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Business Papers 2021

MID-WESTERN REGIONAL COUNCIL

EXTRAORDINARY MEETING
WEDNESDAY 26 MAY 2021

*A prosperous and progressive
community we proudly call home*





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19 May 2021

Dear Councillor,

MEETING NOTICE
Extraordinary Meeting
26 MAY 2021
Public Forum at 5.30PM
Council Meeting commencing at conclusion of Public Forum

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

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

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

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

Yours faithfully

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

BRAD CAM
GENERAL MANAGER

AGENDA

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Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 19 May 2021

Council Decision:

That the Minutes of the Ordinary Meeting held on 19 May 2021 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are separately attached.

Item 4: Finance

4.1 Submissions to the Draft 2021/22 Operational Plan and 2017/22 Delivery Program

REPORT BY THE ACCOUNTANT REPORTING & ANALYSIS
TO 26 MAY 2021 EXTRAORDINARY MEETING
GOV400087, FIN300201

RECOMMENDATION

That Council:

1. receive the report by the Accountant Reporting & Analysis on the Submissions to the Draft 2021/22 Operational Plan and 2017/22 Delivery Program;
2. receive all public submissions to the Draft 2021/22 Operational Plan and 2017/22 Delivery Program as listed below, with the General Manager required to respond to each submissions as follows:
 - 2.1 Smith be thanked for the submission and Council confirms that the demand for road sealing is higher than what Council can fund;
 - 2.2 Kerrie be thanked for her submission and Council confirms that the strategies submitted are higher than what the Council can fund;
 - 2.3 Dorris be thanked for her submission and Council confirms that the demand for road sealing is higher than what Council can fund;
 - 2.4 Mudgee Swim Club be thanked for their submission and Council notes that swimming pool services and season passes are already heavily subsidised services;
3. make the following amendments to the Draft 2021/22 Operational Plan and 2017/22 Delivery Program as exhibited
 - 3.1 Management Submissions
 - 3.1.1 \$1,150,000 additional expenditure for Goodiman Creek Bridge on Spring Ridge Road in the 2021/22 budget funded by grant through the Fixing Country Bridges program;
 - 3.1.2 \$4,855,200 additional expenditure for Lower Piambong Road, Botobolar Road and Cox Creek Road seal extensions in the 2021/22 and 2022/23 budget funded by grants through the Fixing Country Bridges program and the Rural Sealed Road Rehab and Widening budget allocation;
 - 3.1.3 \$47,360 additional expenditure for the Mudgee Showground Equipment, to be funded by grants through the NSW Government

Crown Reserve Improvement Fund;

3.1.4 \$10,000 additional expenditure to develop a planning proposal for the Pitts Lane House Block to be funded through unrestricted cash;

3.2 March 2021 Quarterly Budget Review Statement amendments where budgets are transferred from 2020/21 to 2021/22; and

4. note that the amended 2021/22 Operational Plan and 2017/22 Delivery Program will be brought back to Council at the June Ordinary Council Meeting for endorsement, including making of the rates.

Executive summary

Council has been through an extensive planning process over the past few months to determine which projects and initiatives would be undertaken across the next four financial years, culminating in the Draft Delivery Program 2017/22 and Draft Operational Plan 2021/22.

Following the public exhibition period, which closes 19 May 2021, this report seeks to consider submissions and make recommended changes based on those submissions. At the time of writing this report, the exhibition period had not yet closed, therefore some submissions may be tabled at the Council Meeting.

Disclosure of Interest

Nil

Detailed report

At its meeting of 21 April 2021, Council endorsed the Draft Delivery Program 2017/22 and Draft Operational Plan 2021/22 to be placed on public exhibition for a period of 28 days. The exhibition period closes on Friday 19 May 2021, with four public submissions received to date (refer to Attachment 1). Submissions received between the finalisation of this report and closure of the exhibition period will be added as late attachments.

