE PARTIES

When similar complaints are made by related parties the manager assigned will try to arrange to communicate with a single representative of the group.

#### MANAGING UNREASONABLE CONDUCT BY PEOPLE MAKING COMPLAINTS

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Council staff are committed to being accessible and responsive to all people who approach Council with feedback or complaints. At the same time Councils success in this area depends on:

- Council's ability to do work and perform its functions in the most effective and efficient way possible.
- The health, safety and security of its staff.
- Its ability to allocate our resources fairly across all the complaints that are received.

When people behave unreasonably in their dealings with Council staff, their conduct can significantly affect the progress and efficiency of Council work. As a result, Council staff will take proactive and decisive action to manage any conduct that negatively and unreasonably affects Council and will support its staff to do the same in accordance with this policy.

Customer Service staff should escalate any complainant they find is being unreasonable to either the Manager Customer Services & Governance, the Governance Coordinator or the Director Community (triage team). Customer Service staff will receive training to assist them to manage difficult complainants. Complainants will always be treated respectfully and in a courteous manner.

## 4.0 COMPLAINT MANAGEMENT SYSTEM



### Introduction

When responding to complaints, staff should act in accordance with our Complaints Policy as well as any other internal documents providing guidance on the management of complaints, including the manual for 'Managing Unreasonable Complainant Conduct'.

The five key stages in our complaint management system are set out below.

### 4.1 Receipt of Complaints

#### 4.1.1 Verbal/Electronic Complaints

Council staff aim to manage complaints and feedback when they are received. Face to face, telephone and emailed customer complaints may be received by Councils front line staff in the first instance.

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#### 4.1.2 Written Complaints

Written complaints and feedback received by Council in writing will be assessed by the Triage team and appropriately assigned to a Department Manager or Director.

We will also assign a unique identifier to the complaint file in ELO. The Department Manager responsible for the complaint will inform their Director or GM that the complaint has been received and is being managed.

It is the responsibility of Managers to keep Directors and Executive staff informed of complaint management occurring at that time.

The record of the complaint will document:

- The contact information of the person making a complaint.
- Issues raised by the person making a complaint and the outcome/s they seek.
- Any other relevant information.
- Any additional support the person making a complaint requires.

#### 4.2 Acknowledgement of Complaints

We will acknowledge receipt of each complaint promptly, and preferably within fourteen (14) working days.

Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

#### 4.3 Initial Assessment and Addressing of Complaints

##### 4.3.1. INITIAL ASSESSMENT

After acknowledging receipt of the complaint, the manager assigned to the complaint will confirm whether the issue/s raised in the complaint is within Council's control. The manager assigned will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint will be managed, the manager assigned should consider:

- How serious, complicated or urgent the complaint appears.
- Whether the complaint raises concerns about people's health and safety.
- How the person making the complaint is being affected.
- The risks involved if resolution of the complaint is delayed.
- Whether a resolution requires the involvement of other organisations.

##### 4.3.2. ADDRESSING COMPLAINTS

After assessing the complaint, the manager assigned will consider how to manage it. To manage a complaint the manager assigned may,

- Give the person making a complaint information or an explanation.

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- Gather information from the person or area that the complaint is about.
- Investigate the claims made in the complaint.

The manager assigned will keep the person making the complaint up to date on our progress, particularly if there are any delays. The actions Council decide to take will be tailored to each case and take into account any statutory requirements.

#### 4.4 Providing Reasons for Decisions

Following consideration of the complaint and any investigation into the issues raised, the manager assigned will contact the person making the complaint and advise them:

- The outcome of the complaint and any action Council took.
- The reason/s for our decision.
- The remedy or resolution/s that Council have proposed or put in place.
- Any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, if the manager assigned makes any adverse findings about a particular individual, they should consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions in or made pursuant to that Act, before sharing its findings with the person making the complaint.

#### 4.5 Closing the Complaint, Record Keeping, Redress and Review

The manager assigned will keep comprehensive records about:

- How the complaint was managed.
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations).
- Any outstanding actions that need to be followed up.

The manager assigned will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

#### 4.6 Alternative Avenues for Dealing with Complaints

The manager assigned will inform people who make complaints about the internal review options and also external review options available to them.

Mid-Western Regional Council will in the first instance manage complaints at the managerial level. This will enable complainants to appeal any dissatisfaction internally to Directors or the General Manager. Dissatisfied complainants are encouraged to appeal internally as their first recourse.

Complainants can also appeal externally. The key agencies for external appeals are:

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*Investigations & Review Branch  
Division of Local Government  
Premiers Department  
Locked Bag 3015  
NOWRA NSW 2541*

*Telephone: (02) 4428 4100  
Facsimile: (02) 4428 4199*

*Independent Commission Against Corruption  
Level 7, 255 Elizabeth Street  
SYDNEY NSW 2000*

*Telephone: (02) 8281 5999  
Toll Free: 1800 463 909*

*The Office of the  
Ombudsman Level 24  
580 George Street  
SYDNEY NSW 2000*

*Telephone: (02) 9286 1000  
Toll Free: 1800 451 524*

#### 4.7 Levels of Complaint Handling

Councils Records Team will task the Director Community, Manager Customer Service & Governance and the Governance Coordinator with inward correspondence that potentially appears to present a complaint for an initial assessment (triage) and assignment to the appropriate Manager for investigation and response.

This level of complaint handling will provide for the following internal mechanisms:

- Assessment and possible investigation of the complaint and decision/s already made.
- Facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of the Council's actions they should appeal to the General Manager. The General Manager will ask the Executive or the Public Officer to review the complaint, the actions already taken and report back for a response to the complainant.

#### 4.8 Allegations of Corrupt Conduct

Under section 11 of the ICAC Act, a principal officer of a NSW public authority has a duty to report to the Commission any matter where there is a reasonable suspicion that corrupt conduct has occurred or may occur.

The principal officers are the General Manager and the Mayor of the council.

Reasonable grounds for suspicion mean there is a real possibility that corrupt conduct is, or may be, involved. No proof is required. If, as a principal officer, you are uncertain about whether or not to report a matter under section 11, please contact the ICAC's Manager Assessments on 02 8281 5786. In general, the ICAC encourages principal officers to err on the side of caution and report the matter.

The ICAC Act contains no provision permitting delay in reporting. To delay can result in the loss of investigative opportunities to the ICAC. The duty to report overrides any duty of

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confidentiality. As it is a statutory duty, a principal officer is protected in making such a report from any civil or criminal liability.

All reports and complaints regarding suspected corrupt conduct are considered by a panel of senior ICAC officers, who make decisions about what action the Commission will take.

Reporting a matter to the ICAC under section 11 does not affect any obligations to report the matter to bodies such as the NSW Police Force, Auditor-General or NSW Ombudsman or to be prepared to carry out any warranted disciplinary action.

Once a section 11 report has been submitted, you should generally wait until you have received the ICAC's decision prior to taking any further steps. This is because if the ICAC decides to take action, any steps taken by the reporting agency may hamper the ICAC's possible actions. If you would like to take certain steps but are yet to hear from the ICAC, please contact the Manager Assessments on 02 8281 5786 to discuss the status of your reported matter and whether those proposed steps can be taken.

## 5.0 ACCOUNTABILITY AND LEARNING

### 5.1 Analysis and Evaluation of Complaints

The Executive and the Manager Customer Services & Governance will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Quarterly reports to the Executive will be run on:

- The number of complaints received.
- The outcome of complaints, including matters resolved at the Customer Service.
- Issues arising from complaints.
- Systemic issues identified.
- The number of requests Council receive for internal and/or external review of our complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and ensure continued improvement.

Reports will be provided to the Executive on a regular basis for review.

### 5.2 Monitoring of the Complaint Management System

The Manager Customer Services & Governance will routinely monitor our complaint management system to:

- Ensure its effectiveness in responding to and resolving complaints.
- Identify and correct anomalies in the operation of the system.

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- Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools or alerts.

### 5.3 Continuous Improvement

The Executive and Manager Customer Services & Governance are committed to improving the effectiveness and efficiency of our complaint management system. To this end, they will:

- Support the making and appropriate resolution of complaints.
- Implement best practices in complaint handling.
- Recognise and reward exemplary complaint handling by staff.
- Regularly review the complaints management system and complaint data.
- Implement appropriate system changes arising out of our analysis of complaints data.



## COMPLAINTS POLICY

*A prosperous  
and progressive  
community*

ADOPTED	VERSION NO	A0140320 VERSION 1.02.1A0140320
COUNCIL MEETING	REVIEW DATE	
DATE:	FILE NUMBER	A0140320CU5000002

### Objective

To develop a system that ensures complaints are handled in an appropriate, effective and systematic way whilst increasing the level of community satisfaction.

### Guidelines

The development of this policy has been informed by the following:

- Australian and New Zealand Standard Guidelines for complaint handling in organizations AS/NZS 10002:2014
- NSW Ombudsman Effective Complaint Handling Guidelines, 3rd Edition, February 2017
- ~~Victorian Ombudsman Councils and Complaints – Good Practice Guide for Public Agencies, September 2016~~
- Joint publication of the NSW Ombudsman and Department of Local Government Complaints Management in Councils Practice note no. 9, revised July 2009
- ~~Ombudsman Western Australia Guidelines on Complaint Handling, January 2017~~
- ~~Commonwealth Ombudsman Better Practice Guide to Complaint handling 1, April 2009~~
- ~~NESTA Grumbles Gripes and Grievances The Role of Complaints in Transforming Public Services, April 2013~~
- ~~Scottish Public Services Ombudsman SPSO Statement of Complaint handling Principles, 2014~~
- ~~The British and Irish Ombudsman Association Guide to Principles of good complaint handling, 2007~~
- NSW Ombudsman Managing Unreasonable Complaint Conduct – a Model Policy and Procedure 2012
- ~~Victorian Ombudsman Good Practice Guide, November 2007~~
- ~~Disability Services Commissioner Victoria Good Practice Guide and Self Audit Tool, 2nd Ed. 2013.~~

### Related policies and plans

- ~~Mid-Western Regional Council Public Interest Disclosure Internal Reporting Policy 2015~~
- ~~Mid-Western Regional Council Access to Information Policy 2015~~
- ~~Mid-Western Regional Council Complaints Policy 2013~~
- ~~Mid-Western Regional Council Problematic Complainants Unreasonable Complainants Conduct Policy 2013 ??~~
- ~~Mid-Western Regional Council Privacy Management Plan April 2010~~
- ~~Mid-Western Regional Council Records Management Policy May 2017~~
- Code of Conduct

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## 1.0 Introduction

### 1.1 Purpose

This policy is intended to ensure complaints are handled fairly, efficiently and effectively. The complaint management system will enable staff to respond to issues raised by people making complaints in a timely and cost-effective way, to boost public confidence in the administrative processes and provide information that can be used to deliver quality improvements in services, facilities, staff and overall handling of complaints.

This policy provides guidance to Council staff and people who wish to make a complaint on the key principles and concepts of Council's complaint management system.

### 1.2 Scope

This policy applies to all staff receiving or managing complaints from the public made to or about Council regarding its services, operations, and facilities ~~and staff~~ or the process in which Council have handled a complaint.

Complaints about staff behaviour, sStaff grievances, code of conduct complaints and public interest disclosures are dealt with through separate Council policies and procedures.

### 1.3 Organisational Commitment

All staff at Mid-Western Regional Council are committed to support a fair, effective and efficient complaint handling system.

The following table outlines the nature of the commitment expected from staff and the way that commitment should be supported.

