



PUBLIC COPY

Business Papers 2022

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 15 JUNE 2022

*A prosperous and progressive
community we proudly call home*





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MUDGEES NSW 2850

86 Market Street MUDGEES
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8 June 2022

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
15 JUNE 2022
Public Forum at 5.30pm
Council Meeting commencing at conclusion of Public Forum

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

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

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

Yours faithfully

A handwritten signature in black ink that reads "Simon Jones".

SIMON JONES
ACTING 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 25 May 2022

Council Decision:

That the Minutes of the Ordinary Meeting held on 25 May 2022 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are separately attached.

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Indoor Pool Feasibility Study	Res 325/19 Ordinary Meeting 16/10/2019	That Council request that a further report be brought back to Council with an option to develop an indoor swimming facility at a new location in Mudgee.	Report has gone to Council and currently awaiting Feasibility Study.
Banner Poles Gulgong	Res 308/19 Ordinary Meeting 16/10/2019	That Council modify the banner poles on the outskirts of Gulgong so that the banners are more stable and less likely to tear.	To be reported to Council at a future meeting.
Cox Street Rail crossing	Res 64/20 Ordinary Meeting 18/03/2020	Council investigate the re-opening of the crossing over the rail line on Cox Street.	To be reported to Council at a future meeting.
Investigation of Garbage collection service at Queen's Pinch Waste Transfer Station	Res. 66/20 Ordinary Meeting 18/03/2020	Staff investigate the feasibility of replacing the Waste Transfer Station on Queen's Pinch Rd with a garbage collection service.	To be reported to Council at a future meeting.
Section of Mebul Road to be Cleaned Up	347/20 Ordinary Meeting 18/11/2020	That a report be brought back to Council on the provision of additional maintenance to the area of road and roadside along the section of Mebul Road along the Cudgegong river at the old crusher site.	To be reported to Council at a future meeting.
Water Sharing Plan	Res 171/21 Ordinary Meeting 21/06/2021	That Council write to Water NSW (formerly State Water) and formally request that negotiations for a renewed Water Sharing Plan commence immediately.	To be reported to Council at a future meeting.
BMX Pump Track Investigation	14/22 Ordinary Meeting 2/02/2022	That Council provides in principle support for the construction of a BMX Pump Track in the Mid-Western Region and investigates potential sites and costs for the construction of a BMX Pump Track across the entire region.	Recommended for completion.
Public Toilets Accessibility	15/22 Ordinary Meeting 02/02/2022	That Council provide better access to public toilets across the region but especially in the Town Hall Arcade Mudgee.	To be reported to Council at a future meeting.
Request for Additional State Government Funding for Weed Control	68/22 Ordinary Meeting 04/03/2022	That Council request the State Government increase funding to Councils for weed control in Local Government Areas.	To be reported to Council at a future meeting.

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Accommodation Investigation within the Local Government Area	101/22 Ordinary Meeting 20/04/2022	That Council investigate considerations within the Local Government Area for accommodation.	To be reported to Council at a future meeting.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Upgrade to Garth and Viva Fletcher Memorial Park, Gulgong

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, A0100035

MOTION

To upgrade the Garth and Viva Fletcher Memorial Park in Gulgong with a garden and a sculpture.

Background

Garth Fletcher was a local doctor in Gulgong for many years and the previous Council made the park as a memorial for him and his wife. I have been approached by members of the community who believe we should have some flower beds put in and Kay Norton-Knight has approached Council regarding the sculpture.

Officer's comments

Council staff are aware of some community interest in upgrading Fletcher Park. There are plans to undertake this work in the next financial year. This includes the placement of a sculpture to be donated by Sculpture in the Garden Inc. Should our current budgets not provide enough funds for the upgrade works, staff will seek additional resources from Council through the year.

6.2 Electric Vehicle Charging Stations

NOTICE OF MOTION LISTED BY CR PAUL CAVALIER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, A0100035

MOTION

That Council:

1. **provides in principle support for the installation of EV charging infrastructure within the Mid-Western Region;**
2. **assesses available car parking spaces within the Mudgee, Gulgong, Rylstone and Kandos CBD's that are in close proximity to shops and cafes that would be suitable for EV recharging;**
3. **assesses available grant opportunities for the provision of this infrastructure; and**
4. **receive a report by the Director Development.**

Background

The uptake of Electric Vehicles (EVs) around Australia is increasing year on year, with many car manufacturers employing strategies to phase out new gasoline and diesel-powered vehicles.

The Department of Planning and Environment are currently offering grants to assist in the installation of charging infrastructure to support the anticipated growth in EVs around the country.

In the event that Mid-Western Regional Council were successful in one of these grant applications, ratepayers would enjoy subsidised upgrades to local electrical infrastructure and the associated economic benefits of making our region EV friendly, and therefore attractive to those in the market already driving these vehicles.

In addition to this, support of this infrastructure represents an environmentally conscious move by Council.

Officer's comments

Council staff are currently assessing potential EV Charging locations and appropriate required infrastructure. A report with recommended EV sites, grant opportunities and required budget will be brought to Council at a future meeting.

Item 7: Office of the General Manager

7.1 Fixing of Annual Fees for Councillors and the Mayor

REPORT BY THE MANAGER, CUSTOMER SERVICES & GOVERNANCE
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, GOV400010, GOV400088

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Customer Services & Governance on the Fixing of Annual Fees for Councillors and the Mayor; and**
2. **fix fees for Councillors and the Mayor for the period of July 2022 to June 2023 at \$21,104 for Councillors and an additional \$46,043 for the Mayor;**
 - 2.1 **Council pay the Deputy Mayor a fee, to be deducted from the additional fee payable to the Mayor, for periods of 7 days or more, where the Mayor is unable to carry out the duties of Mayor, such fee to be for the period that the Deputy Mayor acts in the role of the Mayor; and**
 - 2.2 **the calculation of this fee to be determined at a pro rata rate of the Mayor's Additional fee.**

Executive summary

This report addresses the need for Council to fix the annual fees for Councillors and the Mayor for the period July 2022 to June 2023. The report recommends an increase from \$20,690 to \$21,104 for Councillors and an additional payment to the Mayor increasing from \$45,140 to \$46,043.

Disclosure of Interest

Nil

Detailed report

The Local Government Act 1993 provides that Council must pay an annual fee to each Councillor and to the Mayor. The Mayoral fee must be paid in addition to the fee paid to the Mayor as a Councillor. The Council may fix these fees and, if it decides to do so, the fees must be fixed in accordance with the determination of the Local Government Remuneration Tribunal. If Council does not fix a fee, it is required to pay the minimum fee determined by the Remuneration Tribunal.

The Act also provides that Council may pay the Deputy Mayor as fee determined by the Council for such time as the Deputy Mayor acts as in the office of the Mayor, such amount to be deducted from the Mayor's annual fee.

The Act provides that the Remuneration Tribunal must make a determination in relation to fees, not later than 1 May each year. Extracts from the 2022 determination of the Remuneration Tribunal is attached. As a consequence of that determination, this Council has been categorised as Regional Rural, the fees applicable for the period July 2022 to June 2023 being:

- Councillor Minimum \$9,560, Maximum \$21,100.
- Mayoral (additional fee) Minimum \$20,370, Maximum \$46,040.

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

Community Strategic Plan

Council Policies

Payment of Expenses and Provision of Facilities to Councillors Policy

Legislation

Local Government Act 1993

Financial implications

These fees are accounted for in Council's Operation Plan 2022/23

Associated Risks

Not applicable

RICHARD CUSHWAY
MANAGER, CUSTOMER SERVICES &
GOVERNANCE

23 May 2022

- Attachments:*
1. Council Circular - 2022/23 Determination of the Local Government Remuneration Tribunal.
 2. 2022/23 Determination of Local Government Remuneration Tribunal Report.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER



Office of
Local Government

Circular to Councils

Circular Details	Circular No 22-14/ 22 May 2022 / A817449
Previous Circular	21-06 – 2021/22 Determination of the Local Government Remuneration Tribunal
Who should read this	Councillors / General Managers
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

2022/23 Determination of the Local Government Remuneration Tribunal

What's new or changing

- The Local Government Remuneration Tribunal has determined an increase of 2% to mayoral and councillor fees for the 2022-23 financial year, with effect from 1 July 2022.
- The Tribunal is required to determine the remuneration categories of councils and mayoral offices at least once every three years under section 239 of the *Local Government Act 1993*. The Tribunal last undertook a significant review of the categories as part of its 2020 determination and will next review these categories in 2023.
- The Tribunal found that the allocation of councils into the current categories continued to be appropriate having regard to the 2020 review, the current category model and criteria and the evidence put forward in the submissions received.

What this will mean for your council

- Sections 248 and 249 of the Act require councils to fix and pay an annual fee to councillors and mayors from 1 July 2022 based on the Tribunal's determination for the 2022-23 financial year.

Key points

- The level of fees paid will depend on the category the council is in.
- A council cannot fix a fee higher than the maximum amount determined by the Tribunal.
- If a council does not fix a fee, the council must pay the minimum fee determined by the Tribunal.

Where to go for further information

- The Tribunal's report and determination is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.

Melanie Hawyes
Deputy Secretary, Crown Lands and Local Government

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Local Government Remuneration Tribunal

Annual Report and
Determination

*Annual report and determination under sections
239 and 241 of the Local Government Act 1993*

20 April
2022

Local Government Remuneration Tribunal

Table 2: General Purpose Councils - Non-Metropolitan

Major Regional City (2)	Major Strategic Area (1)	Regional Strategic Area (1)
Newcastle	Central Coast	Lake Macquarie
Wollongong		

Regional Centre (24)		Regional Rural (13)	
Albury	Mid-Coast	Bega	
Armidale	Orange	Broken Hill	
Ballina	Port Macquarie-Hastings	Byron	
Bathurst	Port Stephens	Eurobodalla	
Blue Mountains	Queanbeyan-Palerang	Goulburn Mulwaree	
Cessnock	Shellharbour	Griffith	
Clarence Valley	Shoalhaven	Kempsey	
Coffs Harbour	Tamworth	Kiama	
Dubbo	Tweed	Lithgow	
Hawkesbury	Wagga Wagga	Mid-Western	
Lismore	Wingecarribee	Richmond Valley Council	
Maitland	Wollondilly	Singleton	
		Snowy Monaro	

Rural (57)			
Balranald	Cootamundra-Gundagai	Junee	Oberon
Bellingen	Cowra	Kyogle	Parkes
Berrigan	Dungog	Lachlan	Snowy Valleys
Bland	Edward River	Leeton	Temora
Blayney	Federation	Liverpool Plains	Tenterfield
Bogan	Forbes	Lockhart	Upper Hunter
Bourke	Gilgandra	Moree Plains	Upper Lachlan
Brewarrina	Glen Innes Severn	Murray River	Uralla
Cabonne	Greater Hume	Murrumbidgee	Walcha
Carrathool	Gunnedah	Muswellbrook	Walgett
Central Darling	Gwydir	Nambucca	Warren
Cobar	Hay	Narrabri	Warrumbungle
Coolamon	Hilltops	Narrandera	Weddin
Coonamble	Inverell	Narromine	Wentworth

Local Government Remuneration Tribunal

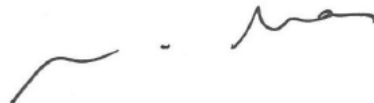
Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2022

The annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July 2022 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee (\$) effective 1 July 2022		Mayor/Chairperson Additional Fee* (\$) effective 1 July 2022	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils - Metropolitan	Principal CBD	28,750	42,170	175,930	231,500
	Major CBD	19,180	35,520	40,740	114,770
	Metropolitan Large	19,180	31,640	40,740	92,180
	Metropolitan Medium	14,380	26,840	30,550	71,300
	Metropolitan Small	9,560	21,100	20,370	46,010
General Purpose Councils - Non-Metropolitan	Major Regional City	19,180	33,330	40,740	103,840
	Major Strategic Area	19,180	33,330	40,740	103,840
	Regional Strategic Area	19,180	31,640	40,740	92,180
	Regional Centre	14,380	25,310	29,920	62,510
	Regional Rural	9,560	21,100	20,370	46,040
	Rural	9,560	12,650	10,180	27,600
County Councils	Water	1,900	10,550	4,080	17,330
	Other	1,900	6,300	4,080	11,510

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



Viv May PSM

Local Government Remuneration Tribunal

Dated: 20 April 2021

Local Government Remuneration Tribunal

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural

Councils categorised as Rural will typically have a residential population less than 20,000.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the *Biosecurity Act 2015*.

Item 8: Development

8.1 DA0093/2022 - Subdivision (45 residential lots) Stage 13 - Caerleon Estate - 26 Hone Creek Drive, Caerleon

REPORT BY THE TOWN PLANNER AND MANAGER, PLANNING
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, DA0093/2022

RECOMMENDATION

That Council:

- A. receive the report by the Town Planner and Manager, Planning on DA0093/2022 - Subdivision (45 residential lots) Stage 13 - Caerleon Estate - 26 Hone Creek Drive, Caerleon; and
- B. approve subdivision (45 residential lots plus residual) Stage 13, Caerleon Estate at 26 Hone Creek Drive, Caerleon subject to the following conditions and statement of reasons:

CONDITIONS

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

Title / Name:	Drawing No / Ref:	Rev	Date:	Prepared by:
Sale Plan Stage 13	Job Code 319171_26 Sheet No. TP01	Rev C	09/09/2021	Premise Australia Pty Ltd
Biodiversity Development Assessment Report Caerleon Mudgee Subdivision Stage 13	319171_BD AR_001	Rev C	23 February 2022	Premise Australia Pty Ltd

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. In accordance with Section 7.4 of the Environmental Planning and Assessment Act 1979, the development is to be undertaken in accordance with the executed Voluntary Planning Agreement.

3. The Bush Fire Safety Authority issued by the NSW Rural Fire Service dated 25 May 2022 and the General Terms of Approval, shall be complied with at all times by the Developer.
4. The requirements set out by Transport for NSW in their letter dated 21/12/21 are to be complied with, as applicable, to ensure the development does not impact on the railway corridor.
5. Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
6. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.