FROM	SUMMARY OF SUBMISSION	COUNCIL RESPONSE
2.1 Smith (Attachment 1)	Tarring of rural roads and bus routes including Cypress Drive where it is more populated instead of tarring roads to wind turbines.	Council is currently undertaking some seal extension work where funding is available however, unfortunately, Council has a limited amount of resources, and the demand for road sealing is higher than what Council can fund. Road upgrade to developments such as wind farms are funded through developer contributions.
2.2 Kerrie06 (Attachment 2)	1. Upgrade and beautify the car parking area at Byron Place such by improving walkways and providing sufficient disability parking. 2. Establish criteria for developers and	Unfortunately, Council has a limited amount of resources, and the demand for community initiatives is higher than what Council can fund.

builders to ensure green spaces, shaded outdoor areas, footpaths, bicycle paths, house location (north facing), water conservation and no wood heating as primary heating source.

3. Increase availability of easily accessible public toilets in the CBD as well as public toilet signage.

4. To provide separate bins for general waste, recycling and green waste on streets and in parks.

5. Implement a strategy to ensure a diverse and inclusive work environment.

6. Provide clear targets and its clear measures in the Delivery Program .

Council will investigate other options for more public toilet facilities in the CBD.

2.3 Doris (Attachment 3)

Tarring of Cypress Drive as it is a bus route and the dust from the road is getting into residents water tanks resulting in poor water quality.

Council is currently undertaking some seal extension work where funding is available however, unfortunately, Council has a limited amount of resources, and the demand for road sealing is higher than what Council can fund.

2.4 Mudgee Swim Club (Attachment 4)

Provide discounts to 2021/22 season passes for Mudgee Swim Club members to make it more affordable resulting in making kids more active and attracting more visitors.

Unfortunately, Council has a limited amount of resources, and the demand for community initiatives is higher than what Council can fund.

Swimming pool services and season passes are already heavily subsidised services covered by rate payer contributions, not fully covered by user pays.

In addition to community submissions, management submissions are also discussed below. These include some new initiatives and also carry forward of projects deferred at the March 2021 Quarterly Budget Review.

The following submissions have been received from Council's Management Team:

3.1.1 Goodiman Creek Bridge – Fixing Local Bridges Program

The Fixing Country Bridges Program currently focuses on replacement of timber bridges across NSW. Council has applied for funding which was successful to replace the Goodiman Creek timber bridge No. 18 on Spring Ridge Rd as the timber abutment sheeting and wing walls have deteriorated because of weathering and insect infestation.

3.1.2 Lower Piambong Road, Botobolar Road and Cox Creek Road seal extensions – Fixing Local Roads Program

Council applied for funding through the Fixing Local Roads Program to seal the higher volume main local road bus routes and was successful for funding to seal 9kms of Coxs Creek Rd, 5.8kms

of Botobolar Rd and 2kms of Lower Piambong Rd. The application required Council to fund 15% of the total project cost, with the remainder being from the NSW Government.

For 2021/22, a budget is required for of \$1,360,000 for the sealing of 4.0km of Coxs Creek Rd funded by \$1,156,000 from grant income and \$204,000 from the Rural Sealed Road Rehab & Widening budget, a budget of \$1,020,000 for the sealing of 3.0km of Botobolar Rd funded by \$867,000 from grant income and \$153,000 from Rural Sealed Road Rehab & Widening budget and a budget of \$680,000 for the sealing of 2.0km of Lower Piambong Rd funded by \$578,000 from grant income and \$102,000 from the Rural Sealed Road Rehab & Widening budget.

For 2022/23, a budget is required for \$1,700,000 for the sealing of 5.0km of Coxs Creek Rd funded by \$1,445,000 from grant income and \$255,000 from the Seal Extension Program budget allocation (Seal Extension Reserve) and a budget of \$952,000 for the sealing of 2.8km of Botobolar Rd funded by \$809,200 from grant income and \$142,800 from the Seal Extension Program budget allocation (Seal Extension Reserve);

3.1.3 Mudgee Showground Equipment

The Council was successful in obtaining funding to purchase rodeo chutes and portable cattle yards for the Mudgee showground through the Crown Reserve Improvement Fund.