WHO	COMMITMENT	HOW
General Manager and Executive Team	Promote a culture that values complaints and their effective resolution	Report publicly on <del>Midwestern Regional Council's</del> complaint handling. Provide adequate support and direction to key staff responsible for handling complaints. <del>Regularly R</del> review <u>quarterly</u> reports about complaints and issues arising from complaints. Encourage all staff to be alert to complaints and assist those responsible for handling complaints in order to resolve them promptly. <del>Encourage staff to make recommendations for system improvements.</del> Recognise and reward good complaint handling by staff. Support recommendations for service, facility,

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		staff and complaint handling improvements arising from the analysis of complaint data.
Public Officer (Manager Customer Service & Governance (Public Officer) Manager or designate)	Establish and manage our complaint management system.	<p>Provide regular quarterly reports to the Executive Team on issues arising from complaint handling work.</p> <p>Ensure there is a complaints register available to view by all staff and available for updating by the management group.</p> <p>Ensure the complaints register is known to all staff and actively encourages its use</p> <p>Ensure recommendations arising out of complaint data analysis are canvassed with Executive Team and implemented where appropriate.</p> <p>Train and empower all Managers, Customer Service and Records staff to resolve complaints promptly and in accordance with Mid-Western Regional Council's related policies and procedures.</p> <p>Encourage staff managing complaints to provide suggestions on ways to improve the organisation's complaint management system.</p> <p>Encourage all staff to be alert to complaints and assist those responsible for handling complaints in order to resolve them promptly.</p> <p>Recognise and reward good complaint handling by staff.</p>
Director Community Manager Customer Service & Governance, Coordinator Governance	Triage of incoming potential complaints	<p>Undertake the initial assessment of potential complaints that would be managed under this policy and assign to the appropriate Manager to investigate and respond.</p> <p>Ensure that any potential conflict of interest or bias is declared and handled appropriately.</p>
Managers	Demonstrate exemplary complaint handling practices	<p>Responsible for receiving, resolving and documenting details on all complaints registered within their department</p> <p>Acknowledge receipt of the complaint with the complainant and advise them of the process and timelines</p> <p>Treat all people with respect, including people who make complaints.</p>

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		<p>Assist people to make/lodge a complaint (if needed).</p> <p>Ensure the complaints register is updated with details from complaints in their department.</p> <p>Comply with this policy and its associated procedures.</p> <p>Keep informed about best practice in complaint handling.</p> <p>Provide feedback to Directors on issues arising from complaints.</p> <p>Provide suggestions <a href="#">to Manager CS &amp; Gov to management</a> on ways to improve the organisation's complaints management system.</p> <p>Implement changes arising from individual complaints and from the analysis of complaint data as directed by the Executive Team.</p>
Customer Service staff	Understand and comply with Mid-Western Regional Council's complaint handling policy and procedures.	<p>Treat all people with respect, including people who make/lodge complaints.</p> <p>Comply with this policy and its associated procedures.</p> <p>Provide feedback to Manager Customer Services <a href="#"> &amp; Governance</a> on issues arising from complaints.</p> <p>Assist people who wish to make complaints and inform them about Mid-Western Regional Council's complaints process.</p> <p><del>Implement changes from management that have resulting from individual complaints and analysis and evaluation of complaint data.</del></p>
All staff	Supports Mid-Western Regional Council's complaint handling policy and procedures.	<p>Treat all people with respect, including people who make complaints.</p> <p>Assist people who wish to make complaints access the Midwestern Regional Council's complaints process by referring them to Councils Customer Service staff.</p> <p><a href="#">Note any complaints over the phone or in person received in Customer Service should be directed to the Manager or Coordinator in People and Performance.</a></p> <p>Assist staff handling complaints to resolve matters promptly.</p> <p>Implement changes from management that have resulting from individual complaints and analysis and evaluation of complaint data.</p>

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## 2.0 Terms and Definitions

**COMPLAINT:** Expression of dissatisfaction made to or about Council, its services, staff or the handling of a complaint where a response or resolution is explicitly or implicitly expected or legally required.

A complaint covered by this Policy can be distinguished from:

- [Specific complaints about an individual staff member's behaviour](#)
- Staff grievances
- Public interest disclosures made by Council staff
- Code of conduct complaints
- Responses to requests for feedback about the standard of our service provision
- Reports of problems or wrongdoing merely intended to bring a problem to our notice with no expectation of a response
- [Service- Service](#) requests
- Requests for information [\(Formal GIPA or Informal\)](#)

**COMPLAINT MANAGEMENT SYSTEM:** All policies, procedures, practices, staff, hardware and software used by Council staff in the management of complaints.

**DISPUTE:** An unresolved complaint escalated either within or outside the organisation.

**FEEDBACK:** Opinions, comments and expressions of interest or concern, made directly or indirectly, explicitly or implicitly, to or about Council staff, Councils services, facilities or complaint handling where a response is not explicitly or implicitly expected or legally required.

**SERVICE REQUEST:** The definition of a service request is likely to include:

- Requests for approval.
- Requests for action.
- Routine inquiries about the organisation's business.
- Requests for the provision of services and assistance.
- Requests for explanation of policies, procedures and decisions.

**POLICY:** A statement of instruction that sets out how Council staff should fulfil its vision, mission and goals.

**PROCEDURE:** A statement or instruction that sets out how Council policies will be implemented and by whom.

**PUBLIC INTEREST DISCLOSURE:** A report about a wrong doing made by a public official in New South Wales that meets the requirements of the *Public Interest Disclosures Act 1994*.

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## 3.0 Guiding Principles



### 3.1 Facilitate Complaints

#### PEOPLE FOCUS

Council staff are committed to seeking and receiving feedback and complaints about Councils facilities, services, systems, practices, procedures and complaint handling.

Any concerns raised in feedback or complaints will be dealt with within a reasonable time frame.

People making complaints will be:

- Provided with information about Councils complaint handling process.
- Provided with multiple and accessible ways to make complaints.
- Listened to, treated with respect by staff and actively involved in the complaint process where possible and appropriate.
- Provided with reasons for Councils decision/s and any options for redress or review.

The Manager assigned to manage a complaint will formally respond to the complainant within 14 days of the complaint being received by the Council. The Manager will acknowledge receipt of the complaint, informing the complainant who is managing the complaint and what the process to be followed for handling the complaint is.

#### NO DETRIMENT TO PEOPLE MAKING COMPLAINTS

Council staff will take all reasonable steps to ensure that people making complaints are not adversely affected because a complaint has been made by them or on their behalf.

#### ANONYMOUS COMPLAINTS

Council can accept anonymous complaints and will carry out an investigation of the issues raised where there is enough information provided. In some circumstances Council can deal with anonymous complaints however these can prove difficult where limited information is provided.

#### ACCESSIBILITY

We will ensure that information about how and where complaints may be made to or about us is well publicised. Council will ensure that our systems to manage complaints are easily understood

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and accessible to everyone, particularly people who may require assistance.

If a person prefers or needs another person or organisation to assist or represent them in the making and/or resolution of their complaint, Council will communicate with them through their representative (if this is their wish). Anyone may represent a person wishing to make a complaint with their consent (e.g. advocate, family member, legal or community representative, Member of Parliament or another organisation).

### 3.2 Respond to Complaints

#### EARLY RESOLUTION

Where possible, complaints will be resolved at first contact with the relevant departmental manager. If a complaint is resolved at the first point of contact that manager who received and addressed the complaint is required to make a file note in Council's records management system, (ELO) using the folder in Customer Service – Public Reaction (A0310036).

#### RESPONSIVENESS

Council staff Once identified as a complaint by the triage team the manager assigned will promptly acknowledge receipt of the complaints with the complainant.

Council staff will assess and prioritise complaints in accordance with the urgency and/or seriousness of the issues raised. If a matter concerns an immediate risk to safety or security the response will be immediate and will be escalated from Customer Service staff to the appropriate Manager. If the matter is urgent and is deemed a complaint, it should also be referred to relevant department or manager (e.g. safety issues should be reported to WHS)

Council staff The manager assigned to the complaint are committed to managing people's expectations, and will inform them as soon as possible, of the following:

- The complaints process.
- The expected time frames for our actions.
- The progress of the complaint and reasons for any delay.
- Their likely involvement in the process.
- The possible or likely outcome of their complaint.

Council staff The manager assigned will advise people as soon as possible when Council are unable to deal with any part of their complaint and provide advice about where such issues and/or complaints may be directed (if known and appropriate).

Council staff The manager assigned will also advise people as soon as possible when Council are unable to meet our time frames for responding to their complaint and the reason for our delay.

#### OBJECTIVITY AND FAIRNESS

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Council staff The manager assigned will address each complaint with integrity and in an equitable, objective and unbiased manner.

Council staff The manager assigned will ensure that the person handling a complaint is different from any staff member whose conduct or service is being complained about.

Conflicts of interests, whether actual or perceived, will be managed responsibly. In particular, internal reviews of how a complaint was managed will be conducted by a person other than the original decision maker.

#### RESPONDING FLEXIBLY

Council staff The manager assigned are empowered to resolve complaints promptly and with as little formality as possible. Council staff will adopt flexible approaches to service delivery and problem solving to enhance accessibility for people making complaints and/or their representatives.

Council staff The manager assigned will assess each complaint on its merits and involve people making complaints and/or their representative in the process as far as possible.

### 3.3 Confidentiality

Council staff The manager assigned, the triage team and the Records staff will protect the identity of people making complaints where this is practical and appropriate.

Personal information that identifies individuals will only be disclosed or used by the Mid-Western Regional Council as permitted under the relevant privacy laws, secrecy provisions and any relevant confidentiality obligations.

### 3.4 Manage the Parties to a Complaint

#### COMPLAINTS INVOLVING MULTIPLE AGENCIES OR AREAS

Where a complaint involves multiple organisations, Council will work with the other organisation/s where possible, to ensure that communication with the person making a complaint and/or their representative is clear and coordinated.

Subject to privacy and confidentiality considerations, communication and information sharing between the parties will also be organised to facilitate a timely response to the complaint.

Where a complaint involves multiple areas within our organisation, responsibility for communicating with the person making the complaint and/or their representative will also be coordinated.

Should a third party need to be contacted to resolve a complaint then the relevant Director should be informed.

Where our services are contracted out, Council expects contracted service providers to have a

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complaint management system. Council will take complaints not only about the actions of its staff but also the actions of contractors/service providers.

#### COMPLAINTS INVOLVING MULTIPLE PARTIES

When similar complaints are made by related parties ~~Council staff~~ the manager assigned will try to arrange to communicate with a single representative of the group.

#### MANAGING UNREASONABLE CONDUCT BY PEOPLE MAKING COMPLAINTS

Council staff are committed to being accessible and responsive to all people who approach Council with feedback or complaints. At the same time Councils success in this area depends on:

- Council's ability to do work and perform its functions in the most effective and efficient way possible.
- The health, safety and security of its staff.
- Its ability to allocate our resources fairly across all the complaints that are received.

When people behave unreasonably in their dealings with Council staff, their conduct can significantly affect the progress and efficiency of Council work. As a result, Council staff will take proactive and decisive action to manage any conduct that negatively and unreasonably affects Council and will support its staff to do the same in accordance with this policy.

Customer Service staff should escalate any complainant they find is being unreasonable to ~~an appropriate Manager or the Governance Manager/Designate~~ to either the Manager Customer Services & Governance, the Governance Coordinator or the Director Community (triage team). Customer Service staff will receive training to assist them to manage difficult complainants. Complainants will always be treated respectfully and in a courteous manner.

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## 4.0 Complaint Management System



### Introduction

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The five key stages in our complaint management system are set out below.

### 5.1 Receipt of Complaints

#### 4.1.1 Verbal/Electronic Complaints

Council staff aim to manage complaints and feedback when they are received. Face to face, telephone and emailed customer complaints ~~will~~ may be received by Councils front line staff in the first instance.

#### 4.1.2 Written Complaints

Written complaints and feedback received by Council in writing will be assessed by the Triage team records staff and appropriately assigned to a Department Manager or Director.

We will also assign a unique identifier to the complaint file in ELO. The Department Manager responsible for the complaint will inform their Director or GM that the complaint has been received and is being managed.

It is the responsibility of Managers to keep Directors and Executive staff informed of complaint management occurring at that time.

The record of the complaint will document:

- The contact information of the person making a complaint.
- Issues raised by the person making a complaint and the outcome/s they seek.
- Any other relevant information.
- Any additional support the person making a complaint requires.

### 5.2 Acknowledgement of Complaints

We will acknowledge receipt of each complaint promptly, and preferably within fourteen (14) working days.

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Consideration will be given to the most appropriate medium (e.g. email, letter) for communicating with the person making a complaint.