Note: A suitably qualified person is required to be present during earthworks to identify whether any artefacts were uncovered.

PRIOR TO ISSUE OF SUBDIVISION WORKS CERTIFICATE

7. Prior to issue of the Subdivision Works Certificate the class and number of ecosystem credits in the following table must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund must be provided to Council prior to Subdivision Works Certificate.

Table: Ecosystem credits required to be retired – like for like

Impacted plant community type	Number of ecosystem credits	IBRA sub-region
PCT266 – White Box Grassy Woodland	17	Inland slopes From a location within 100km of the impact site
PCT266 – White Box Grassy Woodland	2	Inland slopes From a location within 100km of the impact site
PCT281 – Rough-Barked Apple	1	Inland slopes From a location within 100km of the impact site

8. Prior to issue of the Subdivision Works Certificate the class and number of species credits in the following table must be retired to offset the residual biodiversity impacts of the development.

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of species credits, as calculated by the Biodiversity Offsets Payment Calculator.

Evidence of the retirement of credits or payment to the Biodiversity Conservation Fund in satisfaction of the requirements in the following table must be provided to Council prior to Subdivision Works Certificate.

Table: Species credits required to be retired – like for like

Impacted species credit species	Number of species credits	IBRA sub-region
<i>Anthochaera phrygia</i> (Regent Honeyeater)	4	Anywhere in NSW

9. A detailed engineering design with plans, and “AutoCAD compatible” Plan, (in .dwg format including pen-map), material samples, test reports and specifications are to be prepared in accordance with current AUS-SPEC specifications (as modified by Mid-Western Regional Council) and the conditions of this development consent. The engineering design is to be submitted to and approved by Council prior to the issue of a Subdivision Works Certificate.
10. All finished surface levels shall be shown on the plans submitted for the Subdivision Works Certificate. Where it is proposed to import fill, the material shall be certified as free of hazardous materials and contamination by a suitably qualified geotechnical engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and residential Developments.
11. A site supervisor is to be nominated by the applicant prior to the issue of the Subdivision Works Certificate.
12. Existing and proposed contours are to be shown on detailed engineering plans.
13. Prior to the issue of a Subdivision Works Certificate, all details relating to the decommissioning of any farm dam in preparation for a residential site, including methods, materials and equipment shall be provided to Council.

Stormwater Drainage

14. Prior to the issue of a Subdivision Works Certificate the applicant is to submit a Drainage Report prepared in accordance with the current published version of Australian Rainfall and Runoff for approval prior to the release of the Subdivision Works Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 100-year ARI. All storm water detention details including analysis shall be included with the drainage report.

The Drainage Report shall include:

- Catchment plans;
- Hydrological calculations;
- Hydraulic calculations;
- Pit, pipe and headwall locations shown on plans;
- Gutter flow does not exceed 80 litres/sec or 2.5m in width;
- Pit bypass less than 15% of flow;

- Pit spacing less than 75m;
- Pipe class is appropriate given cover or depth;
- Pipe grade allows for self-cleansing at low flow velocities;
- Longitudinal sections of all pipelines showing pipe grades and classes, pit names/numbers and type, hydraulic grade etc;
- Plan and sectional views of non-standard drainage structures; and
- Downstream owners consent to discharge of stormwater.

15. The trunk drainage system must be designed such that discharge from the subdivision satisfies the following water quality targets:

Post Development Stormwater Pollution Reduction Targets
<ul style="list-style-type: none">• Total Suspended Solids (TSS) – 85% reduction of the typical annual load• Total Phosphorus (TP) – 65% reduction of the typical annual load• Total Nitrogen (TN) – 45% reduction of the typical annual load• 90% of gross pollutant loads, oil and grease retained on-site

Note: Results from MUSIC modelling or equivalent shall be supplied with Subdivision Works Certificate Issue plans demonstrating that the design meets the above criteria.

16. All internal roads shall comprise roll back concrete kerb and gutter. Sub-surface drainage is required where gutter flows exceed 2.5m width during minor events (1 in 5yr ARI). If required, sub-surface drainage shall be located behind the kerb.
17. Inter-allotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with AusSpec #1. An easement not less than 1.0m shall be created in favour of the upstream allotments for any inter-allotment drainage.
18. One (1) roof-water outlet per allotment is to be provided in the kerb and gutter 2m from the downhill boundary at the time of the installation of the kerb and gutter.
19. An Erosion and Sediment Control Plan or the development is to be prepared and implemented in accordance with the LANDCOM guidelines and requirements as outlined in the latest edition of "Soils and Construction – Managing Urban Stormwater". Points to be considered include, but are not limited to:
- drainage reserves are to be turfed;
 - single strip of turf to be laid behind kerb and gutter;
 - saving available topsoil for reuse in the revegetation phase of subdivision;
 - using erosion control measure to prevent on-site damage;
 - rehabilitating disturbed areas quickly;
 - maintenance of erosion and sediment control structures; and
 - a schedule of operations is to be submitted to ensure all appropriate works are undertaken at the correct stage.

20. All stormwater runoff is to be piped into Detention Basins. No outfall using open channel will be permitted except between the lowest detention basin to the culvert under the rail corridor. The use of grassed swales with batter slopes no greater than 1:6 to provide for an overland flow path in the event of very large storms (< 1:100 year ARI) will be permitted.

Roads Works

21. Internal road pavements shall be designed by a suitably qualified engineer in accordance with AustRoads procedures. Materials and testing requirements shall comply with those set out in AUSPEC Construction Specification C242 with sample locations selected as per RMS Specification Q4. All flexible pavements to be sealed with a two coat Class C170 bitumen flush seal (14/7mm double/double).

22. Internal road reserve and pavement widths for Stage 13 are to conform with the requirements of the Caerleon VPA and Development Control Plan as follows:

Road	Classification	Road Reserve	Carriageway
Road No.1	Residential Local Street	15.5 m	7.5m with 2 x 4.0m verge
Road No.3	Residential Local Street	15.5 m	7.5m with 2 x 4.0m verge
Hone Creek Drive	Neighbourhood Centre Road	31.4 m	2 x 10.7 metre lanes 3.0 m Median Parking Lanes 2 x 3.5m verges 2 x 1.2 m footpath Barrier Kerb

23. The internal road network must be designed with sufficient width to accommodate turning paths for service vehicles, with particular attention to cul-de-sac court bowls that must be provided with a radius suitable for rubbish collection vehicles and that require no reversing movements for collection of rubbish.

24. Internal cross road intersections are to be designed to have:

- Give Way signs; and
- Blisters

On the lesser priority road for pedestrian and cycle safety in accordance with Figure 2.1(a) of AS1742.2-2009 Manual of uniform traffic control devices, part 2 Traffic control devices for general use.

Water and Sewer

25. Water reticulation shall connect to the trunk main at four points: two where the trunk main enters the development (from the south) and two near its terminal point (in the north). The connections are required to be staggered (i.e. not through cross tee fittings) and the cost of the connections borne by the developer. The developer shall obtain a private works quotation from Council when ready to connect reticulation to the trunk main. All works are to be completed prior to the issue of a Subdivision Certificate.

Note: Council does not permit other bodies to connect into 'live' water mains.

26. Water services are to be located on alternate property boundaries to Telstra / Electricity. The Developer will construct water service to the water meter and prior to the issue of a Subdivision certificate pay for the Water Meter Assembly fee as specified in the current Schedule of Council Fees and Charges for Council to supply and install a meter only for each Lot in the Subdivision.
27. Water supply for Stage 13 is to be obtained by extension of mains constructed within Stage 9 of Neighbourhood 1.
28. Direct connection to the Trunk Main that generally follows proposed spine road alignment is NOT permitted except at existing connection points or as advised by Council's Water and Waste Water directorate.

Footpaths and Cycle Ways

29. Footpaths no less than 1.2 metres wide are to be provided on at least one side of Roads No. 1 and 3.

Street trees

30. Prior to issue of subdivision works certificate a landscape plan is to be prepared by a qualified landscape architect and approved by Council. Street trees of a species approved by Council are to be provided to all streets with an average of one tree per lot frontage. Corner lots are to have a minimum of two street trees on the secondary frontage. The location of street trees must complement proposed driveway locations and other elements in the public domain (i.e. light poles); maintain adequate lines of sight for vehicles and pedestrians, especially around driveways and street corners; provide appropriate shade; and provide an attractive and interesting landscape character.
31. Street trees are to be approximately 1.5m - 2m in height when planted.

PRIOR TO COMMENCEMENT OF WORK

32. No construction is to commence before a Subdivision Works Certificate is issued for the subdivision works. The works are to be constructed in accordance with the plans and specifications referred to in the Subdivision Works Certificate.

Note: The Subdivision Works Certificate may be issued by Council. Council's fee for this service is set out in Council's fees and charges.

33. A Traffic Guidance Scheme (TGS) completed by the "Certified Person" for implementing during works is to be submitted to Mid-Western Regional Council prior to any work commencing.
34. Contractor's insurance cover for a minimum of \$20,000,000 is to be sighted and to be shown to Mid-Western Regional Council as an interested party.

DURING WORKS

35. Any soil / water retention structures are to be constructed prior to the bulk stripping of topsoil, to ensure sediment from the whole site is captured.
36. All construction works shall be undertaken in accordance with the Preliminary Soil Salinity Assessment prepared by Minespex dated May 2012 as approved under DA0428/2013 (and subsequently modified).

37. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that no time will any ponding of stormwater occur on adjoining land as a result of this development.
38. All utility crossings are to be perpendicular to the road centreline and performed prior to the addition of the base-course.
39. Street signs necessitated by the subdivision are to be installed in accordance with AUS-SPEC Specification and Council's requirements.
40. The subdivision works are to be inspected by Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:
 - installation of sediment and erosion control measures;
 - water and sewer line installation prior to backfilling;
 - stormwater pipes installation prior to backfilling;
 - water and sewer lines pressure testing;
 - sewer manholes vacuum testing;
 - establishment of line and level for kerb and gutter replacement;
 - road pavement construction;
 - road pavement compaction testing;
 - road pavement surfacing;
 - practical completion
41. Upon completion of each stage of construction, the Developer is also required to ensure that adequate provisions are made for the following:
 - Sediment and erosion control measures;
 - Traffic control measures; and
 - Maintenance of public areas free from unauthorised materials, waste or other obstructions.
42. The applicant shall repair, in accordance with AUS-SPEC Specification and Council Standard Drawings, any part of Council's property damaged during the course of the development.
43. Following the completion of subdivision works, one set of Works As Executed Drawings in PDF format, AutoCAD compatible files in .dwg format, MapInfo files (MGA GDA94 Zone 55/56) and completed Asset Data Template spreadsheets in MS Excel format, are to be submitted to Council. All Works As Executed plans shall bear the consulting engineer's or consulting surveyor's certification stating that all information shown in the plans are accurate.

A) COVERSHEET

- Project Address
- Client/Developer
- DA Number

- Lot Numbers
- Subdivision Stage Number(If Applicable)

B) INDEX

- Section Numbers

C) CONTRACTOR DETAILS

- Contractor Representative
- Contractor Contact Details

D) SCOPE OF WORKS

- Enter description outlining scope of works completed

Records to be included as applicable

- Material Certification and Material Test Reports(Sub base, Base course, Water, Sewer, Stormwater, Bitumen etc. for supplied materials)
- Concrete mix Details (Concrete Register/ Concrete Test Results required)
- Bitumen Sealing Reports/Records
- Earthworks/Civil Test Reports e.g. compaction tests - (Coordinates and RL required for each test required to be shown on a .dwg)
- Dimensional and Tolerance Records (Survey Conformance Reports)
- Inspection Documentation (Development Engineer Inspections, ITP's, Lot Identification)
- Non-conformance reports (Major non-conformances not detailed on council inspections)
- Work As Executed Drawings must be received and approved by Council. Documents to be submitted to be as follows:
 - One set of Work As Executed Drawings in PDF soft and hard copy.
 - AutoCAD compatible files in .dwg format of WAE constructions.
 - MapInfo files (MGA GDA94 Zone 55/56) of WAE constructions.
 - Asset Data Spreadsheets with all the asset details in Excel format. (Council will Provide the template Excel sheet)
 - MapInfo files (MGA GDA94 Zone 55/56) Note: Ensure all WAE assets data in Excel sheets correlate with WAE Drawings, AutoCAD and MapInfo files.
 - Copy of final inspection report from Council's Development Engineer.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

44. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager prior to the release of each stage of the development.

NOTE: Under the Environmental Planning & Assessment Act, 1979, a Subdivision Certificate is required before the linen plan of subdivision can be registered with the Land Titles Office. Council's fee to issue a Subdivision Certificate is set out in Council's fees and charges.

45. This development consent requires a Certificate of Compliance under the *Water Management Act 2000* to be obtained prior to the issue of a Subdivision Certificate. Please refer to the Advisory Notes for the contribution to be made to Council in accordance with the Voluntary Planning Agreement for Caerleon.
46. The developer is to meet the full cost of water and sewerage reticulations to service the new lots prior to the release of the Subdivision Certificate. Each lot must be provided with separate water and sewer services. All water and sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act, 1993) and in accordance with the National Specification – Water & Sewerage Codes of Australia.
47. Where infrastructure services cross through private land three metre wide easements, including associated Section 88B of the Conveyancing Act 1919 instruments, are to be created in favour of Council over any existing or newly constructed water, or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.
48. If the Subdivision Certificate is not issued, for any reason, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent will be increased to the current rate at the time of payment.
49. Prior to issue of the Subdivision Certificate:
- a) All contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
 - b) An agreement be made between the developer and Council; be paid to Council in accordance with this condition for the purpose of:
 - i. As to the security to be given to Council that the works will be completed or the contribution paid and
 - ii. As to when the work will be completed or the contribution paid.
50. Following completion of all engineering works, a defect liability bond of 5% of the value of such works (not carried out by Council) shall be lodged with Council to ensure that any defects in such works are remedied by the developer. The bond shall be lodged with Council, prior to issue of the Subdivision Certificate.
51. The developer is to ensure that all defects in the works that become apparent within twelve (12) months of Council accepting the works on maintenance are remedied to Council's satisfaction. If these defects are not satisfactorily remedied, Council may use bond money to carry rectification.
- Note - Any unspent bond money will be returned to the developer at the end of the twelve (12) months period, less the estimated cost of any outstanding works.*
52. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey marks that may be distributed by the development or any associated work. Any information regarding location should be supplied to the Land Titles Office and Council.