3.1.4 Development Planning Proposal Pitts Lane Block

Management recommends incorporating a budget of \$10,000, funded from unrestricted cash, in order to lodge a Planning Proposal to amend the Pitts Lane house block to recreational (RE1) in order to incorporate this recently acquired land into the Glen Willow Sporting Complex.

3.2 March Quarterly Budget Review Statement

The March Quarterly Budget Review Statement which is also presented at this Council meeting proposes to defer some budgets from 2020/21 to 2021/22. Therefore it is recommended that any budgets that are approved to be deferred are also reflected in an amended Operational Plan for 2021/22.

Once these recommendations have been approved, the changes will be incorporated into the 2021/22 Operational Plan and presented to Council at the June 2021 Ordinary Council Meeting for adoption, with the Long Term Financial Plan.

Community Plan implications

Theme	Good Governance
Goal	Strong civic leadership
Strategy	Provide clear strategic direction through the Community Plan, Delivery Program and Operational Plans

Strategic implications

Council Strategies

Relevant Integrated Planning and Reporting Strategies are taken into account during the process of developing the revised Delivery Program 2017/22 and draft Operational Plan 2021/22, including the Community Strategic Plan, and Resourcing Strategies.

Council Policies

Relevant Integrated Planning and Reporting Policies may influence the way the Delivery program and Operational Plan are developed, for example the Asset Management Policy.

Legislation

Section 405 of the Local Government Act 1993 requires that:

- (1) A council must have a plan (its "operational plan") that is adopted before the beginning of each year and details the activities to be engaged in by the council during the year as part of the delivery program covering that year.
- (2) An operational plan must include a statement of the council's revenue policy for the year covered by the operational plan. The statement of revenue policy must include the statements and particulars required by the regulations.
- (3) A council must prepare a draft operational plan and give public notice of the draft indicating that submissions may be made to the council at any time during the period (not less than 28 days) that the draft is to be on public exhibition. The council must publicly exhibit the draft operational plan in accordance with the notice.
- (4) During the period of public exhibition, the council must have for inspection at its office (and at such other places as it may determine) a map that shows those parts of its area to which each category and sub-category of the ordinary rate and each special rate included in the draft operational plan applies.
- (5) In deciding on the final operational plan to be adopted, a council must consider any submissions that have been made concerning the draft plan.
- (6) The council must post a copy of its operational plan on the council's website within 28 days after the plan is adopted.

The revised Delivery Program 2017/22 and draft Operational Plan 2021/22 documents will be brought back to Council at the June Ordinary Council Meeting for endorsement, and will then be made available on Councils website.

Financial implications

Operating Performance Ratio – this ratio will decline due to additional expenditure.

Own Source Revenue - this ratio will decline due to acceptance of external funding.

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

Associated Risks

Not applicable.

AMANDA COVER
ACCOUNTANT REPORTING & ANALYSIS

LEONIE JOHNSON
CHIEF FINANCIAL OFFICER

13 May 2021

- Attachments:*
1. Submission - Tarring Roads - Smith.
 2. Submission - General - Kerrie06.
 3. Submission - Cypress Drive tarred - Doris.
 4. Submission - Fees and Charges - Mudgee Swim Club.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Amanda Cover

From: Your Say Mid-Western Regional Council <notifications@engagementhq.com>
Sent: Thursday, 29 April 2021 9:26 PM
To: Council
Subject: Smith completed Submission to the 2020/21 Draft Operational Plan

Smith just submitted the survey 'Submission to the 2020/21 Draft Operational Plan' with the responses below.

What section of the 2020/21 Draft Operational Plan would you like to provide feedback on?

Roads

Please provide a detailed description of your submission.