### 5.3 Initial Assessment and Addressing of Complaints

#### 4.3.1. INITIAL ASSESSMENT

After acknowledging receipt of the complaint, Council staff The manager assigned to the complaint will confirm whether the issue/s raised in the complaint is within Council's control. Council staff The manager assigned will also consider the outcome/s sought by the person making a complaint and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

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- Whether the complaint raises concerns about people's health and safety.
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- The risks involved if resolution of the complaint is delayed.
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After assessing the complaint, Council staff the manager assigned will consider how to manage it. To manage a complaint Council staff the manager assigned may:

- Give the person making a complaint information or an explanation.
- Gather information from the person or area that the complaint is about.
- Investigate the claims made in the complaint.

Council staff The manager assigned will keep the person making the complaint up to date on our progress, particularly if there are any delays. The actions Council decide to take will be tailored to each case and take into account any statutory requirements.

### 4.4 Providing Reasons for Decisions

Following consideration of the complaint and any investigation into the issues raised, Council staff the manager assigned will contact the person making the complaint and advise them:

- The outcome of the complaint and any action Council took.
- The reason/s for our decision.
- The remedy or resolution/s that Council have proposed or put in place.
- Any options for review that may be available to the complainant, such as an internal review, external review or appeal.

If in the course of investigation, if Council staff the manager assigned makes any adverse findings about a particular individual, they should consider any applicable privacy obligations under the *Privacy and Personal Information Protection Act 1998* and any applicable exemptions

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in or made pursuant to that Act, before sharing its findings with the person making the complaint.

#### 4.5 Closing the Complaint, Record Keeping, Redress and Review

~~Council staff~~ The manager assigned will keep comprehensive records about:

- How the complaint was managed.
- The outcome/s of the complaint (including whether it or any aspect of it was substantiated, any recommendations made to address problems identified and any decisions made on those recommendations).
- Any outstanding actions that need to be followed up.

~~Council staff~~ The manager assigned will ensure that outcomes are properly implemented, monitored and reported to the complaint handling manager and/or senior management.

#### 4.6 Alternative Avenues for Dealing with Complaints

~~Council staff~~ The manager assigned will inform people who make complaints about the internal review options and also external review options available to them.

Mid-Western Regional Council will in the first instance manage complaints at the ~~Customer Service or~~ managerial level. This will enable complainants to appeal any dissatisfaction internally to Directors or the General Manager. Dissatisfied complainants are encouraged to appeal internally as their first recourse.

Complainants can also appeal externally. The key agencies for external appeals are:

*Investigations & Review Branch  
Division of Local Government  
Premiers Department  
Locked Bag 3015  
NOWRA NSW 2541*

*Telephone: (02) 4428 4100  
Facsimile: (02) 4428 4199*

*Independent Commission Against Corruption  
[GPO-Box-500 Level 7, 255 Elizabeth Street](#)  
SYDNEY NSW 2000*

*Telephone: (02) 8281 5999  
Toll Free: 1800 463 909  
~~Facsimile: (02) 9264 5364~~*

*The Office of the  
Ombudsman Level 24  
580 George Street  
SYDNEY NSW 2000*

*Telephone: (02) 9286 1000  
Toll Free: 1800 451 524*

#### 4.7 Levels of Complaint Handling

[Councils Records Team will task the Director Community, Manager Customer Service & Governance and the Governance Coordinator with inward correspondence that potentially](#)

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~~appears to present a complaint for an initial assessment (triage) and assignment to the appropriate Manager for investigation and response.~~

~~Council staff aim to identify complaints at the Customer Service level where possible (level 1). Customer service staff should be adequately trained to identify and acknowledge complaints at the counter or over the phone. Customer Service staff should then, after identifying the complaint, escalate it to the Manager of the appropriate area.~~

~~Written complaints will be assessed by Records staff and appropriately referred to the relevant Manager. Records staff will be trained to undertake the initial assessment of complaints so that they are appropriately referred. It is the Managers responsibility to keep Directors informed that they are managing a complaint.~~ This level of complaint handling will provide for the following internal mechanisms:

- Assessment and possible investigation of the complaint and decision/s already made.
- Facilitated resolution (where a person not connected with the complaint reviews the matter and attempts to find an outcome acceptable to the relevant parties).

Where a person making a complaint is dissatisfied with the outcome of the Council's actions they should appeal to the General Manager. The General Manager will ask a **Director Executive** or the Public Officer to review the complaint, the actions already taken and report back for a response to the complainant.

#### 4.8 Allegations of Corrupt Conduct

Under section 11 of the ICAC Act, a principal officer of a NSW public authority has a duty to report to the Commission any matter where there is a reasonable suspicion that corrupt conduct has occurred or may occur.

The principal officers are the General Manager and the Mayor of the council.

Reasonable grounds for suspicion mean there is a real possibility that corrupt conduct is, or may be, involved. No proof is required. If, as a principal officer, you are uncertain about whether or not to report a matter under section 11, please contact the ICAC's Manager Assessments on 02 8281 5786. In general, the ICAC encourages principal officers to err on the side of caution and report the matter.

The ICAC Act contains no provision permitting delay in reporting. To delay can result in the loss of investigative opportunities to the ICAC. The duty to report overrides any duty of confidentiality. As it is a statutory duty, a principal officer is protected in making such a report from any civil or criminal liability.

All reports and complaints regarding suspected corrupt conduct are considered by a panel of senior ICAC officers, who make decisions about what action the Commission will take.

Reporting a matter to the ICAC under section 11 does not affect any obligations to report the matter to bodies such as the NSW Police Force, Auditor-General or NSW Ombudsman or to be prepared to carry out any warranted disciplinary action.

Once a section 11 report has been submitted, you should generally wait until you have received the ICAC's decision prior to taking any further steps. This is because if the ICAC

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decides to take action, any steps taken by the reporting agency may hamper the ICAC's possible actions. If you would like to take certain steps but are yet to hear from the ICAC, please contact the Manager Assessments on 02 8281 5786 to discuss the status of your reported matter and whether those proposed steps can be taken.

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#### SECTION 11 CHECKLIST

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Please ensure a section 11 report includes:

- A complete description of the allegations.
- The full name, date of birth and position of any public official/s alleged to be involved.
- The name of the person/s who made the allegation/s.
- The name and role of anyone relevant to the matter.
- The date and/or time frame in which the alleged corrupt conduct occurred.
- An indication as to whether the conduct appears to be a one-off event or part of a wider pattern or scheme.
- The date the allegation was made and/or the date you became aware of it.
- How your agency became aware of the matter.
- What your agency has done about the suspected conduct, including notification to any other agency, e.g. NSW Police Force, NSW Ombudsman's Office.
- What action you propose to take and why.
- The approximate amount of money or value of resources involved, if any.
- Any other indicators of seriousness.
- If the allegation arose from information provided by an employee or independent contractor, whether your agency is treating the matter as a public interest disclosure.
- Any other information you consider relevant.
- The name and contact details of the appropriate contact officer.
- Any documents that are relevant to the matter.

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## 5.0 Accountability and Learning

### 5.45.1 Analysis and Evaluation of Complaints

The [Public Officer/Governance Manager/Director Executive and the Manager Customer Services & Governance](#) will ensure that complaints are recorded in a systematic way so that information can be easily retrieved for reporting and analysis.

Regular [Quarterly](#) reports [to the Executive](#) will be run on:

- The number of complaints received.
- The outcome of complaints, including matters resolved at the Customer Service.
- Issues arising from complaints.
- Systemic issues identified.
- The number of requests Council receive for internal and/or external review of our complaint handling.

Regular analysis of these reports will be undertaken to monitor trends, measure the quality of our customer service and ensure continued improvement.

Reports will be provided to the Executive [Management Team](#) on a regular basis for review.

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### 5.55.2 Monitoring of the Complaint Management System

The [Public Officer/Governance Manager/Director Manager Customer Services & Governance](#) will routinely monitor [our Councils](#) complaint management system to:

- Ensure its effectiveness in responding to and resolving complaints.
- Identify and correct anomalies in the operation of the system.
- Monitoring may include the use of audits, complaint satisfaction surveys and online listening tools or alerts.

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### 5.65.3 Continuous Improvement

The [Public Officer/Governance Manager/Director Executive and Manager Customer Services & Governance](#) are committed to improving the effectiveness and efficiency of our complaint management system. To this end, they will:

- Support the making and appropriate resolution of complaints.
- Implement best practices in complaint handling.
- Recognise and reward exemplary complaint handling by staff.
- Regularly review the complaints management system and complaint data.
- Implement appropriate system changes arising out of our analysis of complaints data [and continual monitoring of the system](#).

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## 11.4 Policy Review - Delegations and Authorisations

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, GOV400047

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Policy Review - Delegations and Authorisations;**
2. **place the Delegations and Authorisations Policy on exhibition for 28 days to seek feedback from the community; and**
3. **adopt the Delegations and Authorisations Policy if no submissions are received during the exhibition period.**

---

### Executive summary

This report seeks Council endorsement of the revised Delegations and Authorisations Policy which was last reviewed in May 2021.

### Disclosure of Interest

Nil

### Detailed report

The purpose of the Delegations and Authorisations Policy is to establish a framework for the delegations authority within Council that establishes accountability and ensures that authorised officers have the appropriate authority to undertake the responsibilities of their position, ensuring legislative compliance of Chapter 12, Part 3 of the Local Government Act.

A newly created internal Delegations and Authorisations Procedure will assist with the identification and ongoing maintenance of delegations and authorisations for positions and staff.

#### Key changes:

- The removal of reference to Committees having any delegation or authorisation.
- Removal of individuals exercising a delegated function in their own right, not on behalf of Council.

### Community Plan implications

<b>Theme</b>	<b>Good Government</b>
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  
Purchase of Goods and Services Procedure  
Delegations and Authorisations Procedure

### **Legislation**

Local Government Act 1993  
Chapter 12 How Do Councils Operate  
Part 3 Delegation of Functions  
Section 377 - General power of Council to Delegate,  
Section 378 - Delegations by the General Manager  
Section 379 - Delegation of regulatory functions  
Section 380 - Review of Delegations  
Section 381 - Exercise of functions conferred or imposed on council employees under other Acts

## Financial implications

Nil

## Associated Risks

Staff undertaking tasks where they are not authorised to do so may compromise the enforcement and decisions made by Council and may attract legal repercussions.

RICHARD CUSHWAY  
MANAGER, CUSTOMER SERVICES &  
GOVERNANCE

SIMON JONES  
DIRECTOR COMMUNITY

24 October 2022

*Attachments:* 1. Delegations and Authorisations Draft Policy.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## POLICY

### Delegations and Authorisations

*A prosperous  
and progressive  
community.*

<b>ADOPTED</b>	VERSION NO	1.1
COUNCIL MEETING MIN	REVIEW DATE	
DATE:	FILE NUMBER	GOV400047

## Objective

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

Delegations Policy is intended to achieve the following objectives:

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

## Legislative requirements

Local Government Act 1993

Chapter 12 How Do Councils Operate

Part 3 Delegation of Functions

Section 377 General power of Council to Delegate,

Section 378 Delegations by the General Manager

Section 379 Delegation of regulatory functions

Section 380 Review of Delegations

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

## Related policies and plans

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

**POLICY: DELEGATIONS AND AUTHORISATIONS | V 1.1, 19 MAY 2021**

## Policy

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

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

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

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

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

Current delegations and authorisations assigned by the elected Council are:

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

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

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

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

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

- Purchase of Goods and Services Procedure

## Policy Principles

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

POLICY: DELEGATIONS AND AUTHORISATIONS | V 1.1 , 19 MAY 2021

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

#### Policy Scope

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

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

## 11.5 Policy Review - Unreasonable Complainant Conduct Policy

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, GOV400047

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Policy Review - Unreasonable Complainant Conduct Policy;**
2. **place the Unreasonable Complainant Conduct Policy on exhibition for 28 days to seek feedback from the community; and**
3. **adopt the Unreasonable Complainant Conduct Policy if no submissions are received during the exhibition period.**

---

### Executive summary

The Unreasonable Complainant Conduct Policy was last reviewed in August 2019. The policy review was conducted by the Manager of Customer Service and Governance and the Governance Coordinator in line with the NSW Ombudsman's guidelines for the handling of unreasonable complainants.