- 53. Underground electricity, street lighting and telecommunication are to be supplied to the subdivision. Prior to issue of the Subdivision Certificate, Council is to be supplied with:**
- a) A certificate from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision.**
 - b) A certificate from the appropriate telecommunications authorities indicating that satisfactory arrangements have been made for provision of telephone and internet services to the subdivision that are NBN compliant.**
- 54. All roadworks and other associated traffic control measures are to be completed with each stage of the development and prior to the release of the Subdivision Certificate.**
- 55. Prior to the issue of a Subdivision Certificate, the applicant shall prepare a Positive Covenant to be created over Lots 1320, 1321 and 1322 with words to the following effect:**
- (a) The registered proprietors of the burdened lots must, prior to occupation of a dwelling on the respective lots, install the following water supply infrastructure to ensure adequate potable and fire service water pressure is available to the lot and the dwelling:-**
 - i. a nominal 5000 litre storage tank;**
 - ii. a water supply (feed) line from the standard metered supply to the lot that would trickle feed into the storage tank;**
 - iii. a cut off valve (float valve) in the storage tank to shut off the trickle feed if the tank is full; and**
 - iv. an electric pressure pump fed off the storage tank to supply water within the dwelling.**
 - (b) The registered proprietors of the burdened lots must ensure that the storage tank, water supply (feed) line from the meter, cut-off float valve and pressure pump are maintained in working order.**
 - i. The registered proprietors of the burdened lots must retain the above described water supply infrastructure until such time as the water pressure delivered from Council's reticulated system meets the minimum potable water pressure requirements as required by Council's policies.**
- 56. The developer must provide Council and land purchasers with a site classification for each lots within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause 2.2.3 of AS2870-1996. Results are to be submitted to Council prior to the issued of the Subdivision Certificate.**
- 57. Prior to the issue of the Subdivision Certificate, the applicant must demonstrate that the General Terms of Approval issued by the NSW Rural Fire Service dated 25 May 2022 have been complied with.**

ADVISORY NOTES

- 1. This development consent requires a Certificate of Compliance under the *Water Management Act 2000* to be obtained prior to the issue of a Subdivision Certificate. Please be advised that as a precondition to the granting of a Compliance Certificate, the following is to occur:**

- a) A monetary contribution in accordance with the following Schedule of Contributions must be paid in full (including indexation, where applicable) which has been calculated in accordance with the VPA endorsed by Council:

Section 64 Contributions					
Total of 45 residential lots (16 small and 29 medium)					
		<i>ET/Unit</i>	<i>Per Lot</i>	<i>Number of lots</i>	<i>Total</i>
Water Headworks	Residential allotment (small) <650m ²	0.75	\$6411.85	16	\$102,589.59
	Residential allotment (medium) 650m ² - 1200m ²	1	\$8549.13	29	\$247,924.77
Sewer Headworks	Residential allotment (small) <650m ²	0.75	\$2,910.98	16	\$46,575.68
	Residential allotment (medium) 650m ² - 1200m ²	1	\$3,881.31	29	\$112,557.99
Total Headworks					\$509,648.03

Note - Section 64 Developer Contributions are subject to Consumer Price Index increase at 1 July each year.

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 notification period.

Executive summary

OWNER/S	Caerleon Mudgee Pty Ltd
APPLICANT:	Caerleon Mudgee Pty Ltd
PROPERTY DESCRIPTION	Lot 201 DP1269473 26 Hone Creek Drive, Caerleon
PROPOSED DEVELOPMENT	Subdivision of land
ESTIMATED COST OF DEVELOPMENT:	\$1,703,667.74
REASON FOR REPORTING TO COUNCIL:	The application exceeds staff's <i>Delegation of Authority</i> , in that it is for a subdivision creating more than 20 allotments

PUBLIC SUBMISSIONS: Nil

Proposed Development

Council is in receipt of Development Application DA0093/2022 that seeks approval for Subdivision - Torrens Title (45 residential lots plus residual), located at Caerleon Estate Development Block 26 Hone Creek Drive CAERLEON NSW 2850, Lot 201 DP 1269473, and received by Council on 10 September 2021.

The proposal will expand the existing approved subdivision of the Caerleon Estate to the southern boundary of Neighbourhood 1 (approved under DA0428/2013) consisting of some 248 residential lots over 11 stages. Subdivision under DA0428/2013 is still in the progress, with Stages 1 to 5 and 11 already released. Subdivision Works Certificates have been lodged for Stages 6, 7, 8, 9 and 10.

Three Development Applications for Stages 12A, 12B and 12C have also been lodged and are being assessed concurrently with Stage 13.

Figure 1 provides an overall plan of the staging referred to above which is the subject of five (5) separate Development Applications.

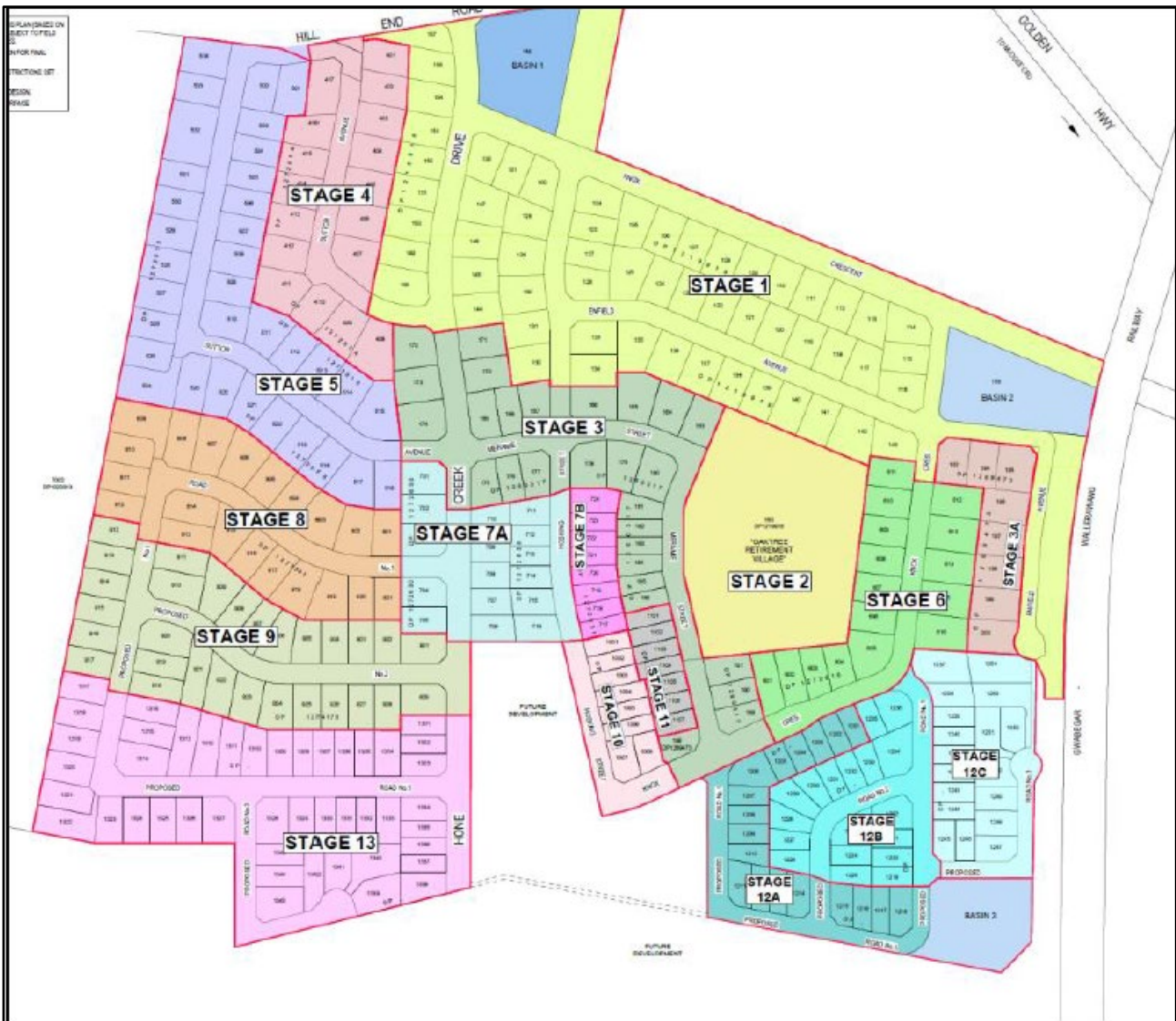


Figure 1: Proposed Stage 13 within the overall context of the Caerleon Estate. (Note: Stage 1-11 have been approved under DA0428/2013 and Stages 12A, 12B and 12C are under assessment.)

(Source: SEE provided with the application)

Stage 13 will expand on the existing approved subdivision of the Caerleon Estate, proposing to create 45 new residential lots ranging in size from 450m² to 1035.2m². A plan of the proposed layout is in Attachment 1. The main trunk road of the subdivision (Hone Creek Drive) will be extended and new roads will provide access to the proposed lots. All new residential lots will be serviced with reticulated water and sewer services.

The application was advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 18 October 2021. During the notification period, no submission/s were received.

The proposed development has been assessed in accordance with Council's Development Control Plan, 2013 (DCP 2013) and the Mid-Western Regional Local Environmental Plan 2012 (MWLEP). 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 application is for a subdivision creating more than 20 allotments.

The application is recommended for Approval.

Disclosure of Interest

Nil

Detailed report

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 2021 (EP&A Reg's).

Integrated Development

The development proposal is considered to be Integrated Development, in accordance with section 4.46 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The subject land is partially mapped as being bushfire prone, as such the development is integrated pursuant to Section 100B of the Rural Fires Act requiring a Bushfire Safety Authority. The application was referred to the Rural Fire Services who issued General Terms of Approval on 25 May 2022 (Attachment 2).

Biodiversity Conservation Act 2016 (BC Act)

In accordance with Section 1.7 of the EP&A Act and Part 7.7 of the BC Act, all applications for development consent under Part 4 of the EP&A Act are to be accompanied by a Biodiversity Development Assessment Report (BDAR) if the proposed development is likely to significantly affect threatened species.

Part 7.2 of the BC Act states that a development is likely to significantly affect threatened species if it:

1. Is likely to significantly affect threatened species or ecological communities, or their habitat, according to the test in section 7.3 (5-part test), or
2. Exceeds the Biodiversity Offset Scheme (BOS) thresholds, which includes:
 - a) Clearing of native vegetation, or undertaking a prescribed activity, on land mapped on the NSW Biodiversity Vales Map (BV Map), or

- b) Clearing of native vegetation of an area declared by clause 7.2 of the *Biodiversity Conservation Regulation 2017* (BC Regulation) as exceeding the threshold.

3. Is carried out within an area of Outstanding Biodiversity Value

The proposed subdivision will clear native vegetation (1.48ha) in excess of the maximum clearing threshold of native vegetation permitted under the BC Regulation of 0.25 hectares and 0.29 ha of the Subject Land is mapped as Important Area for the Regent Honeyeater (as shown on the BV Map). Accordingly, the Biodiversity Offset Scheme (BOS) applies and the applicant has submitted a BDAR.

The BDAR submitted with the application identified that the proposed subdivision will result in the loss of the following:

- 1.48 ha of derived Native Grassland (PCT 266) in poor condition;
- 2.55 ha of exotic Grassland (PCT 281) in poor condition;

This also includes the following:

- Removal of three scattered trees including one hollow-bearing tree;
- Removal of 0.29 ha of Important Area for the Regent Honeyeater.

Serious and Irreversible Impact (SAII)

The report identified the Critically Endangered Regent Honeyeater and the critically endangered ecological community (Box-Gum Woodland) as to be potentially at risk of Serious and Irreversible Impact (SAII) as the proposed subdivision will require the removal of 0.29 ha of Important Area for the Regent Honeyeater and will also require the removal of 1.48 ha of Box-Gum Woodland (critically endangered ecological community (CEEC)).

The report assesses the likely impact of the development and whether it would contribute significantly to the risk of the Critically Endangered Regent Honeyeater or CEEC becoming locally or regionally extinct. Based on this assessment, it is concluded that Serious and Irreversible Impacts on the species and CEEC would not occur.

In relation to the CEEC, the assessment identifies that the CEEC is in poor condition and does not fit the description of a high-quality CEEC. The CEEC to be removed represents approximately 2.6% of CEEC within 500m of the subject site and that the remnants of the CEEC are likely to be responsive to management and the losses from the Caerleon Stage 13 subdivision can be successfully offset through the improvement of remnants elsewhere.

In relation to the impacts on the Critically Endangered Regent Honeyeater, 0.29 ha of mapped Important Areas for the Regent Honeyeater will be lost as a result of the proposed development. The report assesses that this loss is not anticipated to change habitat availability for this threatened species which is more common east of Mudgee in association with more suitable nesting, foraging and known breeding habitat. Therefore, the removal of two scattered trees adjoining cleared agricultural land to the east and a large remnant patch to the west is unlikely to significantly change habitat availability with the loss of 0.29 ha only accounting for 0.0001% of the overall Regent Honeyeater Important Area within the Mudgee Priority Management Site (217,328.55 ha).

Offset requirements

Appropriate conditions have been imposed to ensure that the credit obligations (Ecosystem Credits and Species Credits) identified in the report are met.