Why are we spending money tarring road to wind turbines . Where there is a small population of people. When that could go to bus routes and roads that were supposed to be tarred 20 years ago. My road Cypress Dr should have been tarred by now. No I'm not a Counsellor, no I wasn't born here but I purchased my home with the knowledge the road was to be tarred . My area is one of the most high density areas outside of the cbd. Our school bus is full and our homes are not cheap. I don't understand why council can't apply for funding for our roads instead of or as well as for sporting grants. Retarring roads is just wasting money. And when roads are built they have a short life span because of poor workmanship and cheap materials . I know as a rate payer I'm happy to pay more rates if we get a road. We don't use water, sewerage, street lighting , or garbage pickup.

From: [Your Say Mid-Western Regional Council](#)
To: [Council](#)
Subject: Kerriee06 completed Submission to the 2020/21 Draft Operational Plan
Date: Sunday, 2 May 2021 1:28:27 PM

Kerriee06 just submitted the survey 'Submission to the 2020/21 Draft Operational Plan' with the responses below.

What section of the 2020/21 Draft Operational Plan would you like to provide feedback on?

Other

Please give a title for the section you'd like to provide feedback on.

General comments regarding individual strategies and delivery program

Please provide a detailed description of your submission.

Thanks for the opportunity to provide feedback on the Operational Plan - it is well written, easy to follow and comprehensive - well done to the team that prepared it. My comments as follows and I am more than happy to discuss any of the comments below in more detail if further clarification is required. Strategy 4.1.2 - Has any consideration been given to upgrade and beautify the car parking area at Byron Place? The walkways are in poor condition and difficult to navigate with wheelchairs, prams and trolleys. The disabled parking is insufficient and most of the parking sites don't allow a person with a wheelchair direct access to a walkway without having to travel on the bitumen first. General section - Town Planning: Given that Mudgee is already in and continuing to head down the road of significant growth there is a perfect opportunity to for the town to lead the way and reset for sustainable town planning - establishing robust criteria for developers and builders regarding green spaces, shaded outdoor areas, footpaths, bicycle paths, house location (north facing), water conservation etc., no wood heating as primary heat source etc. General section - Public Conveniences: Mudgee has a lack of easily accessible toilet facilities within the CBD - other than the filthy toilets behind Coles or the hard to get to toilets at the parks. Is there a plan to increase the availability of public toilets? Additional signage would also be useful earmarking where the toilets are and distance to the toilet from various locations. Strategy 2.3.1 - although the local tip sets a great example for our community regarding the 3 R's, it does not feel that Council embraces the concept on its streets and in its parks. There are few options to segregate domestic waste when walking the streets of Mudgee. It would be great to see far more visible separation of waste receptacles for public to use - there really should be no single use rubbish bins in our town. At a minimum being able to segregate food waste from recyclables should be possible. Strategy 5.3.2 - It is great to see that councils leadership team are 50:50 from a gender diversity perspective. There is no reference however to council aiming toward a diverse and inclusive work environment - having this as part of the strategy helps to change thinking and progress toward a far more diverse workplace. Additionally, there is no reference to Council aiming to attract a far more diverse and representative group of Councillors at election time. The current make up of our Councillors is not at all representative of our community. Delivery Program - is comprehensive and includes measures for the services proposed - however it does not include targets (although some of the measures are targets). How does Council know what it is aiming for with a service if a target that can be tracked is not measured? eg. provide family day care services - measure

is 'number of places offered through network' - a target of XX places offered based upon community statistics and need could then be tracked against.

From: [Your Say Mid-Western Regional Council](#)
To: [Council](#)
Subject: Doris completed Submission to the 2020/21 Draft Operational Plan
Date: Tuesday, 11 May 2021 12:10:34 AM

Doris just submitted the survey 'Submission to the 2020/21 Draft Operational Plan' with the responses below.

What section of the 2020/21 Draft Operational Plan would you like to provide feedback on?

Roads

Please provide a detailed description of your submission.

What ever happened to having Cypress Drive tarred? We have a bus route on it . We are paying rates for over 40 years no tar no services, and poor water quality through the constant dust on the road, getting into our water tanks.