### Disclosure of Interest

Nil

### Detailed report

The Unreasonable Complainant Conduct Policy (UCC) works in conjunction with Council's Complaints Management Policy and assists staff to determine whether a complainant has conducted themselves 'unreasonably'.

The outcome of an UCC investigation may result in the complainant being classified as either one or more of the following;

- A: Unreasonable Persistence
- B: Unreasonable Demands
- C: Unreasonable Lack of Cooperation
- D: Unreasonable Arguments
- E: Unreasonable Behaviour

Currently the General Manager may place access restrictions on the complainant's ability to communicate with Council.

### Key Changes

The Manager of Customer Services and Governance will determine if a resident should be placed on the UCC Register and have access restrictions imposed on them based on the evidence available:

- The addition of a review date after six months for any resident who has access restrictions imposed on them.
- Introductions of an internal review by a Director or the General Manager which is available to any resident placed on the restriction under this policy.

## Community Plan implications

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

## Strategic implications

### Council Strategies

Not Applicable

### Council Policies

Mid-Western Regional Council Public Interest Disclosure Internal Reporting Policy

Mid-Western Regional Council Access to Information Policy

Mid-Western Regional Council Complaints Management Policy

Mid-Western Regional Council Privacy Management Plan April

Mid-Western Regional Council Records Management Policy

### Legislation

Ombudsmen Act 1974

Community Services (Complaints, Reviews, Monitoring) Act 1993

## Financial implications

Not Applicable

## Associated Risks

Not Applicable

RICHARD CUSHWAY  
MANAGER, CUSTOMER SERVICES &  
GOVERNANCE

SIMON JONES  
DIRECTOR COMMUNITY

28 October 2022

*Attachments:* 1. Unreasonable Complainant Conduct Policy Draft.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## POLICY

### Unreasonable Complainant Conduct

*A prosperous  
and progressive  
community.*

ADOPTED	VERSION NO
COUNCIL MEETING MIN NO	REVIEW DATE
DATE:	FILE NUMBER <b>GOV400047</b>

## Statement of Support

Mid-Western Regional Council is committed to being accessible and responsive to all complainants who approach our office for assistance and/or with a complaint. At the same time the success of our business depends on:

- Our ability to complete tasks and perform our functions in the most effective and efficient ways possible.
- The health, safety and security of our staff.
- Our ability to allocate our resources fairly and equitably across the complaints we receive.

## Objective

The policy and the supporting procedures have been developed to assist Council to better manage unreasonable complainant conduct (UCC) in conjunction with Council's current Complaints Management policy.

The aim of the UCC Policy is to ensure that staff managing complaints:

- Feel confident and supported in taking action to manage a potential UCC.
- Act fairly, consistently, honestly and appropriately when responding to UCC.
- Are aware of their roles and responsibilities in relation to the management of UCC and how this policy will be implemented.
- Understand the different circumstances when it may be appropriate to manage UCC using one or more of the following mechanisms:
  - The strategies provided in the *Managing Unreasonable Complainant Conduct Practice Manual (2nd edition)* ('practice manual') including the strategies to change or restrict a complainant's access to our services.
  - Alternative dispute resolution strategies to deal with conflicts involving complainants and members of our organisation.
  - Legal instruments such as trespass laws/legislation to prevent a complainant from coming onto our premises and orders to protect specific staff members from any actual or apprehended personal violence, intimidation or stalking.
- Have a clear understanding of the criteria that will be considered before we decide to change or restrict a complainant's access to our services.
- Are aware of the processes that will be followed to record and report UCC incidents as well as the procedures for consulting and notifying complainants about any proposed actions or decisions to change or restrict their access to our services.
- Are familiar with the procedures for reviewing decisions made under this policy, including specific timeframes for review.

**POLICY: UNREASONABLE COMPLAINANT CONDUCT** | V2 27 SEPT 2021, 21 AUGUST 2019

## Legislative requirements

The development of this policy has been informed by the following legislation:

- Ombudsmen Act 1974
- Community Services (Complaints, Reviews, Monitoring) Act 1993
- Public Interest Disclosures Act 1994

## Related policies, plans guidelines etc.

- Australian and New Zealand Standard Guidelines for complaint handling in organizations AS/ NZS 10002:2014
- NSW Ombudsman Effective Complaint Handling Guidelines, 3rd Edition, February 2017
- Mid-Western Regional Council Public Interest Disclosure Internal Reporting Policy November
- Mid-Western Regional Council Access to Information Policy
- Mid-Western Regional Council Complaints Management Policy
- Mid-Western Regional Council Privacy Management Plan
- Mid-Western Regional Council Records Management Policy

## 1.0 Defining Unreasonable Complainant Conduct

### 1.1 Definition

Most complainants who contact our Council act reasonably and responsibly in their interactions with us, even when they are experiencing high levels of distress, frustration and anger regarding their complaint. However, in a very small number of cases some complainants behave in ways that are inappropriate and unacceptable – Despite our best efforts to assist them.

In these cases complainants act in an aggressive and verbally abusive manner toward our staff and in rare cases threaten bodily harm, violence and/or make excessive and unnecessary phone calls and emails to our offices putting inappropriate demands on our time and resources.

When complainants behave in the manner described we consider their conduct 'unreasonable'.

Unreasonable Complainant Conduct (UCC) is any behaviour by a current or former complainant which, due to the nature or frequency raises substantial health, safety, resource or equity issues for our organisation, our staff or other service users and complainants.

## 1.2 Categories of Unreasonable Complainant Conduct

- A. **Unreasonable Persistence** Unreasonable persistence is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources.
- B. **Unreasonable Demands** Unreasonable demands are any demands (express or implied) that are made by a complainant that have a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources.
- C. **Unreasonable Lack of Cooperation** Unreasonable lack of cooperation is an unwillingness and/or inability by a complainant to cooperate with our organisation, staff or complaints system and processes, which results in a disproportionate and unreasonable use of our services, time and/or resources.
- D. **Unreasonable Arguments** Unreasonable arguments include any arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon our organisation, staff, services, time and/or resources.
- E. **Unreasonable Behaviour** Unreasonable behaviour is conduct that is unreasonable in all circumstances. Regardless of how stressed, angry or frustrated that complainant is because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant themselves.

Mid-Western Regional Council has a zero tolerance policy towards any harm, abuse or threats (verbal or physical) directed towards our staff. Any conduct of this manner will be dealt with under this policy and in accordance with our duty of care and workplace health and safety responsibilities.

The Manager of Customer Services and Governance will determine when a person will have access restrictions imposed on them. A review date will be set for six months from the date the restrictions are imposed.

A person who has had access restrictions imposed on them has the right to request a review of this decision. An appeal should be made to the General Manager who will ask a Director to review the restrictions and provide a response.

## 1.3 General Managers Reporting Obligation

The General Manager must report to Council all persons who have access restrictions imposed on them. The report will describe the unreasonable conduct, what restrictions have been imposed, the review dates and keep Council informed of review outcomes.

## 1.4 Statement of Individual Rights and Mutual Responsibilities of Parties to a Complaint

In order for Mid-Western Regional Council to ensure that all complaints are dealt with fairly, efficiently, effectively and with consideration of Council's workplace health and safety/duty of care obligations, the following rights and responsibilities must be observed and respected by all of the parties to the complaint process.

**POLICY: UNREASONABLE COMPLAINANT CONDUCT** | V2 27 SEPT 2021, 21 AUGUST 2019

## INDIVIDUAL RIGHTS

Complainants have the right:

- To make a complaint to express their opinion in ways that are reasonable, lawful and appropriate.
- To a reasonable explanation of the organisation's complaints procedure, including details of the confidentiality, secrecy and/or privacy rights or obligations that may apply.
- To a fair and impartial assessment and where appropriate, investigation of their complaint based on the merits of the case.
- To a fair hearing.
- To a timely response.
- To be informed in at least general terms about actions taken and the outcome of their complaint.
- To be given reasons that explain a decision affecting them.
- To at least one right of review of the decision on the complaint.
- To be treated with courtesy and respect.
- To communicate valid concerns and views without fear of reprisal or other unreasonable responses.

Staff have the right:

- To determine whether, and if so, how a complaint will be dealt with.
- To finalise matters on the basis of outcomes they consider to be satisfactory in the circumstances.
- To expect honesty, cooperation and reasonable assistance from complainants.
- To expect honesty, cooperation and reasonable assistance from the organisation and people within jurisdiction who are the subject of a complaint.
- To be treated with courtesy and respect.
- To a safe and healthy work environment.
- To modify, curtail or decline service (if appropriate) in response to unacceptable behaviour by a complainant.

Subjects of a complaint have the right:

- To a fair and impartial assessment, and where appropriate, investigation of the allegations made against them.
- To be treated with courtesy and respect by staff of Mid-Western Regional Council.
- To be informed (at an appropriate time) about the substance of the allegations made against them that are being investigated.
- To be informed about the substance of any proposed adverse comment or decision.

- To be given a reasonable opportunity to rebut the allegations during the course of any investigation and before any final decision is made.
- To be told the outcome of any investigation into allegations about their conduct, including the reasons for any decision or recommendation that may be detrimental to them.
- To be protected from harassment by disgruntled complainants acting unreasonably.

#### MUTUAL RESPONSIBILITIES

Complainants are responsible for:

- Treating staff of the Mid-Western Regional Council with courtesy and respect.
- Clearly identifying to the best of their ability the issues of complaint, or asking for help from our staff to assist them in doing so.
- Providing to the best of their ability all the relevant information available to them at the time of making the complaint.
- Being honest in all communications.
- Informing the Council of any other action they have taken in relation to their complaint.
- Cooperating with staff assigned to assess/investigate/resolve/determine or otherwise deal with their complaint.

If complainants do not meet their responsibilities, Mid-Western Regional Council may consider placing limitations or conditions on their ability to communicate with staff or access certain services.

Mid-Western Regional Council has a zero tolerance policy towards any harm, abuse or threats (verbal or physical) directed towards our staff.

Any conduct of a criminal nature will be reported to the police and in certain cases legal action may be considered if necessary.

Staff are responsible for:

- Providing reasonable assistance to complainants who need help to make a complaint and where appropriate, during the complaint process.
- Dealing with all complaints, complainants and people or organisations the subject of complaint professionally, fairly and impartially.
- Giving complainants or their advocates a reasonable opportunity to explain their complaint, subject to the circumstances of the case and conduct of the complainant.
- Giving people or organisation the subject of complaint reasonable opportunity to rebut the allegations during the course of any investigation and before any final decision is made.

**POLICY: UNREASONABLE COMPLAINANT CONDUCT** | V2 27 SEPT 2021, 21 AUGUST 2019

- Informing people or organisations the subject of investigation, at an appropriate time, about the substance of the allegations made against them and the substance of any proposed adverse comment or decision that they may need to address.
- Keeping complainants informed of the actions taken and the outcome of their complaints,
- Giving complainants reasons that are clear and appropriate to their circumstances and adequately explaining the basis of any decision that affects them.
- Treating complainants and any people the subject of a complaint with courtesy and respect at all times and in all circumstances.
- Taking all reasonable and practical steps to ensure that complainants are not subjected to any detrimental action in reprisal for making their complaint.
- Giving adequate warning of the consequences of unacceptable behaviour.

If the Mid-Western Regional Council or its staff fail to comply with these responsibilities, complainants may complain to the Mayor, a Councillor, the General Manager or the Public Officer.

External appeals/complaints can be lodged with the NSW Ombudsmen.

Subjects of a complaint are responsible for:

- Cooperating with the staff of Mid-Western Regional Council who are assigned to handle the complaint, particularly where they are exercising a lawful power in relation to a person or body within the applicable jurisdiction.
- Providing all relevant information in their possession to the Mid-Western Regional Council or its authorised staff when required to do so by a properly authorised direction or notice.
- Being honest in all communication with Mid-Western Regional Council and its staff.
- Treating the staff of Mid-Western Regional Council with courtesy and respect at all times and in all circumstances.
- Refraining from taking any detrimental action against the complainant in reprisal for them making the complaint.

If subjects of a complaint fail to comply with these responsibilities, action may be taken under relevant laws and/or codes of conduct.