The applicant has advised that biodiversity credit requirements will be met by using offset mechanisms allowed by the NSW Biodiversity Offsets Scheme (i.e. contribution to the Biodiversity Trust Fund administered by the NSW Biodiversity Conservation Trust, purchase of existing credits on the market, funding of a biodiversity conservation action and retirement of biodiversity credits)

Section 4.15 Evaluation of the *Environmental Planning & Assessment Act 1979*

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 (Resilience and Hazards) 2021 Assessment of the contamination status of the land was undertaken with the rezoning of the site, the report (identified as Preliminary Contamination Assessment prepared by Envirowest Consulting and dated 20 July 2012) included the area of the proposed subdivision. The report identified that the site has historically been used for sheep and cattle grazing. Some areas of potential contamination were identified in the vicinity of the existing dwelling and sheds, however the existing dwelling and sheds are not located in the vicinity of the proposed new residential proposed under this application. Based on this report it is considered unlikely that the land has been used for any potentially contaminating activities and accordingly, no further consideration is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (Biodiversity And Conservation) 2021 Chapter 4 of the SEPP relating to Koala Habitat Protection applies to the proposal as Mid-Western Regional Council is listed within Schedule 2 of the SEPP and the area of land associated with the proposal is greater than 1 hectare in size including adjoining land within the same ownership.

The Biodiversity Development Assessment Report prepared by Premise addressed the requirements of this SEPP noting that whilst koala feed trees are located within the development site, Koala surveys did not locate any Koalas or Koala signs. It was concluded that the land did not constitute core koala habitat and accordingly there are no further requirements under this SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (Transport and Infrastructure) 2021

Division 5 Electricity transmission or distribution

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 development area and therefore no further consideration of this Division is considered necessary.

Division 15 Railways

Pursuant to Section 2.97 and Section 2.98, the development is not located adjacent to the railway corridor and does not involve the penetration of ground to a depth of more than 2m within 25m of the railway corridor and therefore no further consideration of this Division is considered necessary.

Notwithstanding the above, the application was referred to TfNSW as an adjoining landowner who provided conditions in relation to the overall Caerleon development to manage potential impacts to the adjoining railway. A condition has been included in relation to TfNSW requirements.

Division 17 Roads and Traffic

Pursuant to Section 2.121 the development is not considered to be a traffic-generating development given the number of lots being created is less than 200.

Upgrades to the intersection of Hone Creek Road/Hill End Road and the intersection of Hill End Road/Castlereagh Highway are to be completed under the approval for Neighbourhood 1 (DA0423/2013) which was identified as traffic generating development and required concurrence of RMS (now Transport for NSW). The required upgrade to Hone Creek Road/Hill End Road has

already been completed and the upgrade to the Hill End Road/Castlereagh Highway intersection is to be completed prior to the release of the 180th lot.

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 State or Regionally Significant Development nor is 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.

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 2.2 Zoning of Land to Which Plan Applies

The land is zoned R1 General Residential and B4 Mixed Use is therefore subject to the Plan.

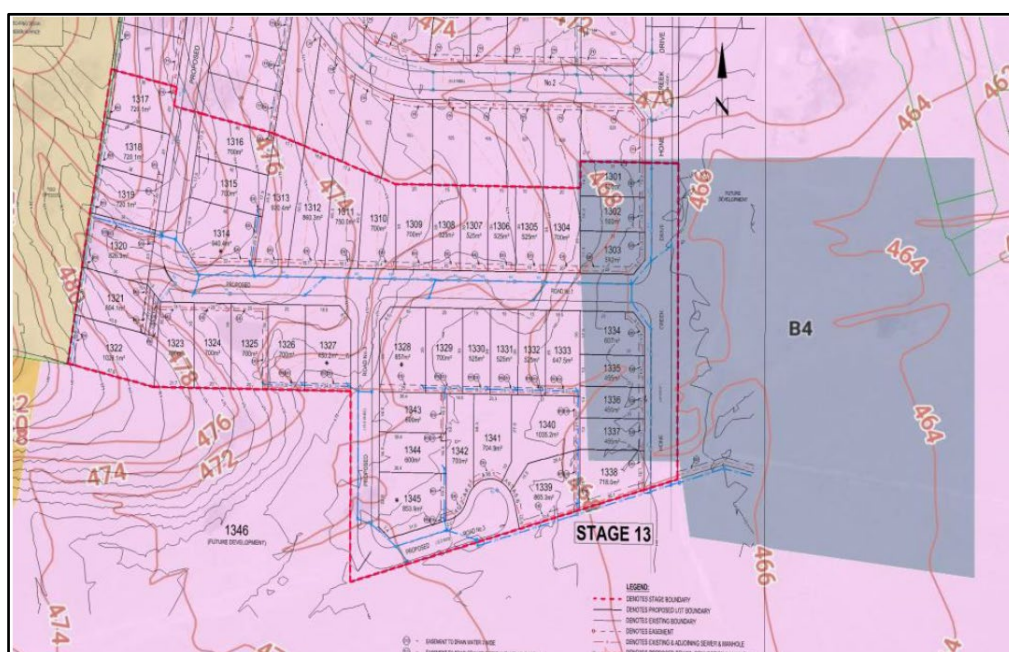


Figure 2: Land Zoning overlayed with proposed Stage 13 layout (Source: extract from SEE provided with application)

Clause 2.3 Zone objectives and Land Use table

The land is zoned R1 General Residential and B4 Mixed Use pursuant to MWRLEP 2012. The objectives of the zones and how the proposal satisfies the objectives is addressed below:

R1 General Residential

1. *To provide for the housing needs of the community.*

Comment The proposal will contribute to the housing needs of the community.

2. *To provide for a variety of housing types and densities.*

Comment The proposal will contribute to the variety of housing types and densities within the R1 zone.

3. *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment The proposal is not expected to hinder other possible permissible land uses within the immediate area.

B4 Mixed Use

1. *To provide a mixture of compatible land uses.*

Comment The proposal will contribute to a mixture of compatible land uses.

2. *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

Comment The proposal will contribute lots to provide for the integration of development within the B4 Mixed use zone.

3. *To ensure a form of development that is consistent with the character of the adjoining residential neighbourhoods.*

Comment The proposal is not expected to hinder the development of land consistent with the character of the adjoining residential neighbourhoods.

Clause 2.6 Subdivision – consent requirements

As the proposal involves subdivision this will require development consent under this clause and as discussed throughout the report.

Clause 4.1 Minimum subdivision lot size

The proposed subdivision generally meets the objectives of the clause as the proposal will promote further suitable land uses that can be accommodated on the site whilst complying with all the relevant planning controls.

The proposed lots have an area ranging from 455m² to 1,035.2m². The minimum lot size pursuant to the mapping is 450m² where the land is zoned R1 General Residential. There is no minimum lot size where the land is zoned B4 Mixed Use.

Accordingly, the proposal complies with the development standard.

Clause 4.1C Exception to minimum subdivision lot sizes around Zone B4

This clause states provides that there is no minimum lots for the subdivision of land within 100 metres of land in Zone B4 Mixed Use, if the subdivision is for the purposes of residential development.

This clause could be applied to some of the lots within the proposed subdivision, however, it is not proposed to utilise the provisions of this clause, all lots are proposed to be at least the minimum lot size of 450m² specified for the area.

Clause 4.3 Height of buildings

The subject site is mapped for a maximum height limit of 8.5 metres above existing ground level. The application is for subdivision only and accordingly further consideration of this clause is not necessary.

Clause 5.4 Controls relating to miscellaneous permissible uses

The proposal does not include any of the listed uses contained under this clause.

Clause 5.10 Heritage Conservation

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

Clause 5.21 Flood planning

The subject site is identified mapped under the Mudgee Flood Study 2021 as being partially affected by flooding.

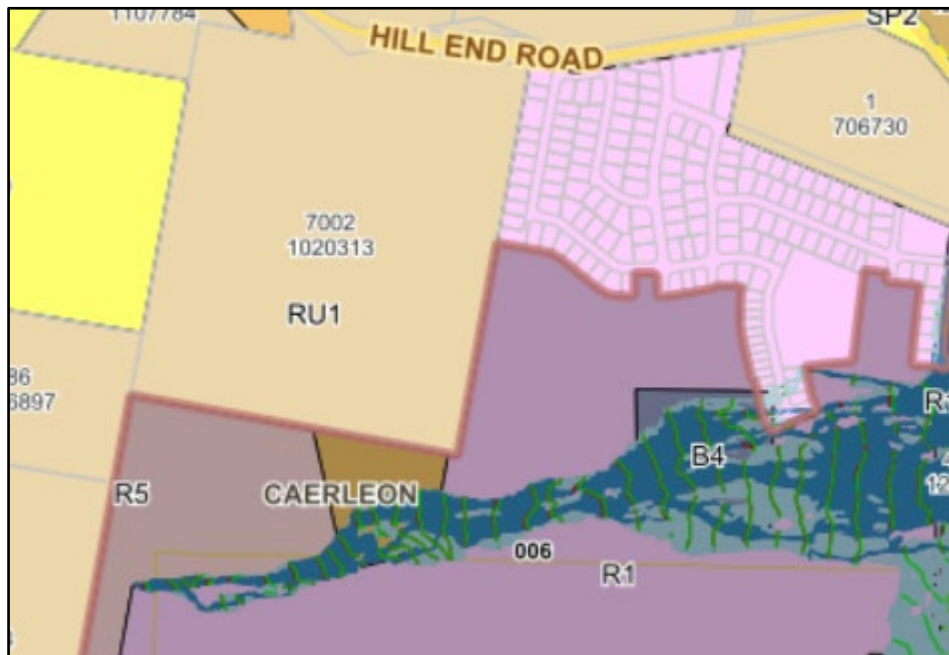


Figure 3: Flood Mapping (Mudgee Flood Study 2021)

Council’s Development Engineers have advised that whilst the recently adopted flood study indicates that the area is subject to flooding, the nature of the flooding is sheet overland flow from a large rural upstream catchment with runoff dispersing over a wide, flat, and currently undeveloped greenfields area at a relatively shallow depth, most likely not to exceed 100 mm in depth. Construction of new infrastructure (roads and drainage) as proposed under this subdivision will provide opportunity to capture and control stormwater into pipes and channels. Construction of drainage infrastructure will effectively reduce, if not eliminate, any currently mapped flood risk provided the infrastructure (roads, pipes and channels) is designed and constructed with sufficient capacity.

Clause 6.1 Salinity

A Preliminary Soil Salinity Assessment (identified as Preliminary Soil Salinity Assessment prepared by Minespex dated May 2012) was prepared and submitted under DA0428/2013 and the rezoning of the land. This report covered the whole of the Caerleon Estate including the area of the proposed Stage 13 subdivision. The report concluded that the current salinity levels were low at that time and suitable for residential use, however, it was identified that the construction of subdivisions has the

potential to alter existing salinity levels. Accordingly, a number of recommendations were suggested during the subdivision works and will be included as a condition of approval.

Clause 6.3 Earthworks

The proposal involves earthworks to prepare the site for the subdivision. 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 site is partially affected by an area of 'Moderate Biodiversity Sensitivity' as shown Figure 4 below:

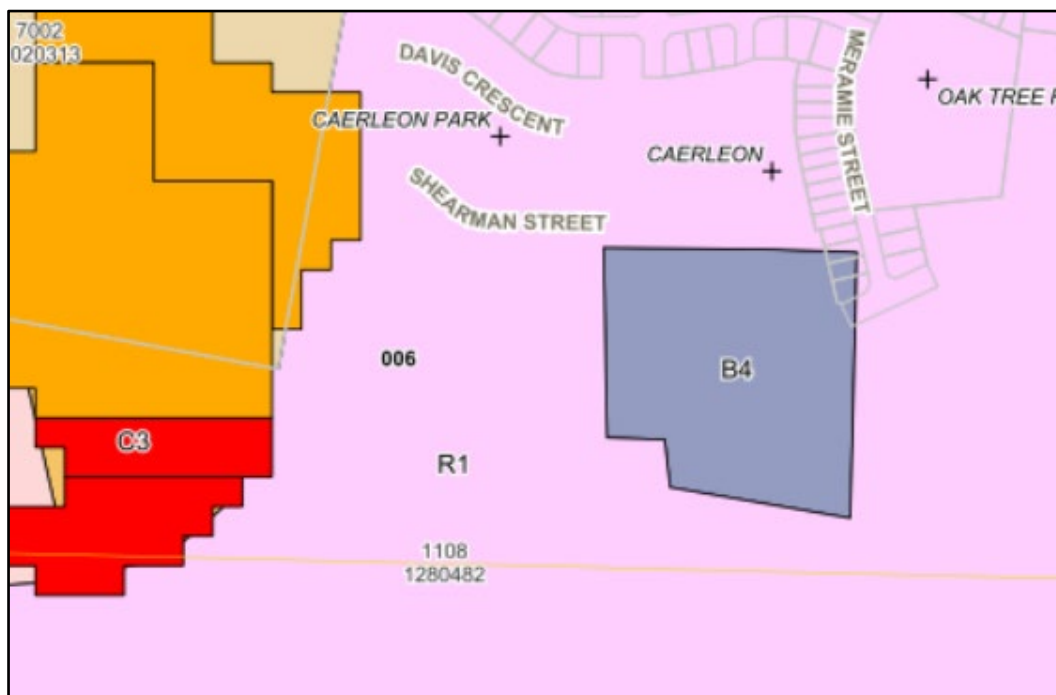


Figure 4: Terrestrial biodiversity mapping (red and orange areas to the west)

Native vegetation will be removed in this area mapped to accommodate the subdivision including native grassland and two scattered trees. The removal of the vegetation has been considered previously in this report under the requirements of the BC Act. The impact cannot be avoided in this case and credits under the Biodiversity Offset Scheme (BOS) will be required by a condition of consent to offset the impact.

Clause 6.8 Airspace operations – Mudgee Airport

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

Clause 6.9 Essential Services

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

Clause 6.10 Visually sensitive land near Mudgee

The land is not located within the area identified within the visually sensitive land map.

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

(ii) Draft environmental planning instruments (EPI)

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

(iii) Any development control plans

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

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

Part 4.7 Tree Preservation Order

The trees to be removed are not listed on the Tree Preservation Order.