From: [Your Say Mid-Western Regional Council](#)
To: [Council](#)
Subject: mudgeeswimclub completed Submission to the 2020/21 Draft Operational Plan
Date: Monday, 10 May 2021 2:20:55 PM

mudgeeswimclub just submitted the survey 'Submission to the 2020/21 Draft Operational Plan' with the responses below.

What section of the 2020/21 Draft Operational Plan would you like to provide feedback on?

Fees and charges

Please provide a detailed description of your submission.

Mudgee Swim Club is looking at ways to grow up our club and make it a more affordable activity for the whole family. Feedback from our members is that joining is expensive due to not only having to pay the swimming NSW registration fees but also having to pay for pool entry every week. We were hoping to open talks with the council to see if they would consider offering a discount on the 21-22 season pass to swim club members. Hopefully, this would help us grow our club, attract more visitors to the pool, and get more kids active. The club will be introducing discounts to families who have more than 1 child.

Item 5: Community

5.1 Mudgee Region Gallery Brand Platform

REPORT BY THE MANAGER, COMMUNITY & CULTURAL SERVICES
TO 26 MAY 2021 EXTRAORDINARY MEETING
GOV400088, REC800038

RECOMMENDATION

That Council:

1. receive the report by the Manager, Community & Cultural Services on the Mudgee Region Gallery Brand Platform;
2. note the Brand Strategy Report prepared by the consultant; and
3. endorse the recommended name of Mudgee Arts Precinct.

Executive summary

At its March 2021 meeting, Council resolved to engage a marketing consultant to develop a brand platform for the Mudgee Region Gallery. Destination Marketing Store has now prepared a brand strategy and have recommended the name 'Mudgee Arts Precinct'.

Disclosure of Interest

Nil.

Detailed report

The Brand Strategy Report prepared by Destination Marketing Store will be provided prior to the Council meeting. The Strategy Report outlines the process for developing a brand strategy, identifies the gallery's brand persona and archetype and, finally, recommends the name 'Mudgee Arts Precinct'.

Community Plan implications

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

Council Strategies

Not Applicable.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

Not Applicable.

Associated Risks

In the event that the recommended name is not supported, an alternative needs to be decided upon or the name Mudgee Region Gallery can remain in place as marketing development needs to commence for the anticipated August 2021 opening of the gallery.

FIONA SHEARMAN
MANAGER, COMMUNITY & CULTURAL
SERVICES

SIMON JONES
DIRECTOR COMMUNITY

18 May 2021

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 6: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

As provided by Clauses 19 & 20 of Council's Code of Meeting Practice (Clause 14 LGMR).

GIVING NOTICE OF BUSINESS

19. (1) The Council must not transact business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business in writing at least two (2) days prior to the day on which the agenda and business paper is prepared and delivered to Councillors; and
 - (b) unless notice of the business has been sent to the Councillors in accordance with Clause 6 of this Code. (see Section 367 LGA & Clause 14(1) LGMR)
- (2) Subclause (1) does not apply to the consideration of business at a meeting if the business:
- (a) is already before, or directly relates to a matter that is already before the Council (see Clause 14(2)(a) LGMR); or
 - (b) is the election of a chairperson to preside at the meeting as provided by Clause 12(1) (see Clause 14(2)(b) LGMR); or
 - (c) is a matter or topic put to the meeting by the chairperson in accordance with Clause 21 (see Clause 14(2)(c) LGMR); or
 - (d) is a motion for the adoption of recommendations of a committee of the Council; (see Clause 14(2)(d) LGMR); or
 - (e) relates to reports from officers, which in the opinion of the Chairperson or the General Manager are urgent;
 - (f) relates to reports from officers placed on the business paper pursuant to a decision of a committee that additional information be provided to the Council in relation to a matter before the Committee; and
 - (g) relates to urgent administrative or procedural matters that are raised by the Mayor or General Manager.

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice. (see Clause 14(3) LGMR)
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. (see Clause 14(4) LGMR)

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Item 7: Urgent Confidential Business Without Notice

Item 8: Open Council