Mid-Western Regional Council is responsible for:

- Having an appropriate and effective complaint handling system in place for receiving, assessing, handling, recording and reviewing complaints.
- Decisions about how all complaints will be dealt with.
- Ensuring that all complaints are dealt with professionally, fairly and impartially.
- Ensuring that staff treat all parties to a complaint with courtesy and respect.
- Ensuring that the assessment and any enquiry into the investigation of a complaint is based on sound reasoning, logically probative information and evidence.

**POLICY: UNREASONABLE COMPLAINANT CONDUCT** | V2 27 SEPT 2021, 21 AUGUST 2019

- Finalising complaints on the basis of outcomes that the organisation, or its responsible staff, consider to be satisfactory in the circumstances.
- Implementing reasonable and appropriate policies/procedures/practices to ensure that complainants are not subjected to detrimental action in reprisal for making a complaint, including maintaining separate complaint files and other operational files relating to the issues raised by individuals who make complaints.
- Giving adequate consideration to any confidentiality, secrecy and/or privacy obligations or responsibilities that may arise in the handling of complaints and the conduct of investigations.

If Mid-Western Regional Council fails to comply with these responsibilities, complainants may further pursue their complaint with the Office of the NSW Ombudsman.

## 11.6 Mudgee Arts Precinct Construction - Progress Update

REPORT BY THE DIRECTOR COMMUNITY  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, COR400301, REC800038

### RECOMMENDATION

**That Council receive and note the report by the Director Community on the Mudgee Arts Precinct Construction - Progress Update.**

### Executive summary

The attached report provides an update on the Progress of the Mudgee Arts Precinct Project.

### Disclosure of Interest

Nil

### Detailed report

The Mudgee Arts Precinct Project has been a major project that has attracted \$5.3 million in State and Federal funding. Construction of the workshop building has been completed with only minor external works and landscaping remaining to be completed.

### Community Plan implications

<b>Theme</b>	<b>Looking After Our Community</b>
Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Support arts and cultural development across the region

### Strategic implications

#### **Council Strategies**

Community Strategic Plan

#### **Council Policies**

Not Applicable

#### **Legislation**

Not Applicable

### Financial implications

Not Applicable

## Associated Risks

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

SIMON JONES  
DIRECTOR COMMUNITY

24 October 2022

*Attachments:* 1. Mudgee Arts Precinct Construction Progress Update - October 2022.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



MUDGEE ARTS  
PRECINCT PROJECT  
PROGRESS REPORT

31 OCTOBER 2022

MID-WESTERN REGIONAL COUNCIL  
COMMUNITY

■ ■ ■ ■ ■ TOWARDS 2030



COMMUNITY | MUDGEES ARTS PRECINCT PROJECT PROGRESS REPORT

## Project Update

As at 31 October 2022 the overall project progress for the Mudgee Arts Precinct Project was approximately 96%.

### OVERALL PROJECT PROGRESS



### GALLERY AND TOURISM BUILDING PROGRESS



### WORKSHOP BUILDING PROGRESS



### PROJECT EXPENDITURE



## Achievements and Highlights

- 2 sculptures installed
- New fencing and landscaping
- New parking areas constructed
- Fit-out of workshop spaces

## The Next 6 Months

- Official opening to be held in February
- Sculpture walk area to be completed
- Finishing touches to internal areas
- Marketing plan to be developed
- All signage to be completed
- Awning constructed for café area

COMMUNITY | MUDGEES ARTS PRECINCT PROJECT PROGRESS REPORT

## PHOTOS



COMMUNITY | MUDGEES ARTS PRECINCT PROJECT PROGRESS REPORT



COMMUNITY | MUDGEE ARTS PRECINCT PROJECT PROGRESS REPORT



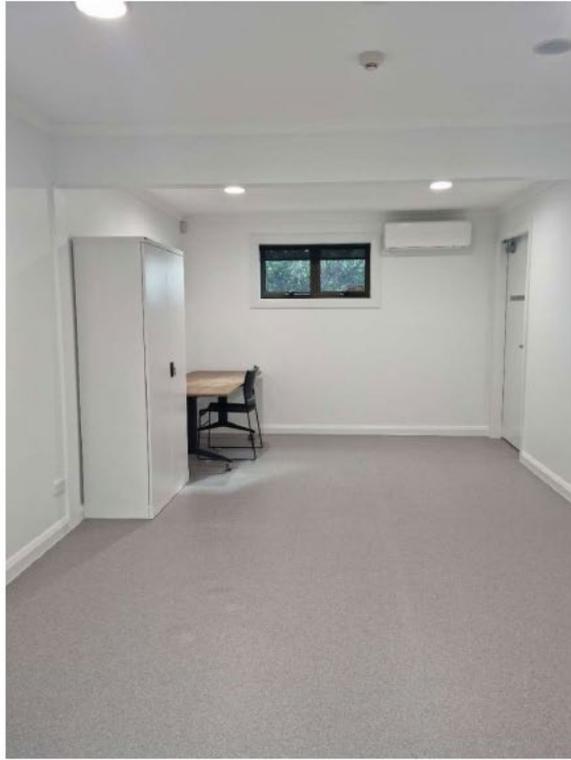
COMMUNITY | MUDGEES ARTS PRECINCT PROJECT PROGRESS REPORT



COMMUNITY | MUDGEES ARTS PRECINCT PROJECT PROGRESS REPORT



COMMUNITY | MUDGEES ARTS PRECINCT PROJECT PROGRESS REPORT



## 11.7 Glen Willow Stage 2 - Progress Update

### REPORT BY THE DIRECTOR COMMUNITY

TO 16 NOVEMBER 2022 ORDINARY MEETING

GOV400098, COR4003003, COR400277, COR400332, PAR3000585, COR400273

### RECOMMENDATION

**That Council receive and note the report by the Director Community on the Glen Willow Stage 2 - Progress Update.**

### Executive summary

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

### Disclosure of Interest

Nil

### Detailed report

The Glen Willow Stage 2 Project is a major project that has attracted \$17 million in funding from State and Federal governments.

The attached report provides an update on the project that is nearing completion.

### Community Plan implications

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

### Strategic implications

#### Council Strategies

Community Strategic Plan  
Glen Willow Master Plan

#### Council Policies

Not Applicable

#### Legislation

Not Applicable

### Financial implications

Not Applicable

## Associated Risks

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

SIMON JONES  
DIRECTOR COMMUNITY

24 October 2022

*Attachments:* 1. Glen Willow Stage 2 Progress Update - October 2022.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



GLEN WILLOW STAGE  
TWO PROGRESS  
REPORT

31 OCTOBER 2022

MID-WESTERN REGIONAL COUNCIL  
COMMUNITY

■ ■ ■ ■ ■ TOWARDS 2030

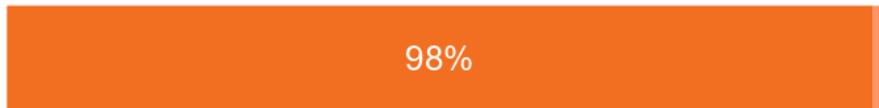


COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT

## Project Update

As at 31 October 2022 the overall project progress for Stage Two of the Glen Willow Project was approximately 98%.

### OVERALL PROJECT PROGRESS



### PROJECT EXPENDITURE



### PROJECT EXPENDITURE COMMITTED



COMMUNITY

## Achievements and Highlights

- Field fencing completed
- Additional car park lighting
- Opening event postponed

## Works still to be completed

- Footpaths to be completed
- Signage installation
- PA system

COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT

PROJECT COMPONENT	% COMPLETE	COMPLETE (Y/N)
Site Prep - North	100%	Complete
Junior Rugby League Building	100%	Complete
Roads & Carpark Design & Construction	100%	Complete
Services	100%	Complete
Site Prep - South	100%	Complete
Rugby Union Building	100%	Complete
Field Construction	100%	Complete
Field Lighting	100%	Complete
Site Finalisation	95%	

COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT



COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT



COMMUNITY | GLEN WILLOW STAGE TWO PROGRESS REPORT



## 11.8 Mudgee Valley Park Stage 2 - Progress Update

REPORT BY THE DIRECTOR COMMUNITY  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400098, FIN300365, COR400446

### RECOMMENDATION

**That Council receive and note the report by the Director Community on the Mudgee Valley Park Stage 2 Progress Report.**

### Executive summary

The attached report provides an update on the Progress of the Mudgee Valley Park Stage 2 Project.

### Disclosure of Interest

Nil

### Detailed report

The Mudgee Valley Park Stage 2 Project is a major project that has allocated \$7.4M across the 2021/22 and 2022/23 budgets for the installation of 31 cabins and upgrade to internal roads.

All of the cabins are now on site and installed and are operational.

### Community Plan implications

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

### Strategic implications

#### Council Strategies

Community Strategic Plan

#### Council Policies

Nil

#### Legislation

Local Government Act

### Financial implications

Budget is already in place for this project.

## Associated Risks

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

SIMON JONES  
DIRECTOR COMMUNITY

25 October 2022

*Attachments:* 1. Mudgee Valley Park Stage 2 Progress Report October 2022.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



MUDGEE VALLEY  
PARK STAGE 2  
PROGRESS REPORT

31 OCTOBER 2022

MID-WESTERN REGIONAL COUNCIL  
COMMUNITY

■ ■ ■ ■ ■ TOWARDS 2030



COMMUNITY | MUDGEES VALLEY PARK STAGE 2 PROGRESS REPORT

## Project Update

As at 31 October 2022 the overall project progress for the Mudgee Valley Park Stage 2 Project was approximately 80%.

### OVERALL PROJECT PROGRESS



### PROJECT EXPENDITURE



### PROJECT EXPENDITURE COMMITTED



COMMUNITY

## Scope

At the meeting held on July 21 2021, Council endorsed the expansion of the Mudgee Valley Park. This expansion includes the installation of an additional 31 cabins on the site in order to expand accommodation options and generate new revenue opportunities for Council in the future. \$350k of this has also been allocated to the upgrade of the roads in and surrounding the park.

## Achievements and Highlights

- All 31 cabins completed and or installed on site.
- Cabins now available for hire.

## Next 6 Months

- Commence construction works on internal roads
- Complete driveways
- Complete all electrical infrastructure works.

COMMUNITY | MUDGEE VALLEY PARK STAGE 2 PROGRESS REPORT

## Photos



COMMUNITY | MUDGEE VALLEY PARK STAGE 2 PROGRESS REPORT



COMMUNITY | MUDGEE VALLEY PARK STAGE 2 PROGRESS REPORT



## Item 12: Reports from Committees

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### 12.1 Audit Risk and Improvement Committee Minutes - 14 October 2022

REPORT BY THE EXECUTIVE MANAGER, PEOPLE AND PERFORMANCE  
TO 16 NOVEMBER 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 - 14 October 2022; and
  2. endorse the minutes and recommendations of the Audit Risk and Improvement Committee meeting 14 October 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 14 October 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 14 October 2022 meeting.

#### Community Plan implications

<b>Theme</b>	<b>Good Government</b>
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

17 October 2022

*Attachments:* 1. ARIC Minutes - 14 October 2022 Meeting.pdf.

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 14 October 2022, commencing at 9:30AM and concluding at 10:31AM.

COMMITTEE MEMBERS PRESENT ARIC Chair J Stuart, Committee Member K Dicker and Independent Member J Bentley.

COUNCIL OFFICIALS PRESENT General Manager (Brad Cam), Executive Manager People and Performance (Michele George), Director Community (Simon Jones), Director Operations (Julian Geddes), Director Development (Alina Azar), Acting Chief Financial Officer (Neil Bungate), WHS and Risk Coordinator (Veronika Barry), Governance Coordinator (Ashleigh Marshall) and Business Improvement Officer (Erin Reid).

EXTERNAL PARTIES PRESENT Prosperity (Luke Malone) and (NSW Audit Office) Unaib Jeffrey.

### Item 1: Apologies

An apology was received for the absence of Alison Lee (Crowe).

### Item 2: Disclosure of Interest

There were no disclosures of interest.