Part 5.2 Flooding

As discussed earlier in this report, the site is partially identified as being subject to flooding under the Mudgee Flood Study 2021. This impact will be mitigated through the construction of drainage infrastructure which will effectively reduce, if not eliminate, any currently mapped flood risk provided the infrastructure (roads, pipes and channels) are designed and constructed with sufficient capacity.

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 8.3 CAERLEON RESIDENTIAL AREA

APPENDIX C: CAERLEON DEVELOPMENT CONTROL PLAN

An assessment is made of Appendix C of the MWRDCP, relating to development controls for the land known as the Caerleon site. Those chapters or sections not discussed here were considered not specifically applicable to this application or are discussed elsewhere in this report.

Part 1.1 Land to which this DCP Applies

These controls apply to the land shown in Figure 1 of Appendix C.

Part 2.1 Vision and Principles

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
Vision	
Sensitive areas developed with a ‘rural’ character	Not applicable
Range of residential Character Areas.	Complies
Safe and connected street network provides connections between residential areas and to Mudgee CBD without reliance on Castlereagh Highway	Not applicable to this stage – planned alternative connection via Fairydale Lane to be provided in future stages.

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Public open space designed for social activity, entertainment, recreation and conservation.	Not applicable – no public open spaces proposed in this stage.
Balanced mix and distribution of land uses	Complies
Variety of housing types and sizes	Complies
Neighbourhood centre provide opportunities for small-scale retail to allow residents to meet their daily needs located within 400m of majority of homes within the 'urban' area of the site.	Not applicable – neighbourhood centre not included in this stage.
Retains important environmental and cultural features of the site	Complies

Part 2.2 Indicative Concept Plan

Development to be undertaken is generally in accordance with Indicative Concept Plan located in Appendix C, Figure 2.

Part 2.3 Character Areas

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Neighbourhood Centre Character Area	
Has an urban character.	Not applicable – an area for the neighbourhood centre has been reserved for future development and will be the subject of a separate development application
Provides a community hub with small-scale retail focus.	Not applicable
Located in the northern part of the site within 400m of the majority of houses.	Not applicable.
Maximum Building Height: 2 storeys	Not applicable
General Residential Character Area	
Articulated house frontages	Not applicable
High-quality durable fencing materials	Not applicable
Small lot housing from 450m ² to 600m ² .	Complies – the subdivision will accommodate for a range of lot sizes from 450m ² to in excess of 1000m ²
Traditional detached dwellings on lots of 600m ² – 800m ² or more.	Complies - the subdivision will accommodate for a range of lot sizes from 450m ² to in excess of 1000m
Large Lot Residential Character Area	
Larger-style residential development.	Not applicable
Minimum lot size 600m ² on flat areas	Not applicable
On steeper land up to 520m counter line; Minimum lot size 1200m ²	Not applicable
Rural Residential Character Area	
Residential development permissible only on lots 4,000m ² and above.	Not applicable
One or two storey detached dwellings with generous setbacks	Not applicable
Development above the 520m contour line be sited on the lowest part of a lot.	Not applicable

Part 3.1 Street Network and Design

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Street Network and Design	

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Primary access to the site is to be via Hill End Road to north and Fairydale Lane to the southeast.	Complies – access will be retained via Hill End Road. Links to Fairydale lane to be developed in future stages.
Verges abutting open space and riparian areas may be reduced to 1m in width providing no servicing infrastructure is installed on the non-residential side of the road.	Not applicable
60° angled rear-to-kerb parking bays are to be provided within, and on both sides of, the carriageway of the Neighbourhood Centre Road.	Parking not shown on proposed plans – to be included as a condition of consent to ensure compliance with DCP standards.
Cul-de-sacs only where traffic volumes are very low and there is low parking demand	Complies – one cul-de-sac proposed to service 4 lots.
Cul-de-sac greater than 100m in length are provided with a wider carriageway.	Not applicable
Residential Local Streets are designed to slow residential traffic and give priority to pedestrians and cyclists.	Complies
Residential Collector Street runs through the Neighbour Centre at a four-way intersection.	Not applicable
Residential Collector Street with Median provides a wider road reserve to accommodate a median	Not applicable
Neighbourhood Centre Road is specially designed to create a comfortable and safe pedestrian environment.	Complies
On Neighbourhood Centre Road carriageway; 60° angle read to curb parking pays are provided on both sides.	Complies – condition to be included.
Laneway	
8.0m Road Reserve	Not applicable
6.0m Carriageway	Not applicable
2x 1.0m Nature Strip	Not applicable
No Parking Permitted	Not applicable
Barrier Kerb Type	Not applicable
Minor Access Street – Cul-de-sac (including longer than 100m)	
15.0m Road Reserve	Not applicable
7.0m Carriageway	Not applicable
2 x 4.0m Nature Strip (Verge)	Not applicable
Carriageway Parking	Not applicable
Roll Kerb Type	Not applicable
Residential Local Street	
15.5m Road Reserve	Complies
7.5m Carriageway	Complies
2 x 4.0m Nature Strip	Complies
1 x 1.2 Footpath	Complies
Carriageway Parking	Complies
Roll Kerb Type	Complies
Residential Collector Street	
18.0m Road Reserve	Not applicable
11.0m Carriageway	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
2 x 3.5m Nature Strip	Not applicable
2 x 1.2 Footpath OR 1 x 2.0 shared cycle/path way	Not applicable
Carriageway Parking	Not applicable
Roll Kerb Type	Not applicable
Residential Collector Street with Median	
21.0m Road Reserve	Not applicable
5.5m Carriageway for both directions	Not applicable
2 x 3.5m Nature Strip	Not applicable
2 x 1.2 Footpath OR 1 x 2.0 shared cycle/path way	Not applicable
Carriageway Parking	Not applicable
3.0m Median	Not applicable
Roll Kerb Type	Not applicable
Neighbourhood Centre Road	
31.4m Road Reserve	A condition will be included to ensure compliance.
10.7m Carriageway for both directions	A condition will be included to ensure compliance.
2 x 3.5m Nature Strip	A condition will be included to ensure compliance.
2 x 1.2 Footpath	A condition will be included to ensure compliance.
Parking Bays (provided as 60° rear to kerb. Parking bay dimensions equate to 5.7m in length parallel to the kerb and 2.75m in width).	A condition will be included to ensure compliance.
3.0m Median	A condition will be included to ensure compliance.
Barrier Kerb Type	A condition will be included to ensure compliance.
Minor Rural Access Street – Cul-de-sac	
16.0m Road Reserve	Not applicable
6.0m Carriageway	Not applicable
2 x 5.0m Nature Strip	Not applicable
Carriageway Parking	Not applicable
Flush or Roll Kerb Type (where it can be demonstrated in conjunction with WSUD)	Not applicable
Rural Road	
18.0m Road Reserve	Not applicable
8.0m Carriageway	Not applicable
2 x 5.0m Nature Strip	Not applicable
Carriageway Parking	Not applicable
Flush or Roll Kerb Type (where it can be demonstrated in conjunction with WSUD)	Not applicable

Part 3.2 Pedestrian and Cycle Network

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
Off-road shared pedestrian and/or cycle paths are to be provided along the railway line corridor and drainage corridor.	Not applicable
Off-road shared pedestrian and/or cycle paths are to be no wider than 2.5m	Not applicable
Path/cycle ways in the drainage corridor should be located in the outer 50 per cent of the corridor.	Not applicable
All footpaths are to be a minimum of 1.2m wide.	Complies

Part 4.1 Public Open Space

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
Public open space is located within 400m of the majority of housing in the General Residential Character Area	Generally complies – The public open space within the Caerleon Estate is to be developed in accordance with Indicative Open Space Plan (Figure 5) which will ensure majority of residential lots in Stage 13 are within 400m of public open space. It is noted, however, that some lots in this stage will rely on the development of future public open space in proposed upcoming stages to achieve this standard.
Open space is provided within or adjacent to the Neighbourhood Centre	Not applicable
Open space is highly accessible, co-located with active and link to pedestrian and/or cycle path.	Not applicable
Dwellings are oriented towards public open space.	Not applicable
A 40m-wide open space buffer is to be provided along the railway line (can include road reserve, open space, drainage landscaping and underground services).	Not applicable
Housing adjacent to the buffer is to be oriented towards the street/buffer, where possible	Not applicable
Drainage corridors provide opportunities for appropriately located pedestrian and cycle paths, walking trails and additional open space.	Not applicable

Part 4.1 Street Trees and Landscaping

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
Street tree planting is provided to all streets with an average of one tree per lot frontage.	Complies subject to condition
Corner lots have a minimum of two street trees on the secondary frontage.	Complies subject to condition
Street trees complement proposed driveway locations and other elements in the public domain	Complies subject to condition
Street trees maintain adequate lines of sight for vehicles and pedestrian	Complies subject to condition
Street trees provide appropriate shade	Complies
Street trees provide an attractive and interesting landscape character	Complies
Street trees are generally to be 1.5 – 2m in height when planted.	Complies subject to condition
Landscape Plan is prepared by a qualified landscape architect	Not application – no public open space in this Stage.

Part 5.1 Subdivision

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
R1 General Residential Zone	
Minimum lot size is the same as in the MWRLEP.	Complies
Small lot housing to a minimum of 450m ² is to be located adjacent to areas of high amenity.	Complies
If a single lot containing a dual occupancy development or that is proposed to contain a dual occupancy development would be divided into two lots, each of the resulting lots is greater than 600m ² .	Not applicable
B4 Mixed Use Zone	
Subdivisions resulting in lot sizes less than 450m ² are demonstrated to be consistent with objectives of the Neighbourhood Centre Character Areas OR are created in the shared areas in the Indicative Density Allocation Plan.	Not applicable – no lots are proposed to be less than 450m ²
R5 Large Lot Residential Zone	
Buildings are sited in an accessible and practical location suitable for residential building construction.	Not applicable
On sloping sites at or above the 520m contour line, buildings are sited such that they cannot be viewed, or have minimum visibility, from any urban area of Mudgee.	Not applicable
Minimum Lot Width	
Residential lots within the R1 General Residential Zone have a minimum lot width of 12.5m at the building line, and are generally rectangular in shape.	Complies
Residential lots in cul-de-sac streets are designed to create as regular a lot shape as possible around the cul-de-sac head.	Complies
Residential lots within the R5 Large Lot Residential Zone must have minimum lot with of 25m at the building line.	Not applicable
Subdivision - Earthwork	
Where land forming in association with subdivision works is proposed, it contributes to the overall design quality of the development.	Complies

Part 5.2 Building Design

Not applicable

Part 6.1 Land Use

Not applicable

Part 6.2 Built Form and Streetscape

Not applicable

Part 6.3 Public Domain

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Landscape design is high quality design, including planting, street furniture, and lighting that enhances the character of the area.	Complies
Street tree planting is provided with an appropriate height and permeability to maintain views and establish shade for pedestrians.	Complies
Open space area adjoins the Neighbourhood Centre Character Area in a prominent location, and is designed to accommodate activities such as outdoor eating, pedestrian movement, or seating areas.	Not applicable

Part 6.4 Parking and Access

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
At-Grade Parking areas are generally behind building lines and screened from the Residential Collector Road.	Complies
On-street car parking is provided as 60° rear to kerb parking along the Neighbourhood Centre Road to contribute to street life and surveillance.	To be included as a condition
Laneways may be used to provide access to parking areas and waste collection areas. Laneways are designed to accommodate heavy vehicles where access to the rear of shops for deliveries and waste collection is required.	Not applicable
Shade trees are provided along the footpath adjacent to any on-street rear-to-kerb car parking, at a rate of 1 tree for every 8 car parking spaces.	To be included as a condition
Where the need for a bus stop at the site is identified by Council, details of the location and design of the bus stop are provided with the development plans submitted to Council for approval.	Not applicable

Part 7.1 Stormwater Management

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
Buffers are provided along the drainage lines in accordance with the Strahler-based methodology.	Complies
Stormwater from the site is managed through on-site detention basins in the indicative location.	Complies
Principles of Water Sensitive Urban Design (WSUD) are incorporated across the site.	Complies
Development complies with relevant stormwater management objects in the most up to date revision of <i>Managing urban Stormwater: Soils and Construction</i> (NSW Department of Housing).	Complies
Applicant demonstrates that any potential impacts on groundwater and salinity can be managed to mitigate environmental impacts.	Complies
Erosion and sediment control measures are implemented and regularly maintained during construction. Sediment trapping devices are located at all points where stormwater runoff may leave the site during construction.	Complies
Driveways on steep slopes are designed to minimise erosion.	Not applicable

Part 7.2 Biodiversity

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
Native vegetation and remnant trees in areas of high ecological constraints are retained and protected in large lot lands	Not applicable
Any development within the Large Lot Residential character Area and Rural Residential Character Area are positioned to avoid the removal of remnant trees.	Not applicable
Development that affects areas of high ecological constraint sets out the methods used to encourage natural regeneration.	Not applicable
Dwelling is not within the 40m environmental buffer area along the southern boundary of the land.	Complies

Part 7.3 Bushfire

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
If necessary, a Bush Fire Safety Authority is obtained from NSW Rural Fire Service at the subdivision and/or development application stage.	Complies

Part 7.4 Odour

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
There is no development within the 1 odour unit contour shown in the Indicative Odour Plan.	Complies

Part 7.5 Contamination

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
Further investigation into contamination at the Machinery Shed and Sheep Dip sites must be undertaken prior to development.	Not applicable

Part 7.6 Aboriginal Heritage

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
All sites of Aboriginal objects are avoided in development of land unless resolved through the following controls.	Complies
Where an Aboriginal object site cannot be avoided, further investigations have been undertaken and an Aboriginal Heritage Impact Permit has been attained.	Not applicable
Aboriginal Consultation has been undertaken prior to the Subdivision Application process where an AHIP application is required.	Not applicable

Part 8 Utilities

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
8.1 Water Supply	
Potable water is supplied from existing water treatment facility in Mudgee or (during initial development stages) from the existing potable water reticulation system located adjacent to the southern boundary of the site.	Complies
8.3 Electricity and Telecommunications	
Primary utilities such as electricity and telecommunications are available to the development.	Complies

Part 9. Torrens, Strata and Community Title Subdivision

<u>DEVELOPMENT CONTROL REQUIREMENT</u>	<u>COMPLIES?</u>
Allotments on land where free standing dwelling houses, dual occupancy dwellings or multiple dwellings (such as terraces that share a boundary wall) are proposed or exist may be Torrens Title.	Not applicable
Where buildings are attached or share common areas, allotments may be Torrens Title or be subdivided under a Community or Strata Scheme.	Not applicable
Proposed Torrens Title allotments that are attached or share common areas provide easements for right of way (where relevant) registered as a right of way on a survey or registered on title.	Not applicable

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

The Caerleon Voluntary Planning Agreement, endorsed by Council, excludes the proposed subdivision from the levying of Section 7.11 Contributions under the Contributions Plan 2019 in accordance with Section 5.3 of the Plan whereby the developer has entered into a planning agreement to under works, make monetary contributions, dedicate land or provide other material public benefit and has made this offer prior to the issue of the development consent.

Section 64 - Water/Sewer Developer Services Charges

Pursuant to the Caerleon Voluntary Planning Agreement in place and endorsed by Council, the proposed development is liable for water and sewer headworks charges in accordance with Schedule 5 of the VPA with a credit applied for the 1 large lot. A condition of consent has been imposed accordingly based on the following calculated charge including CPI to today's date:

Section 64 Contributions					
Total of 45 residential lots (16 small and 29 medium)					
		<i>ET/Unit</i>	<i>Per Lot</i>	<i>Number of lots</i>	<i>Total</i>
Water Headworks	Residential allotment (small) <650m ²	0.75	\$6411.85	16	\$102,589.59
	Residential allotment (medium) 650m ² - 1200m ²	1	\$8549.13	29	\$247,924.77
Sewer Headworks	Residential allotment (small) <650m ²	0.75	\$2,910.98	16	\$46,575.68
	Residential allotment (medium) 650m ² - 1200m ²	1	\$3,881.31	29	\$112,557.99
Total Headworks					\$509,648.03

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

The application is subject to the requirements of the Caerleon Estate Voluntary Planning Agreement that was endorsed by Council and therefore the requirements of the VPA (Particularly Schedule 3 - Development Contributions & Schedule 5 Water and Sewerage Charges) apply to the proposed development. This relates to the provision of infrastructure and services such as water, sewer, drainage and public open space or community facilities for the Estate and the VPA excludes the application of Section 94 and 94A to the proposed development and development consents.

Regulations –4.15(1)(a)(iv)

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

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

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

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

a) Context and Setting

The proposal is appropriate with regards to the surrounding context and setting.

b) Access, Transport and Traffic

The implications of additional 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 land is not known to be affected by subsidence, slip or mass movement, subject to contamination, and will not result in significant soil erosion or degradation.
- i) **Air and Microclimate**
The development is not expected to impact air quality or microclimatic conditions.
- j) **Flora and fauna**
The vegetation proposed to be removed has been discussed throughout this report.
- k) **Waste**
Waste services available – a condition will be included to ensure that new roads are able to accommodate waste trucks.
- l) **Energy**
Not applicable
- m) **Noise and Vibration**
Not applicable
- n) **Natural Hazards**
The site is identified as bushfire prone. The applicant has provided a bushfire risk assessment that demonstrates the risk has been minimised subject to incorporating the appropriate measures with the development. The application was referred to the NSW RFS pursuant to Section 100B of the Rural Fires Act. General Terms of Approval have been issued accordingly subject to conditions. A condition will be included to ensure that the GTA requirements are met prior to the issue of a Subdivision Certificate.
- o) **Technological Hazards**
There are no known risks to people, property or the biophysical environment, resulting from technological or industrial hazards, or building fire risk.
- p) **Safety, Security and Crime Prevention**
Increased passive surveillance as a result of the proposed development.
- q) **Social Impact in the Locality**
Generally positive
- r) **Economic Impact in the Locality**
Generally positive
- 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 conducive to Development?

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

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

Public Submissions

The application was advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 18 October 2021. During the notification period, no submission/s were received.

a) Submissions from Public Authorities

The application was referred to NSW RFS and General Terms of Approval have been issued.

The application was also notified to TfNSW as a railway corridor adjoins the subject site. Conditions will be included as per their letter dated 21 December 2021.

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

No consultation necessary.

b) Technical Services

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

In relation to water supply it was noted that lots can generally be provided by connection to existing Neighbourhood 1 mains. However, some Lots cannot be adequately serviced with required pressure and volumes. Booster pump and storage tanks will be required for those lots (total of three lots). A condition will be included requiring the creation of a positive covenant in relation to the affected lots.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

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

Legislation

Environmental Planning and Assessment Act 1979
Environmental Planning and Assessment Regulations 2021
Mid-Western Regional Local Environmental Plan 2012

Other Documents / Agreements

Planning Agreement between Mid-Western Regional Council and Caerleon Mudgee Pty Limited and Caerleon Mudgee Trust dated 2013

Financial implications

Not applicable

Associated Risks

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

SARAH HOPKINS
TOWN PLANNER

ALINA AZAR
ACTING DIRECTOR DEVELOPMENT

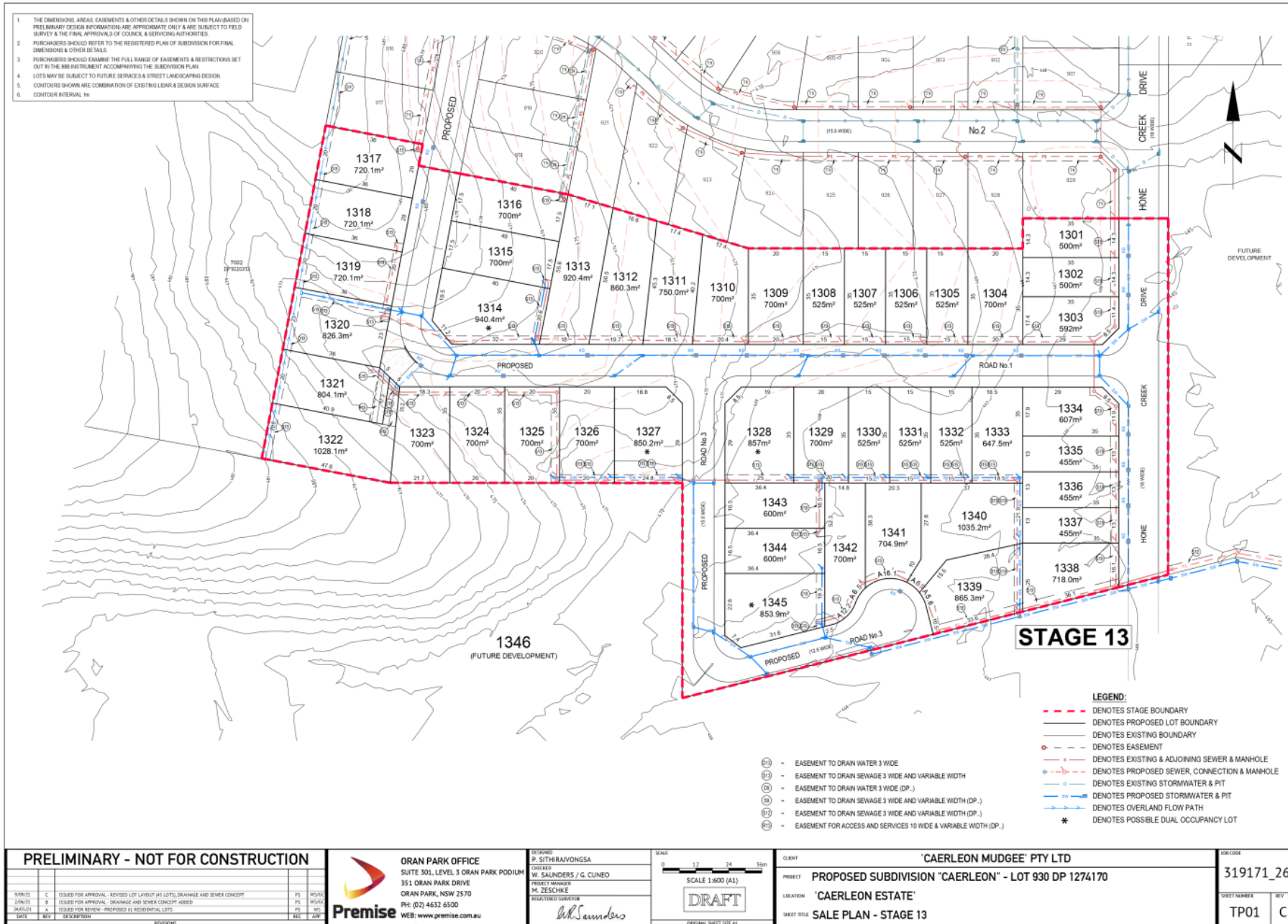
26 May 2022

Attachments:

1. Proposed subdivision plan.
2. Rural Fire Service General Terms of Approval dated 25 May 2022.
3. TfNSW response dated 21/10/21.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER





NSW RURAL FIRE SERVICE

Mid-Western Regional Council
PO Box 156
MUDGEES NSW 2850

Your reference: DA0093/2022 (CNR-28813)
Our reference: DA20211005004284-Original-1

ATTENTION: Sarah Hopkins

Date: Wednesday 25 May 2022

Dear Sir/Madam,

Integrated Development Application
s100B – Subdivision – Subdivision
CNR-28813 26 Hone Creek Drive Caerleon NSW 2850, 201//DP1269473

I refer to your correspondence dated 01/10/2021 seeking general terms of approval for the above Integrated Development Application.

The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, are now issued subject to the following conditions:

Asset Protection Zones

Intent of measures: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

1. At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, the entirety of the proposed residential lots must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of *Planning for Bush Fire Protection 2019*. When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

- leaves and vegetation debris should be removed

2. At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bush fires, a suitable mechanism, such as an instrument pursuant to section 88b of the Conveyancing Act 1919 or an adopted Council Plan of Management, must be in place over lands within Lot 1108 DP 1280482 that are within 11 metres of the southern boundary of Lot 1322 to ensure this areas ongoing management as an Inner Protection Area (IPA) in accordance with Appendix 4 of *Planning for Bush Fire Protection 2019* until such time as future development of the area occurs. When establishing and maintaining an IPA the following requirements apply:

- tree canopy cover should be less than 15% at maturity;
- trees at maturity should not touch or overhang the building;
- lower limbs should be removed up to a height of 2m above the ground;
- tree canopies should be separated by 2 to 5m;
- preference should be given to smooth barked and evergreen trees;
- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;
- shrubs should not be located under trees;
- shrubs should not form more than 10% ground cover; and
- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.
- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and
- leaves and vegetation debris should be removed.

The name of authority empowered to release, vary or modify any instrument shall be Mid-Western Regional Council.

Access – Public Roads

Intent of measures: to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area.

3. Public access roads must comply with the following general requirements of Table 5.3b of *Planning for Bush Fire Protection 2019* and the following:

- subdivisions of three or more allotments have more than one access in and out of the development;
- perimeter roads have a minimum 8 metre wide carriageway width kerb to kerb;
- non-perimeter roads have a minimum 5.5 metre wide carriageway width kerb to kerb;
- parking is provided outside of the carriageway width;
- traffic management devices are constructed to not prohibit access by emergency services vehicles;
- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;
- all roads are through roads;
- dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;
- where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;
- one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression;
- the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges/causeways are to clearly indicate load rating.
- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; and,
- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning.

Water and Utility Services



Intent of measures: to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.

4. The provision of water, electricity and gas must comply the following in accordance with Table 5.3c of *Planning for Bush Fire Protection 2019*:

- reticulated water is to be provided to the development where available;
- fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005;
- hydrants are not located within any road carriageway;
- reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads;
- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005;
- all above-ground water service pipes are metal, including and up to any taps;
- where practicable, electrical transmission lines are underground; and,
- where overhead, electrical transmission lines are proposed as follows:
 - lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.
 - no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.

Landscaping Assessment

Intent of measures: to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact.

5. Landscaping within the required asset protection zone must comply with Appendix 4 of *Planning for Bush Fire Protection 2019*. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area, suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas;
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

For any queries regarding this correspondence, please contact Marc Ellwood on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
**Supervisor Development Assessment & Plan
Built & Natural Environment**





NSW RURAL FIRE SERVICE

BUSH FIRE SAFETY AUTHORITY

Subdivision – Subdivision

CNR-28813 26 Hone Creek Drive Caerleon NSW 2850, 201//DP1269473

RFS Reference: DA20211005004284-Original-1

Your Reference: DA0093/2022 (CNR-28813)

This Bush Fire Safety Authority is issued on behalf of the Commissioner of the NSW Rural Fire Service under s100b of the Rural Fires Act (1997) subject to the attached General Terms of Approval.

This authority confirms that, subject to the General Terms of Approval being met, the proposed development will meet the NSW Rural Fire Service requirements for Bush Fire Safety under *s100b of the Rural Fires Act 1997*.

Kalpana Varghese

Supervisor Development Assessment & Plan
Built & Natural Environment

Wednesday 25 May 2022



Transport
for NSW

General Manager
Mid – Western Regional Council
PO Box 156
Mudgee NSW 2850

Attention: Sarah Hopkins

Dear Sir/Madam,

DA 0093/2022 – 26 HONE CREEK DRIVE, CAERLEON

Thank you for requesting advice from Transport for NSW (TfNSW) via NSW Planning Portal (CNR-28813) for the subject Development Application (DA) in accordance with Clause 85 of the *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP).

TfNSW is the rail authority of the Country Rail Network (CRN) across NSW and the Transport Asset Holding Entity (TAHE) is a State – owned corporation that holds rail property assets and rail infrastructure, including the CRN. As of 15 January 2012, John Holland Rail (JHR) have been appointed to manage the CRN and is responsible for reviewing and providing comments on this development to ensure potential impacts to rail operations (current and future) is considered and addressed.