### Item 3: Confirmation of Minutes

53/22 MOTION: Bentley / Dicker

**That the Minutes of the previous Audit Risk and Improvement Committee Meeting held on 12 August 2022 be taken as read and confirmed.**

*The motion was carried with the Committee Members voting unanimously.*

Item 4: Matters in Progress

SUBJECT	MEETING DATE	RESOLUTION	ACTION
Draft 2021/22 External Audit Engagement	25/02/2022	<p><b>05/22</b>  <b>MOTION: Bentley / Stuart</b></p> <p><b>That the Audit Risk and Improvement Committee:</b></p> <p>a) <b>endorse the draft 2021/22 External Audit Engagement Plan; and</b></p> <p>b) <b>schedule an ARIC meeting between 7 October and 19 October 2022 in accordance with the draft 2021/22 External Audit Engagement Plan.</b></p>	<p><b>22 Mar 2022</b>                      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><b>03 Jun 2022</b>                      03/06/2022 Erin Reid - On 20/05/2022, ARIC endorsed the forward 12 month meeting plan. The Financial Statements will be presented to the 14 October 2022 meeting.</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><b>15/22</b>  <b>MOTION: Bentley / Stuart</b></p> <p><b>That the Audit, Risk and Improvement Committee:</b></p> <p>1. <b>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</b></p> <p>2. <b>determined to wait for the commencement of the guidelines and develop the annual work plan and four year strategic plan in</b></p>	<p><b>22 Mar 2022</b>                      22/03/2022 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><b>01 Aug 2022</b>                      29/07/2022 Erin Reid – advice provided at the Local Government Internal Auditors Network meeting from the OLG is that the Draft Guidelines will come into effect in the coming months.</p>

			<b>the 22/23 financial year.</b>	
Enterprise Management Update	Risk	12/08/2022	<p><b>41/22 MOTION: Dicker / Bentley</b></p> <p><b>That the Audit, Risk and Improvement Committee note the Enterprise Risk Management update.</b></p> <p><b>The Committee requested that the Mid-Western Regional Council's organisation structure be presented to ARIC once complete in TechOne.</b></p>	<p><b>28 Sep 2022</b>                  28/09/2022 Erin Reid -                  The Organisational Hierarchy is being updated by the Finance Team for the purposes of moving TechOne to CI anywhere. This work has progressed to the test environment and once completed the committee will be provided with an update.</p>

*The Chair moved forward items 6.1, 6.3, 6.4, 6.5, 7.1 and 7.2 in the agenda.*

6.1 LEGISLATIVE COMPLIANCE REPORT

COR400236, COR400236, COR400243

54/22

**MOTION: Dicker / Bentley**

**The Audit, Risk and Improvement Committee:**

1. noted the Legislative Compliance report; and
2. supported the revised Legislative Compliance Policy and Database Implementation Roadmap; and
3. requested that the Draft Legislative Compliance Policy be presented to the next committee meeting.

*The motion was carried with the Committee Members voting unanimously.*

6.3 FRAUD INCIDENT & PROCUREMENT BREACH REGISTERS

COR400236, COR400236

55/22

**MOTION: Bentley / Dicker**

**The Audit Risk and Improvement Committee noted:**

1. there were no fraud incidents since the last ARIC meeting;
2. there was one incident of Procurement Breach since the last ARIC meeting; and
3. the actions taken to address the items.

*The motion was carried with the Committee Members voting unanimously.*

6.4 ENTERPRISE RISK MANAGEMENT UPDATE

COR400236, COR400236

56/22

**MOTION: Bentley / Dicker**

**The Audit, Risk and Improvement Committee noted the Enterprise Risk Management update.**

*The motion was carried with the Committee Members voting unanimously.*

6.5 WORK HEALTH AND SAFETY REPORTS

COR400236, COR400236

57/22

**MOTION: Bentley / Dicker**

**The Audit, Risk and Improvement Committee noted the WHS Reports for July 2022 and August 2022.**

*The motion was carried with the Committee Members voting unanimously.*

7.1 MID-WESTERN REGION TOWARDS 2040 COMMUNITY PLAN

COR400236, COR400236

58/22

**MOTION: Bentley / Dicker**

**The Audit, Risk and Improvement Committee noted the Mid-Western Region Towards 2040 Community Plan.**

The committee congratulated Council staff on putting together such a comprehensive document.

*The motion was carried with the Committee Members voting unanimously.*

7.2 ASSET MANAGEMENT STRATEGY 2022-2026

COR400236, COU500082

59/22

**MOTION: Bentley / Dicker**

**The Audit Risk and Improvement Committee noted the Asset Management Strategy and Asset Management Policy.**

*The motion was carried with the Committee Members voting unanimously.*

**Item 5: Audit**

5.1 FINANCIAL STATEMENTS 2021/22 & AUDIT CLOSING REPORT

COR400236, COR300347

60/22

**MOTION: Stuart / Bentley**

**The Audit Risk and Improvement Committee (ARIC) Mid-Western Regional Council (MWRC), unreservedly endorses MWRC 21/22 Financial Statements with the non-inclusion of Rural Fire Services assets noting that it may result in a qualified Audit Opinion.**

**The Audit Risk and Improvement Committee, in relation to their view on non-inclusion of Rural Fire Services assets, has no confidence in the NSW Audit Office and the NSW Auditor-General as the NSW Audit Office and the NSW Auditor-General have not been able to demonstrate that they have conducted the Council's audit in accordance with:**

- 1. The Local Government Act 1993 and the regulations made thereunder;**
- 2. The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board;**
- 3. The Local Government Code of Accounting Practice and Financial Reporting;**
- 4. Further, the ARIC views with deep concern the correspondence from the Hon. Wendy Tuckerman MP, Minister for Local Government, dated 6th October 2022 in relation to Rural Fire Service assets including the summary of financial implications for councils, which clearly demonstrates that both the Minister and NSW Treasury have a lack of understanding of the Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting.**

The committee congratulated the Finance Team on completing the statements in this timeframe and on the result achieved.

Luke Malone, Prosperity thanked the Finance Team and noted that the audit process went well.

*The motion was carried with the Committee Members voting unanimously.*

**Item 6: Risk**

Item - 6.1 Legislative Compliance Report - was moved to up the agenda.

6.2 NSW AUDIT OFFICE ANNUAL PLAN

COR400236, COR400236

61/22

**MOTION: Bentley / Dicker**

**The Audit, Risk and Improvement Committee noted the Audit Office of New South Wales' 2022–2025 Annual Work Program.**

*The motion was carried with the Committee Members voting unanimously.*

The following items were moved up the agenda:  
Item - 6.3 Fraud Incident & Procurement Breach Registers  
Item - 6.4 Enterprise Risk Management Update.  
Item - 6.5 Work Health and Safety Reports.

**Item 7: Improvement**

The following items were moved up the agenda:  
Item - 7.1 Mid-Western Region Towards 2040 Community Plan.  
Item - 7.2 Asset Management Strategy 2022-2026

7.3 UPDATE ON BUSINESS IMPROVEMENT AT MWRC

COR400236, COR400236

62/22

**MOTION: Bentley / Dicker**

**The Audit Risk and Improvement Committee noted the progress on the Business Improvement Program.**

*The motion was carried with the Committee Members voting unanimously.*

7.4 DRAFT LONG TERM FINANCIAL PLAN 2022-2032

COR400236, COR400236

63/22

**MOTION: Bentley / Dicker**

**The Audit Risk and Improvement Committee:**

1. received the report by the Acting Chief Financial Officer on the Draft Long Term Financial Plan 2022-2032; and
2. noted that at Council's ordinary meeting held on 21 September 2022 the draft Long Term Financial Plan 2022-2032 was endorsed to go on public exhibition for a period of 28 days.

The committee congratulated Council on the comprehensive document and noted that it was achievable.

*The motion was carried with the Committee Members voting unanimously.*

**Item 8: General Business**

8.1 OLG GUIDELINES FOR THE APPOINTMENT AND  
OVERSIGHT OF GENERAL MANAGERS AND SENIOR STAFF  
EMPLOYMENT DISCUSSION PAPER

COR400236, COR400236

64/22

**MOTION: Bentley / Dicker**

**The Audit, Risk and Improvement Committee noted the Office of Local Government Guidelines for the appointment and oversight of General Managers.**

*The motion was carried with the Committee Members voting unanimously.*

8.2 ANNUAL REPORT BY THE COMMITTEE CHAIR

COR400236, COR400236

65/22

**MOTION: Bentley / Dicker**

**The Audit Risk and Improvement Committee received the Annual Report by the Chair and recommend that the report be presented to the November Council meeting.**

The committee thanked Council staff for the work they put in to the committee meetings.

The General Manager thanked the committee for their work over the past 12 months and noted the contribution of former committee member, John O'Neill (former Councillor).

*The motion was carried with the Committee Members voting unanimously.*

**Item 9: Closure**

There being no further business the meeting concluded at 10:31AM.

## 12.2 Audit Risk and Improvement Committee's 21/22 Annual Report

REPORT BY THE EXECUTIVE MANAGER, PEOPLE AND PERFORMANCE AND CHAIR  
TO 16 NOVEMBER 2022 ORDINARY MEETING  
GOV400087, COR400236

### RECOMMENDATION

#### That Council:

1. **receive the report by the Executive Manager, People and Performance and Chair on the Audit Risk and Improvement Committee's 21/22 Annual Report; and**
2. **note the Audit Risk and Improvement Committee 20/21 Annual Report.**

---

### Executive summary

The Audit Risk and Improvement Committee's (ARIC) Charter states that each year the Committee Chair will provide an Annual Report to Council including information on the Committee's principal activities during the year.

### Disclosure of Interest

Nil

### Detailed report

The Audit, Risk and Improvement Committee (ARIC) is established to provide the elected Council with advisory assurance in respect of Mid-Western Regional Council's risk profile, management controls and compliance frameworks.

The Committee held four ordinary meetings during its third term.

The Committee's Charter requires the Committee Chair to provide an annual report to Council including information on the Committee's principal activities during the year.

### Community Plan implications

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

### Strategic implications

#### Council Strategies

Not Applicable

#### Council Policies

The Annual Report is a requirement of Council's Audit Risk and Improvement Committee Charter.

**Legislation**

Local Government Act

Financial implications

Not Applicable

Associated Risks

Not Applicable

MICHELE GEORGE  
EXECUTIVE MANAGER, PEOPLE AND  
PERFORMANCE

JOHN STUART  
CHAIR

24 October 2022

*Attachments:* 1. 2021-22 ARIC Annual Report.pdf.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



**ANNUAL REPORT 2021/22**  
**AUDIT, RISK AND IMPROVEMENT COMMITTEE**  
MID-WESTERN REGIONAL COUNCIL

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## Mid-Western Regional Council

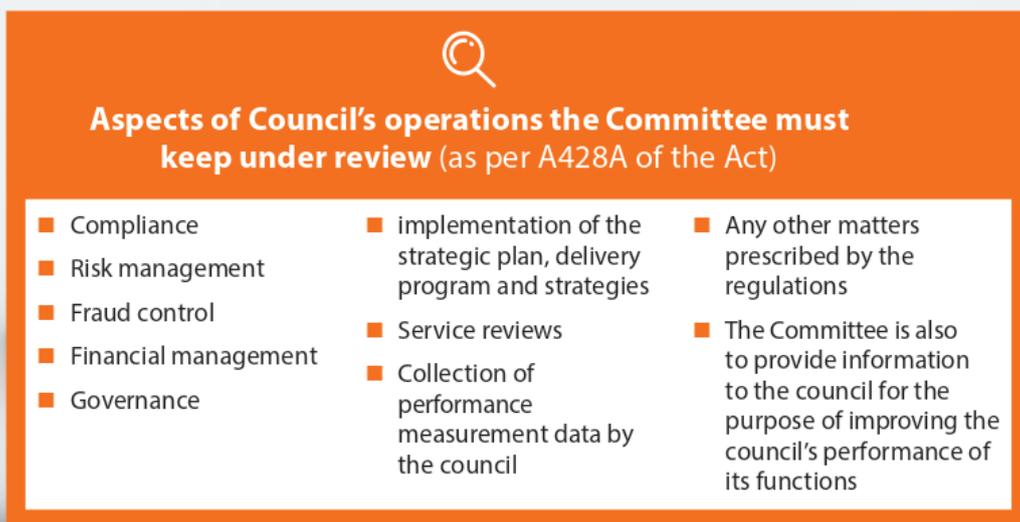
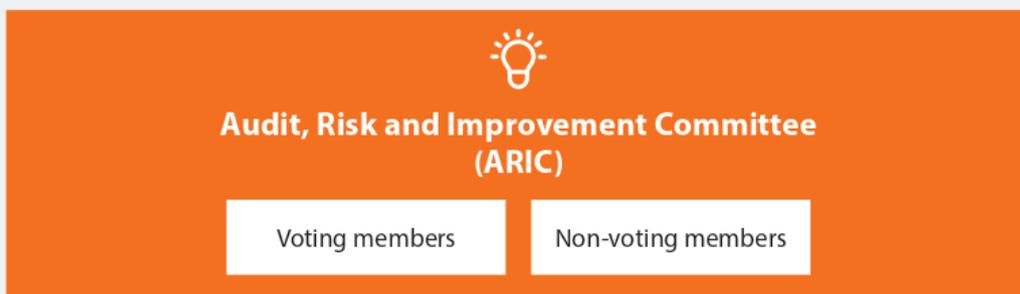
ADDRESS	86 Market Street, Mudgee NSW 2850
EMAIL	<a href="mailto:council@midwestern.nsw.gov.au">council@midwestern.nsw.gov.au</a>
TELEPHONE	02 6378 2850
FAX	02 6378 2815
MAYOR	Cr Des Kennedy
GENERAL MANAGER	Brad Cam



# Introduction

The Audit Risk and Improvement Committee (The Committee) met four times during its third year and the meetings covered all aspects of the Committee's Charter.

## Overview



# Charter

The updated Charter was adopted by Council at its meeting of 16 February 2022. The Charter is used to guide the Committee’s deliberations. The Charter for the Committee is at Attachment 1.

The Committee noted the updated charter at its meeting on 25 February 2022 and elected its Chair and Deputy Chair.

The Charter will be reviewed every four years by Council. The performance of the Committee will be reviewed every four years by the General Manager and the Mayor to ensure that it remains current professional and meets legislative requirements. The first formal review is due in the 2022/23 financial year.

## Role of the Committee

	<b>Report to Council</b> Report to Council and provide advice and recommendations on matters relevant to the Charter.
	<b>Provide independent advice</b> Assist Council by providing independent advice to Council on it fulfilling its responsibilities by ensuring that management has an appropriate governance and business framework in place across Council.
	<b>Specific advice</b> Specifically, the ARIC should advise Council on its Enterprise Risk Management Framework, policies, procedures and governance processes, legislative compliance and external accountability mechanisms.
	<b>Recognise</b> At all times recognise that the primary responsibility for the management of Council rests with the Council and the General Manager as defined by the Local Government Act.
	<b>Assist Council</b> Assist Council to ensure that the services and facilities provided by the Council are managed efficiently and effectively.
	<b>Identify strategies</b> Identify strategies to assist with the continuous improvement of the provision of services and facilities to the community.
	<b>Promote efficiencies</b> Promote continuous improvement across business processes with a focus on efficiencies and savings.
	<b>Committee’s focus</b> The focus of the Committee should only be on matters of significance and materiality.



## Committee members

A Council Election was held on 4 December 2021. The Councillor membership and the Committee member's positions were vacated until formally appointed at a meeting of the new Council.

At its meeting of 16 February 2022, Council elected a new Councillor Representative, namely Councillor Dicker and re-elected Councillor Shelley (alternate). The Committee Members are appointed for the term of the Council.

The previous independent Committee members were re-appointed for the term of the council.

For the 2021/2022 period the Committee membership is as follows:

- **Independent Committee Members:**  
John Stuart, Chairperson and John Bentley, Deputy Chair
- **Councillor Committee Members:**  
Councillor John O'Neill (for the meetings 6 August 2021 and 26 November 2021), Councillor Katie Dicker (for the meetings 25 February 2022 and 20 May 2022) and Councillor Shelley, alternate Council Member

## Independent Committee Members



## Councillors



## Members and attendance

The Committee held four ordinary meetings since the 2021/22 annual report. Meetings were held on the following dates:

- 6 August 2021
- 26 November 2021
- 25 February 2022
- 20 May 2022

The table below shows the number of attendance of the Committee members at the above meetings.

MEMBER NAME	MEETINGS ELIGIBLE TO ATTEND	MEETINGS ATTENDED	APOLOGY RECEIVED
John Stuart	4	4	0
John Bentley	4	3	1
Cr John O'Neill	2	1	1
Cr Peter Shelley	1	1	0
Cr Katie Dicker	2	2	0

# Matters reviewed by the Committee

## External Audit

As per the requirement of the Charter, ARIC met separately with representatives of Council's external auditor and the NSW Audit office 20 May 2022.

Council is continuing to track action items from the 2018/2019, 2019/2020 and 2020/2021 Interim Management Letters.

## Financial Audit

The financial audit was undertaken by the Audit Office of NSW. Regular updates of progress and issues were provided at each ARIC meeting. The Committee received the Financial Statements for the financial year ended 30 June 2021 at the 26 November 2021 meeting.

## Internal Audit

Crowe Pty Ltd is appointed to provide the Mid-Western Regional Council's Internal Audit Services until April 2022.

The Committee considered the reports and recommendations from the 2021/22 Internal Audit Program which included the audits of:

- Conduct of Private Works
- Audit of Tourism Services
- Internal development application process

There has been significant progress made in relation to the management actions arising from the following audits:

- Enterprise Risk Management
- Legislative Compliance
- Work Health Safety Management
- Contractor Management

- Asset Management
- ICT Business Continuity Plan/Disaster Recovery Plan
- Enterprise Risk Management
- Probity Audit
- Procurement Framework
- Cybersecurity Review

## Other matters reviewed by the Committee

- Data Breach
- Review of controls over high risk fraud area
- Employee Survey Results
- Integrated Planning and Reporting Guidelines
- Business Improvement at Council
- Draft Guidelines for Risk Management and Internal Audit Framework for Local Councils in NSW
- Fraud Incident and Procurement Breach Registers
- Legislative Compliance
- Work Health Safety
- Enterprise Risk Management
- Action Item Registers
- Council's Role in Disasters and Emergencies
- Local Government Business and Service Continuity for Natural Disasters – NSW Audit Office Report
- Building Regulation: Combustible External Cladding – NSW Audit Office Report
- Council Service Delivery Benchmarking Report – 2019/20 Data Comparatives
- Delivery program 2017/22 Six Monthly Progress Report
- Central Coast Council Public Enquiry Report

## Conclusion

The current ARIC completed its third term of operation and completed activities required by its Charter in a constructive way. The Committee is currently tracking the progress of 176 action items arising out of Council's Internal Audit, External Audit and Business Improvement Initiatives.

On behalf of ARIC, I would like to thank the Council staff for administrative support and I would also like to extend my thanks to the Councillors, the rest of the Mid-Western Regional Council Executive Team and Senior Management for their support throughout this term.



**JOHN STUART**  
CHAIR





## CHARTER

### Audit, Risk and Improvement Committee

*A prosperous  
and progressive  
community*

ADOPTED		VERSION NO	2.0
COUNCIL MEETING MIN:	36/22	REVIEW DATE	FEBRUARY 2026
DATE:	16 FEBRUARY 2022	FILE NUMBER	COR400236

## Purpose

The Audit, Risk and Improvement Committee (ARIC) is established to provide the elected Council with advisory assurance in respect of Mid-Western Regional Council's risk profile, management controls and compliance frameworks.

## Membership

### Voting Members

- One Councillor elected by the Council. All other Councillors are welcome to attend as observers with no voting rights unless appointed as an alternate voting member.
- Two independent members appointed by Council.

### Attendees (Non-voting)

- General Manager
- Executive Manager People and Performance
- Director Community Chief Financial Officer
- Internal Auditor
- NSW Audit Office and External Auditor
- Other officers of Council may attend by invitation as requested by the Committee
- Councillors and independent members will be appointed for the term of the Council (usually 4 years).
- Independent members will be eligible for re-appointment.
- Council will also appoint an alternate Councillor member to the Committee who will act as a stand-in as required.
- Other Councillors are encouraged by way of open invitation to attend the Committee meetings as observers (non-voting).
- The Chair of the Committee will be an independent member and be elected by the Committee for a two year term.
- A Deputy Chairperson will be an independent member and be elected by the committee.
- Where the Committee is unable to decide who the Chair is to be then the decision will be made by Council.
- The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Council.
- At least one member of the Committee shall have accounting or related financial management experience, with understanding of accounting and auditing standards in a public sector environment.

## Role of the Committee

The Committee has no delegated powers, except those expressly provided by Council.

The Committee shall:

- Report to Council and provide appropriate advice and recommendations on matters relevant to this Charter.
- Assist Council by providing independent advice to Council on it fulfilling its responsibilities by ensuring that management has an appropriate governance and business framework in place across Council.
- Specifically the ARIC should advise the Council on the following matters:
  - Effectiveness of Council's Enterprise Risk Management Framework in terms of identifying and managing Council's financial and business risks.
  - Effectiveness of key controls including policy, procedure and governance processes.
  - Legislative compliance by the organisation.
  - Effectiveness of external accountability mechanisms.
- At all times recognise that the primary responsibility for the management of Council rests with the Council and the General Manager as defined by the Local Government Act.
- Assist Council to ensure that the services and facilities provided by the Council are managed efficiently and effectively.
- Identify strategies to assist with the continuous improvement of the provision of services and facilities to the community.
- Promote continuous improvement across business processes with a focus on efficiencies and savings.
- The focus of the Committee should only be on matters of significance and materiality.

## Responsibilities of the Committee

### Internal Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Review the scope of the Internal Audit Plan.
- Recommend for approval to Council the Internal Audit Plan after consultation with the General Manager.
- Consider the adequacy of Internal Audit resources/funding to carry out its responsibilities including completion of the approved Internal Audit Plan.
- Monitor the status of planned activities of Internal Audit as set out in the adopted Internal Audit Plan.
- Review audit reports and consider significant issues identified and action taken on issues raised.
- Monitor the implementation of internal audit recommendations by management.
- Monitor and assess the performance and effectiveness of Internal Audit.
- Make recommendations on the appointment or removal of the internal auditor.
- Provide strategic advice and guidance to Council to identify, recommend and support initiatives that will provide cost savings to Council.
- Co-operatively engage with other relevant bodies to further promote efficiencies and continuous improvement across Mid-Western Regional Council.

## External Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Provide input and feedback on the financial statements and performance by external audit and the external audit services provided.
- Consider significant issues raised in relevant external audit reports and provide independent advice on appropriate action to be taken.

## Enterprise Risk Management

- Provide advice on the adequacy of Council's current risk management framework, and associated procedures for effective identification and management of Council's financial and business risks,

Members of the committee are encouraged to undertake all relevant training as identified.

## Meeting Frequency

- The ARIC will meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.
- The need for any additional meetings will be decided by the Chair of the Committee. Reasons could include:
  - Requirements by the NSW Audit Office
  - Committee members may make requests to the Chair for additional meetings.
- A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit Committee Charter.

## Independence and Access

- The Committee is to liaise closely with senior management and Internal and External Auditors to carry out its responsibilities. Whilst the primary responsibility for financial and other reporting, internal control and compliance with laws, regulations and ethics within Council rests with the General Manager, the Committee will assist the General Manager through its monitoring and review role.
- The Committee will have, subject to the requirements of the Act, access to relevant information associated with its responsibilities.
- Members of the Committee are encouraged to proactively discuss relevant issues with the General Manager, the External Auditor and/or the Internal Auditor as they arise from time to time.
- The full Committee will meet separately with the External Auditor on at least one occasion each financial year.

## Reporting

- The Committee shall report to the Council at the first opportunity (dependant on meeting

- schedules) after each meeting held.
- The Committee may receive and consider reports on:
  - Audit Plans
  - Financial statements
  - Quarterly Management performance against annual plan
  - Special Investigations
  - Reports arising from action items
  - Audit reports prepared quarterly by the Internal Auditor
- Each year the Committee Chair will provide an annual report to Council including information on the Committee's principal activities during the year.