The Development Application (DA) seeks consent for subdivision to create forty-five (45) residential lots and one (1) residue lot known as Stage 13, forming part of an existing approved neighbourhood plan (MA0042/2021) MA on Lot 201 DP 1269473, which is immediately adjacent to the non-operational rail corridor from Kandos and Gulgong.

This DA is distant from the corridor and no significant issues are anticipated.

TfNSW has no records of advice provided to Council regarding the approved MA. There may be an opportunity to review some aspects of the approved MA that has potential to adversely impact on the rail corridor. In this regard, recommended conditions are provided in **TAB A**.

If you require further information, please contact Serena Li, Transport Planner via email at development@transport.nsw.gov.au for assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M. Ozinga'.

21/12/21

Mark Ozinga

Senior Manager Land Use Planning & Development
Customer Strategy & Technology

CD21/06810

Transport for NSW

20-44 Ennis Road, Milsons Point NSW 2061 | PO Box K659, Haymarket NSW 1240
T 02 8202 2200 | F 02 8202 2209 | W transport.nsw.gov.au | ABN 18 804 239 602

TAB A Recommended Conditions of Consent on DA0093/2022

Stormwater Management

Recommended Condition

Prior to issue of a construction certificate, the Applicant must obtain written approval from John Holland Rail (JHR) and TfNSW to its stormwater management plan to confirm that pre-development and post development flows remain unchanged to ensure that the development has no adverse impacts on the rail corridor.

Reason for condition

The stormwater from detention basin no. 3 is intended to be discharged into a culvert in the rail corridor.

Excavation in, above, below or adjacent to rail corridors

Recommended Condition

Prior to issue of a subdivision certificate, the Applicant must obtain written approval from JHR and TfNSW in respect of final construction methodology for the works of the basin including but not limited to the excavation of the basin and the offset from the rail corridor to ensure that the development does not have adverse impacts on the rail corridor if excavation depth is greater than 2m in depth within 25m of the rail corridor.

Reason for condition

As detention basin no.3 appears to be located in close proximity to the rail corridor, its final construction methodology detailing the depth of penetration of ground and the offset from the rail corridor to ensure that it has no adverse impacts on the rail corridor.

Cranes and Equipment

Recommended Condition

1. The Applicant must submit an application to John Holland Rail for approval of TAHE prior to any use of cranes and equipment in the air space over the rail corridor. The Applicant is advised to contact JHR's Third party works team via CRN.3rdpartyworks@jhrg.com.au for more information; and
2. The use of cranes and equipment must be in accordance with the AS 2550 series of Australian Standards, Cranes, Hoist and Winches, including AS2550 15-1994 Cranes – Safe Use - Concrete Placing Equipment.

Reason for condition

Should cranes and equipment be required to be used in the air space over the rail corridor at any time, the Applicant must submit an application to JHR for its endorsement and TAHE's approval in advance.

Fencing

Recommended Condition

The boundary fences along the rail corridor must be installed and maintained by the Applicant at all times in accordance with JHR's engineering standards which are available at <http://jhrcrn.com.au/media/2071/crn-cp-511-v1-1.pdf>.

The Applicant is advised to contact JHR's Third party works team via CRN.3rdpartyworks@jhg.com.au for more information. In addition, the Applicant must provide JHR with a survey done by a registered surveyor to define the common boundary along the rail corridor and to obtain approval from TAHE as the landowner of the rail corridor to the definition of the common boundary.

Reason for condition

The security of fencing along the rail corridor is essential to prevent unauthorised entry and ensure safety.

Rail noise and vibration

Recommended Condition

The MA is to comply with the deemed-to-satisfy provisions in the Department of Panning's document titled "Development Near Rail Corridors and Busy Roads – Interim Guidelines".

Reason for condition

The land directly adjoins the rail corridor and potential rail noise and vibration impacts should be considered.

Access to the rail land

The Applicant must not and must ensure its employees and all other persons do not, enter any parts of the rail land during construction and operation unless otherwise permitted in writing in advance.

Reason for condition

It is necessary to ensure the safety of the rail corridor and its operation.

8.2 DA0333/2022 - Subdivision of Land - 1 into 41 Lots - 1-5 Railway Street, Gulgong

REPORT BY THE PLANNING COORDINATOR AND MANAGER, PLANNING
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, DA0333/2022

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator and Manager, Planning on the DA0333/2022 - Subdivision of Land - 1 into 41 Lots - 1-5 Railway Street, Gulgong; and
- B. approve DA0333/2022 - Subdivision of Land - 1 into 41 Lots - 1-5 Railway Street, Gulgong subject to the following Conditions and Statement of Reasons:

APPROVED PLANS

1. The development is to be carried out generally in accordance with the following stamped plans, except where amended as required by following conditions. Approved documentation may include any Planning or Engineering reports submitted with and in support of the Application as detailed below.

Drawing No.	Sheet	Plan Title	Rev.	Date	Prepared by
322037_02 Sheet TP01	1 of 1	Proposed Subdivision Plan – Overall Plan	F	03.03.2022	Premise

Any minor modification to the approved plans other than as required by following conditions will require the lodgement and consideration by Council of amended plans. Amended plans will need to be accompanied with supporting documentation and calculations where necessary. Major modifications will require the lodgement of a new development application.

GENERAL

2. This consent is for the subdivision of land only. No physical works are approved under this consent. A Subdivision Works Certificate is required to be obtained for all physical works associated with this consent.
3. No structures or earthworks are permitted to encroach within any easements for the purposes of utility infrastructure as specified in Council's Development Control Plan.
4. All road crossings for services and utilities are to cross perpendicular to the road alignment and must be installed prior to the commencement of construction of base course and kerb and channel.
5. The finished surface of all nature strips and verges must be graded to fall toward the kerb and channel and formed with a minimum 100 mm thick layer of clean topsoil free

of stones and other impurities. Nature strips and verges are to be seeded or hydro-mulched with an approved grass prior to the issue of a Certificate of Practical Completion.

6. Any fill placed in residential lots shall be compacted in accordance with *AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments*.
7. The only waste derived fill material that may be received at the development site must be:
 - a) Virgin excavated natural material, within the meaning of the *Protection of the Environment Operations Act 1997*; and
 - b) Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.
8. All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) 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.
9. 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.
10. All costs associated with preparation of Survey Plan and associated easement documentation are to be borne by the developer.
11. Any damage to Councils infrastructure that occurs as a result of the proposed development must be prepared immediately to Councils satisfaction and at no cost to council.

ROADS AND FOOTPATHS

12. The Developer is required to provide for the construction of new road and road upgrades that includes, but may not be limited to:
 - Construction of kerb and channel for the full road abutments of all Lots created by this Subdivision,
 - The construction of pavement widening, extension of kerb and channel and bitumen sealing of those parts of Railway Street that abut the development, and
 - The construction of concrete footpaths 1.35 metres wide for the full abutment of Railway Street and new internal road.

The new internal road must provide for a trafficable court bowl no less than 10 metres radius. Road pavements must be designed and constructed in accordance with the technical and performance requirements of Council's Development Control Plan and the Standards referenced within Appendix B and D of that document and relevant parts of AUS-SPEC specifications.

13. All earthworks for the roads associated with the development must have compaction testing compliance with EMS Q4 and AUS-SPEC CQS-A.

STORMWATER

- 14. The Developer must provide for the design and construction of all stormwater drainage infrastructure to service the development. The extent of stormwater drainage works will include, but is not limited to:**
 - construction of inter-allotment drainage along the southern boundary to intercept and control surface runoff from upstream catchments,
 - construction of a stormwater drainage system generally in accordance with the Plan Set provided with the application.

- 15. Prior to the issue of a Subdivision Works Certificate the Applicant must provide a fully detailed Stormwater Drainage Report and Design for approval by Council that provides for control and treatment of stormwater runoff generated by future residential development of the land. The report must demonstrate that proposed detention arrangements do not increase the rate of discharge of stormwater runoff from the site beyond the existing undeveloped state for a storm event up to and including a 1:100 year ARI event. Methods of stormwater detention must be included in the design to ensure that the rate of stormwater runoff flows from the development do not exceed the volume and rates generated by a 1:5 year ARI storm event from the undeveloped site.**

- 16. Drainage design must ensure that no stormwater runoff is permitted to discharge over adjoining properties other than at approved locations and methods of disposal. Discharge of runoff onto adjoining properties and any works associated with the control of stormwater discharge over any adjoining property must not occur without the consent of the owner of any affected property.**

- 17. Inter-allotment drainage is to be provided to remove stormwater from any lots that cannot discharge to the street in accordance with relevant parts of AUS-SPEC specifications. Easements shall be created over inter-allotment drainage in favour of upstream allotments.**

WATER AND SEWER SERVICES

- 18. The applicant is to provide separate water reticulation services to each allotment within the subdivision.**

- 19. The developer is to extend and meet the full cost of water reticulation to service the development plus the cost of connecting to existing services. All water supply work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act 1993) and in accordance with the National Specification – Water Supply Code of Australia (WSAA).**

- 20. The extent of water main extension to provide adequate and satisfactory supply will require a new main constructed from the 100 mm diameter main in Railway Street, along the new internal road and extending through the proposed drainage reserve to connect with other 100 mm diameter main in Homer Street.**

- 21. The developer is to provide a water service and meter for each lot in the subdivision. Where the provision of a service connection for a proposed new lot is undertaken during the installation of new water mains by the Developer, and prior to any 'live' connection, the Developer can achieve this by making a payment to Council by**

payment for one meter per lot or dwelling as specified in Council's Schedule of Fees and Charges, noting that this amount is indexed to increase each financial year.

Note: Council does not permit other bodies to insert new connections into 'live' water mains. The cost referenced above is for the supply of meter only and is subject to CPI increases.

22. In the case of any lots that will not be serviced by a water main constructed by the developer, a full water service will be required. The developer will be required to pay for full Water Service Connection for a 20 mm water supply, for an amount of \$2,150.00 per lot as specified in Council's Schedule of fees and Charges, noting that this amount is indexed to increase each financial year.
23. The developer is to extend and meet the full cost of sewer reticulation to service the development plus the cost of connecting to existing services.
24. All sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act, 1993) and in accordance with the National Specification – Sewerage Code of Australia.
25. In the case of any lots that will be serviced by a sewer main constructed by the developer the sewer junctions required to service the proposed lots must be installed by the developer.

TELECOMMUNICATIONS AND ELECTRICITY SUPPLY

26. Underground electricity, street lighting and telecommunications are to be supplied to the Subdivision in accordance with the relevant authorities' standards. Each allotment is to be provided with a service point / connection to an underground electricity supply. Prior to the issue of the Subdivision Works Certificate, Council is to be provided with the certified copies of the Electrical and Telecommunications distribution network design for the subdivision.

CULTURAL HERITAGE

27. If any aboriginal artefacts are uncovered or identified during construction earthworks, such work is to cease immediately and the local aboriginal community and National Parks and Wildlife Service are to be notified.

Note: A suitably qualified person is required to be present during earthworks to identify whether any artefacts were uncovered.

PRIOR TO ISSUE OF A SUBDIVISION WORKS CERTIFICATE

28. A Subdivision Works Certificate is required for but not limited to the following civil works;
 - Water and sewer main extensions,
 - Roads, including concrete kerb, pavement and bitumen seal,
 - Stormwater drainage such as inter-allotment drainage, detention basins, culverts, pits and table drains,
 - Footpath (concrete paths, 1.35 metres wide and with crossfall and kerb ramps where necessary in accordance with AS 1428 and DDA requirements),
 - Landscaping of public reserves and nature strips / verges.

No works can commence prior to the issue of the Subdivision Works Certificate.

Note: Additional permits and approvals may also be required under other legislation, e.g. Plumbing and Drainage Act 2011, and Plumbing and Drainage Regulation 2017 for water and sewer infrastructure works.

- 29. Prior to the issue of a Subdivision Works Certificate a detailed engineering design, specifications, supporting documentation / reports and calculations, and schedules are to be submitted to and approved by Council. The engineering design is to comply with the technical and performance requirements of Council's Development Control Plan and the Standards referenced within Appendix B and D of that document. Detailed documentation including, but not limited to the following matters, must be submitted with the detailed design. These documents include:
 - Runoff calculations**
- 30. Prior to issue of a Subdivision Works Certificate, a detailed design is to be submitted and approved by Council which provides information on all proposed playground, landscaping and irrigation works within each Reserve nominated in the development. Where the detention basin is to be located adjacent to playground equipment, suitable fencing / child protection measures are to be included in the design for approval by Council.**
- 31. Prior to issue of a Subdivision Works Certificate, an updated street tree planting plan and schedule is to be provided and approved by Council which is to include at least 2 street tree per lot (excluding the battle axe lot) and is to specify trees of not less than 1.2 metres in height are to be installed. Protection measures and irrigation lines are also to be detailed accordingly. The planting schedule is to ensure allowance is made for future driveways in accordance with Council's Access to Properties Policy.**
- 32. All finished surface levels and contours to Australian Height Datum (AHD) shall be shown on the plans submitted for the *Subdivision Works Certificate*. Where it is proposed to import fill, the material shall be free of hazardous materials and contamination and be classified as VENM or ENM under the guidelines of the NSW Environmental Protection Authority by a qualified Geotechnical Engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.**
- 33. Prior to the issue of a Subdivision Works Certificate a Traffic Guidance Scheme (TGS) completed by a "Certified Person" for implementation during works is to be submitted to Mid-Western Regional Council. All requirements of the TGS must be put in place and implemented prior to any work commencing.**
- 34. Prior to the issue of the *Subdivision Works Certificate*, Council is to be provided with certified copies of the Electrical and Telecommunications Design for the subdivision including a layout design complying with the allocations determined by the Streets Opening Conference Guideline 2009 Section 6.2.**
- 35. An Erosion and Sediment Control Plan (ESCP)/ Soil and Water Management Plan (SWMP) for the development is to be prepared and submitted with the *Subdivision Works Certificate*. All measures shall be implemented in accordance with Landcom Guidelines and requirements as outlined in the latest edition of "Soils and Construction - Managing Urban Stormwater".**

Points to be considered include but are not limited to:

- a) Saving available topsoil for reuse in the revegetation phase of the development;
- b) Using erosion control measures to prevent on-site damage prior to any construction activity on site;
- c) Rehabilitating disturbed areas promptly;
- d) Maintenance of erosion and sediment control structures.