## Meeting Practice

ARIC will establish its own meeting practice ensuring meetings are conducted in accordance with the Local Government Act, comply with Council's Policies but are conducive to open debate.

## Attendance and Quorum

A quorum will consist of a majority of Committee members. Meetings can be held in person, by telephone or by video conference.

## Voting

As the Committee has an advisory role, its recommendations are made by consensus and no recommendation is deemed to be a decision of Council, unless the matter is referred to the Council for determination. If consensus is not achieved and if required, the matter shall be referred to Council for determination.

## Chairperson Role

- The Chairperson shall be an Independent Member
- Should the elected Chairperson be absent, the Deputy Chair shall be the Chairperson
- The agenda will be set by the Chairperson in consultation with the General Manager. Items shall be submitted to the nominated secretary 14 days before the next scheduled meeting date.
- If a Committee member wishes to raise an urgent/late item that is not on the agenda, the Chairperson shall determine the appropriate manner for dealing with the matter in accordance with Council's adopted Code of Meeting Practice.

## Administrative Support and Facilitator

Council will ensure appropriate administrative support is available to the Committee. A Facilitator shall be appointed by the General Manager who is responsible for coordinating the preparation of agendas, invitations and minutes of the Committee.

## Agenda

The Agenda shall be set by the Chair of the Committee in consultation with the General Manager and will be sent to each member at least one week before each meeting of the Committee, specifying the time and place at which and the date on which the meeting is to be held and the business proposed to be transacted at the meeting.

## Minutes

- Minutes of all ordinary/extraordinary Committee meetings will be kept in the Council's Electronic Documents Management System.
- The Facilitator is responsible for recording the minutes, which shall contain:
  - Description of the meeting (i.e. name of Committee, ordinary meeting, etc.), date, time and venue at which the meeting was held.
  - A list of persons present.
  - Notification of endorsement of minutes from previous the meeting.
  - Whether there was business arising from the minutes.
  - Notation of reports or correspondence.
  - Items of general business.
  - Time meeting closed, date and venue for next meeting.
- All minutes must be approved by the Chairperson in consultation with the General Manager and distributed to all members.

## Procedure for Changing the Charter

The Charter can only be changed by Council resolution at any time.

The following procedures shall apply for the Committee to propose an amendment of the Charter to Council.

- a) Proposed changes to the Charter shall be submitted to the Committee Facilitator at least 21 days before any Committee meeting so that notice may be given to all members at least 14 days in advance of any meeting.
- b) Proposed changes will require a majority vote of the Committee membership.
- c) Amendments to the Charter will only be effective after a resolution of approval by the Council.

## Term of Office

- The Committee shall be appointed for the term of Council within nine calendar months of the Council taking office after an election.
- Council may also dissolve or amend the Committee in anyway by adopting a resolution at any time.

## Conflicts of Interest

Committee members must declare any conflict of interest and take appropriate action in accordance with the Code of Conduct at the start of each meeting or before discussion of the

relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Independent members are deemed to be designated persons under Section 441 of The Act and will be required to complete a pecuniary interest return in accordance with Section 449 of the Act.

## Induction and Training

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

## Vacancy

If for any reason a vacancy in the Committee membership occurs, the position shall be filled by appointment by Council.

## Performance

The Chair of the Committee, in consultation with the Mayor and General Manager, will initiate a review of the performance of the Committee every four years.

## Confidentiality

Independent members will be required to sign a Declaration of Confidentiality.

## Review of the Charter

- This Charter shall be reviewed every four years by Council to ensure it remains current, professional and meets legislative requirements.
- Any Proposed amendments to the Charter can only be implemented following the approval by Council.

[midwestern.nsw.gov.au](http://midwestern.nsw.gov.au)

**MID-WESTERN REGIONAL COUNCIL**

PO Box 156, Mudgee NSW 2850

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

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

## 12.3 Local Traffic Committee Meeting Minutes - October 2022

REPORT BY THE ADMINISTRATION ASSISTANT INFRASTRUCTURE PLANNING OPERATIONS  
TO 16 NOVEMBER 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 for October 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, 16 September 2022.

Two event reports were considered:

- Mudgee Class 2023
- 2022 Alpine Classic

One traffic report was considered:

- Concept Design for Traffic Management and Pedestrian Refuge at St Matthews Catholic School – Lewis Street.

General Business items included:

- Nil

Two correspondence items were received:

- Speeding issues on Broadhead Road
- Review of traffic conditions on Spring Creek Rd between Saleyards Lane and Cooyal Creek Causeway

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

1 November 2022

*Attachments:* 1. LTC - October 2022 Minutes.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

Mid-Western Regional Council

Date: 28 October 2022

## Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road Mudgee  
on 28 October 2022.

Present	Ray Kearns (MWRC), Ms L Cartmell (MWRC), Mr P Blackman (Community Representative), Mr W Hazelton (TfNSW Representative), Minute Secretary E Roxby (MWRC), Amelia Sheppard (NSW Police), Samantha Cecchini (MWRC)
Apologies	Mr S Fogarty (NSW Police), Mr G McGovern (NSW Police), Mr A Karavas (Councillor) Mr M Fehon (NSW Police)

The LTC meeting commenced at 9:30am.

### MINUTES OF PREVIOUS MEETING

**MOTION: Mr Wayde Hazelton / Phillip Blackman**

**That the Minutes of the previous Local Traffic Committee held on 16 September 2022 be taken as read and confirmed.**

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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 to 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. 16/9/2022- Correspondence with Head Office Aldi. 28/10/2022- Letter has been drafted to Aldi (left out 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. 16/9/2022- Look at speed in between Henry Lawson Drive and Ulan Rd. 28/10/22 – Possible budget allocation. Council will revise the scope to road safety audit and Transport NSW will do a speed zone assessment.

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
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. 28/10/22 – Daily average of traffic is 150, median speed 33/km/hr– parking causes single lane traffic due to local development. Write a response letter including points.
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 Operation. 19/8/2022- Hand over from Director of Operations. 28/10/22 – With Council Operations, council will construct assessable parking spots. Draft a letter to the preschool communicating outcome.
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. 16/9/2022- Wayde working with stakeholders and the Safety Around School Officer from TfNSW. Further investigation required 28/10/22 – Still being investigated

PAST EVENT DEBRIEF

EVENT	
Mudgee Small Field Day debrief	Book in meeting with organisers

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CALENDAR OF EVENTS

<b>2022</b>		
JANUARY	DATE	COMMENTS
FEBRUARY	DATE	COMMENTS
NRL Charity Shield	26 February 2022	
MARCH	DATE	COMMENTS
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 <sup>th</sup> & 15 <sup>th</sup> May 2022	LTC approval not required.
Kandos Street Machine and Hot Rod Show	2 May 2022	LTC endorsed
JUNE	DATE	COMMENTS
Mudgeeque	4 June 2022	
Henry Lawson Festival	11 June 2022	
JULY	DATE	COMMENTS
Small Farm Field Days	8 <sup>th</sup> & 9 <sup>th</sup> 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	Postponed
NOVEMBER	DATE	COMMENTS
Rylstone Street Feast	5 November 2022	
Alpine Classic	19 & 20 November 2022	
Windeyer Endurance Ride	5 & 6 November	For note
DECEMBER	DATE	COMMENTS
<b>2023</b>		
JANUARY	DATE	COMMENTS

FEBRUARY	DATE	COMMENTS
St George Illawarra Dragons V South Sydney Rabbitoh	18 February 2023 or 25 February 2023	
MARCH	DATE	COMMENTS
NRL Telstra Premiership	25 March 2023 or 1 April 2023	
APRIL	DATE	COMMENTS
Mudgee Classic 2023	30 April 2023	
MAY	DATE	COMMENTS
JUNE	DATE	COMMENTS
JULY	DATE	COMMENTS
AUGUST	DATE	COMMENTS
SEPTEMBER	DATE	COMMENTS
OCTOBER	DATE	COMMENTS
NOVEMBER	DATE	COMMENTS
DECEMBER	DATE	COMMENTS

Red = Unapproved  
 Green = Approved

## 6

MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 28 OCTOBER 2022

22/044 2022 ALPINE CLASSIC- PERMISSION TO CONDUCT THE 2022 ALPINE CLASSIC IN MID WESTERN REGIONAL COUNCIL LOCAL GOVERNMENT AREA - 19 & 20 NOVEMBER 2022

### RECOMMENDATION

That Council approve the event –“Alpine Classic 2022”, be classified as a Class 3 event under the ‘Guide to Traffic and Transport Management for Special Events Version 3.5’ and proceeds with the following conditions:

- a) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event;
- b) Comply with local road rules
- 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 Council's Law Enforcement Officers' directives;
- g) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- h) Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- i) 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;
- j) Maintain a four-metre wide emergency vehicle lane;
- k) Notifying affected residents and businesses in writing at least two weeks prior to event commencement;
- l) The organiser is to notify NSW Fire and Rescue and the NSW Ambulance Service of the event.
- m) 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;
- n) The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review;

#### **Committee Comments;**

- *Check local closed roads*
- *Traffic control at the beginning and end points*

**MOTION:** Mr Wayde Hazelton / Phillip Blackman

That the above recommendation be accepted and approved.

22/045 CONCEPT DESIGN FOR TRAFFIC MANAGEMENT & PEDESTRIAN REFUGE AT ST MATTHEWS CATHOLIC SCHOOL- LEWIS STREET AND PEDESTRIAN REFUGE ON MARKET STREET.

### **RECOMMENDATION**

**That Council approve the design plan for the concept designs for Traffic Management & Pedestrian Refuge at St Matthews Catholic School- Lewis Street and Pedestrian Refuge on Market Street.**

#### ***Committee Comments:***

##### ***St. Matthews Traffic Management***

- *The current parking is used by local businesses, concept loses 60 degree parking.*
- *Slip lane isn't a variable option, won't fix the current behaviours of parents waiting for children 15min+*
- *Possible consideration of concept without slip lane*
- *Signage to deter vehicles waiting – no parking, no stopping during school hours?*
- *Encourage review Transport NSW & MWRC*

##### ***Pedestrian Refuge on Market Street***

- *Finalise with line marking to concept*
- *Submit to Council*

#### **MOTION:**

**That the above recommendation be accepted and approved.**

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22/046 MUDGEE CLASSIC 2023

**RECOMMENDATION**

**That Council**

**Approve the event – “Mudgee Classic 2023”, 30 April 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) **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 Control Plan (TCP) certified by a person with a ‘Select & Modify ‘or a ‘Design and Audit’ Certificate be included in the TMP;**
- i) **Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;**
- j) **Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, RMS and NSW Police Force is indemnified against any possible action as the result of the event;**
- k) **The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;**
- l) **Provide alternative access for motorists or pedestrians with legitimate business within the closed section of roadway;**
- m) **Maintain a four-metre wide emergency vehicle lane;**
- n) **Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;**
- o) **The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review; and Transport for NSW consent required for use of the State and Regional road network.**

**Committee Comments:**

- *No comments or concerns*

**MOTION: Mr Phillip Blackman / Wayde Hazelton**

**That the above recommendation be accepted and approved.**

22/047 CORRESPONDANCE

**RECOMMENDATION**

**That Council receive the below correspondence as noted by the Local Traffic Committee**

***Committee Comments:***

**Resident Email**

- *Points (1 – 4) for Transport NSW – under current investigation*
- *Point (5) with MWRC*
- *Point (6) pending advice on lockable gates – causeway road closure management*
- *Transport NSW investigate funding.*

**Resident Complaint**

- *Resolved 23/09/2022 – Police did awareness campaign*

**MOTION:**

**That the above recommendation be accepted and approved.**

22/048 GENERAL BUISNESS

Windeyer Endurance Race for note. No action required.

Nil

**CLOSURE**

There being no further business the meeting concluded at 10:43am.

## Item 13: Urgent Business Without Notice

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### 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

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### LOCAL GOVERNMENT ACT, 1993

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#### 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

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**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

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*The following matters have been listed for consideration in Confidential Session:*

### **14.1 General Manager's Contract of Employment**

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

***Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of personnel matters concerning individuals (other than Councillors).***

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.