Note: Details required to prepare both ESCP and SWMP's are provided in the above Landcom Document referred.

PRIOR TO COMMENCEMENT OF WORKS

36. Prior to commencement of any works, a Subdivision Works Certificate shall be obtained.

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

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

38. Prior to the commencement of subdivision works, the following actions are to be carried out:

- a) A site supervisor is to be nominated by the applicant;
- b) Council is to be provided with two (2) days' notice of works commencing; and
- c) Council is to be notified in writing of any existing damage to Council's infrastructure.

Note: Failure to comply with these conditions may result in damage to Council's infrastructure. Any damage will be rectified at the applicant's cost.

39. Prior to the commencement of any works a copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 (Twenty million dollars) is to be provided to Mid-Western Regional Council. Mid-Western Regional Council is to be indemnified against any works carried out by the Contractor.

40. Runoff and erosion controls shall be installed prior to clearing and incorporate:-

- a) diversion of uncontaminated upsite runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
- b) sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water; and
- c) maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.

DURING WORKS

41. 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.

42. The subdivision works are to be inspected by the Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:

- **Installation of sediment and erosion control measures**
- **Water and sewer line installation prior to backfilling**
- **Vacuum / pressure testing of all water and sewer mains**
- **Stormwater drainage pipe installation prior to backfilling**
- **CCTV inspection of all sewer mains and stormwater drainage**
- **Proof roll inspection of sub-grade prior to placement and compaction of sub-base**
- **Proof roll inspection of sub-base prior to installation of concrete kerb**
- **Proof roll inspection of compacted sub-base prior to placement of base course**
- **Proof roll inspection of compacted base prior to sealing**
- **CCTV inspection of all sewer mains and stormwater drainage once final earthworks have been completed to finished surface levels.**
- **Practical Completion**
- **At completion of the Defects Liability Period a further CCTV inspection of all sewer mains and stormwater drainage is to be undertaken prior to the issue of a certificate of Final Completion and the release of Defects Liability bond monies.**

In addition to proof roll inspection compaction testing may also be required.

43. The footpath and driveway levels are not to be altered outside the property boundary without Council's permission.

44. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.

45. All works are to be constructed at the full cost of the developer, in a manner consistent with relevant parts of AUS-SPEC specifications and Council's standard drawings.

46. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the Developer's / Demolisher's expense.

47. The developer is to grant Council unrestricted access to the site at all times to enable inspections or testing of the subdivision works.

48. Where necessary the adjustment of existing services, infrastructure or installation of new services and meters, as required, in compliance with Australian Standard 3500:

National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.

49. Following the completion of subdivision works, one set of Works As Executed Drawings in PDF format, AutoCAD compatible files in DWG format, MapInfo files (MGA GDA94 Zone 55/56) and completed Asset Data Template spreadsheets in MS Excel format, are to be submitted to Council. All Works As Executed plans shall bear the consulting engineer's or consulting surveyor's certification stating that all information shown in the plans are accurate.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

50. Prior to issue of a Subdivision Certificate, the creation of Lot 5 approved under DA0154/2022 shall be registered with NSW Land Registry Services.

51. Prior to issue of a Subdivision Certificate for stages 1 and 2, all works associated the proposed Reserves are to be completed to the satisfaction of Council with a satisfactory completion report issued.

Note: This must include playground equipment within the Reserve associated with stage 2 which must comply with all relevant Australian Standards, and approved safety or protection measures installed to prevent direct access to the detention basin from the playground.

52. Prior to issue of a Subdivision Certificate, two (2) Street Trees per lot released are to be installed.

53. Under the *Environmental Planning & Assessment Act 1979*, a *Subdivision Certificate* is required before the linen plan of subdivision can be registered with NSW Land Registry Services.

Note: The fee to issue a Subdivision Certificate is set out in Council's Fees and Charges.

54. The linen plan and associated documents are to be submitted to Council for approval via the NSW Planning Portal with the application for a Subdivision Certificate.

Note: Council's fee to issue a Subdivision Certificate is set out in Council's fees and charges.

55. Prior to the issue of a Subdivision Certificate all required infrastructure works are to be constructed at the full cost of the Developer, in a manner consistent with relevant parts of the AUS-SPEC Specification and Council's standard drawings. A final satisfactory inspection report is to be provided with the application for a Subdivision Certificate.

56. Prior to the issue of a Subdivision Certificate and following completion of all engineering works, a Defects Liability bond in a form acceptable to Council to the value of 5% of the value of all works must be lodged with Council to be held for a period of twenty-four (24) months to ensure any defects that become apparent during that time are remedied by the developer.

57. Three metre wide easements, including associated Section 88B instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.

58. To ensure that increased runoff from the future development of dwellings does not adversely affect the flood risk to downstream properties suitably worded Section 88B documentation placing a restrictive covenant on each allotment requiring detention devices to be included for all building works. Detention devices must provide a minimum 2,000 litres detention storage to be discharged to empty after each rain event through an orifice no greater than 19 mm diameter. Detention devices are to be maintained by the owner to the satisfaction of Council at all times.
59. Easements including associated Section 88B instruments, are to be created in favour of:
- any upstream lots to drain water (width variable)
 - any proposed lots to be serviced by water or sewer reticulation components (width of 3m)
60. Prior to issue of the Subdivision Certificate, the developer shall contact Council's Property and Rating Department to ensure that the Street Addressing for each lot is correctly allocated in accordance with AS4819 and the correct addressing is included with the submitted Subdivision Certificate Application documentation.
61. Prior to the issue of a Subdivision Certificate all services must be located as necessary to lie entirely within the proposed new Lot boundaries. Alternatively, appropriate easements may be created.
62. All existing easements and newly created easements are to be shown on the Plan of Subdivision submitted prior to the issue of a Subdivision Certificate.
63. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
64. At the completion of construction and prior to the issue of a Subdivision Certificate, Council requires lodgement of a Quality Register in electronic format on a CD or Flash Drive with all of the QA documentation in accordance with AusSpec and the requirements outlined below:
- A) COVERSHEET**
- (i) Project Address
 - (ii) Client/Developer
 - (iii) DA Number
 - (iv) Lot Numbers
 - (v) Subdivision Stage Number (If Applicable)
- B) INDEX**
- i) Section Numbers
- C) CONTRACTOR DETAILS**
- i) Contractor Representative
 - ii) Contractor Contact Details
- D) SCOPE OF WORKS**
- i) Enter description outlining scope of works completed

Records to be included, as applicable:

- **Material Certification and Material Test Reports**(Sub base, Base course, Water, Sewer, Stormwater, Bitumen etc. for supplied materials)
- **Concrete mix Details** (Concrete Register/ Concrete Test Results required)
- **Bitumen Sealing Reports/Records**
- **Earthworks/Civil Test Reports** e.g. compaction tests - (Coordinates and RL required for each test required to be shown on a .dwg)
- **Dimensional and Tolerance Records**(Survey Conformance Reports)
- **Inspection Documentation** (Development Engineer Inspections, ITPs, Lot Identification)
- **Non-conformance reports** (Major non-conformances not detailed on council inspections)
- **Work As Executed Drawings** and completed Asset Data spreadsheet (Council to provide at the request of the applicant) (Provide document register of all .dwg's and Engineering Stamp required in AutoCad, DWG, Map Info, Excel and PDF format)
- **Copy of final inspection report** from Council's Development Engineer

65. In accordance with the provisions of Section 7.11 of the *Environmental Planning and Assessment Act 1979* and the Council's *Mid-Western Regional Contributions Plan 2019*, a contribution shall be paid to Council in accordance with this condition as detailed in the table below. The contribution shall be paid to Council prior to the issue of a Subdivision Certificate for each residential lot to be released within each stage. Contributions are subject to increase in accordance the consumer price index and are payable at the rate applicable at the time of payment.

Section 7.11 Contributions		
'Outside Mudgee' Catchment	Per 2 or more bed dwelling / separate house / lot	38 Residential Lots (2 Reserves and credit for existing lot)
Public Amenity or Service		
Transport facilities	\$ 2,399.00	\$ 91,162.00
Recreation and Open Space	\$ 997.00	\$ 37,886.00
Community Facilities	\$ 630.00	\$ 23,940.00
Stormwater Management	\$ -	\$ -
Plan Administration	\$ 1,003.00	\$ 38,114.00
Total Payable	\$ 5,029.00 / Lot	\$ 191,102.00

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

66. The developer shall obtain a Certificate of Compliance under the Water Management Act 2000, from Council, prior to issue of a Subdivision Certificate for each relevant stage.

Note: Refer to Advisory Notes in relation to payment of contributions to obtain a Certificate of Compliance.

67. The developer must provide Council and land purchasers with a site classification for each vacant lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause 2.2.3 of *Australian Standard AS 2870 – 2011: Residential Slabs and Footings*. Results are to be submitted to Council prior to issue of the Subdivision Certificate.

68. If the Subdivision Certificate is not issued in the financial year that the Development Consent was issued, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.

69. Prior to the issue of a Subdivision Certificate:

- a) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
- b) an agreement be made between the developer and Council;
 - i) as to the security to be given to Council that the works will be completed or the contribution paid, and
 - ii) as to when the work will be completed or the contribution paid.

70. Prior to issue of the Subdivision Certificate, Council is to be supplied with:

- a) A certificate of acceptance from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision; and
- b) Satisfactory evidence (usually by way of an agreement with a carrier) that arrangements have been made for the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots.

71. Underground electricity, street lighting and telecommunications are to be supplied to the Subdivision in accordance with the relevant authority's standards.

COUNCIL ADVISORY NOTES

1. This development consent requires a Certificate of Compliance under the *Water Management Act 2000* to be obtained prior to the issue of a Subdivision Certificate. A person may apply to Mid-Western Regional Council, as the water supply authority, for a Certificate of Compliance pursuant to section 305 of the *Water Management Act 2000*.

Please be advised that as a precondition to the granting of a Compliance Certificate, a monetary contribution in accordance with the following Schedule of Contributions must be paid in full (including indexation, where applicable).

Stage 1

Section 64 Contributions	7 Lots @ 1ET and 7 Lots @ 0.75ET less 1 credit for existing large lot
--------------------------	-----------------------------------------------------------------------

Water Headworks	\$ 94,127.00
Sewer Headworks	\$ 44,766.40
Total Headworks	\$ 138,893.40

Stage 2

Section 64 Contributions	Road and Drainage Lot only
Water Headworks	Nil
Sewer Headworks	Nil
Total Headworks	Nil

Stage 3

Section 64 Contributions	12 Lots @1 ET less 1 credit for existing large lot
Water Headworks	\$ 91,938.00
Sewer Headworks	\$ 43,767.15
Total Headworks	\$ 135,705.15

Stage 4

Section 64 Contributions	2 Lots @ 0.75ET and 11 Lots @ 1 ET less 1 credit for existing large lot
Water Headworks	\$ 96,316.00
Sewer Headworks	\$ 45,765.65
Total Headworks	\$ 142,081.65

Note: Section 64 Developer Contributions are subject to Consumer Price Index increase at 1 July each year. Please contact Council's Planning and Development Department regarding any adjustments.

2. 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".

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.

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.

3. 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).
4. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.

ESSENTIAL ENERGY ADVISORY NOTES

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.

2. Any existing encumbrances/easements in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with. As part of the subdivision, easement/s are to be created for any existing electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.
3. Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the subdivision, which may include the payment of fees and contributions. Despite Essential Energy not having any safety concerns, there may be issues with respect to the subdivision layout, which will require Essential Energy's approval.
4. In addition, Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity to the property. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
5. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).
6. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

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

Executive summary

OWNER/S	GULGONG HOLDINGS
APPLICANT	MR ROY AMERY
PROPERTY DESCRIPTION	LOT 2 DP 613429 1-5 RAILWAY STREET GULGONG
PROPOSED DEVELOPMENT	SUBDIVISION - 1 INTO 41 LOTS
ESTIMATED COST OF DEVELOPMENT	\$2,001,505.00

REASON FOR REPORTING TO COUNCIL	GREATER THAN 20 LOTS
PUBLIC SUBMISSIONS	NIL

Council is in receipt of Development Application DA0333/2022 that seeks approval for the Subdivision of land into 41 lots located at 1-5 Railway Street GULGONG NSW 2852, legally identified as Lot 2 DP 613429. The application was received by Council on 8 March 2022.

The infill subdivision is Stage 2 of the overall development and will be located between the established residential area of Belmore, Homer and Railways Streets, Gulgong. Stage 1 was approved under DA0154/2022 on the 2 March 2022 for 1 into 5 lots (4 residential Lots fronting Railway Street and 1 residual parcel – being the subject site). This subdivision relates to the residual parcel to be created by the earlier approval.

The proposal is to be undertaken over 4 stages and all services including water, sewer, NBN and power are available to the land noting that upgrades / extensions will be required to support this development as required, at the full cost of the developer.

The application was advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 8 April 2022. During the notification period, no submission/s were received.

The proposed development has been assessed in accordance with Council's DCP and the LEP. The proposed development is considered generally consistent with Council's planning controls noting one (1) variation is sought to Part 7.1 of the DCP.

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the application is for a subdivision creating more than 20 allotments.

The application is recommended for Approval.

Disclosure of Interest

Nil

Detailed report

PROPOSED DEVELOPMENT

The proposal seeks to subdivide part of the existing vacant land into a total of 41 lots including new roads, detention basin and public open space/ playground.

The proposed development is to have a stage construction delivering the following key elements:

- Stage 1 (14 Residential Lots, new road 1, footpath on the eastern side of the new road, connecting footpath onto Belmore Street to the south, and a drainage reserve lot fronting Railway Street) – Lots range from 600m² to 855m².
- Stage 2 will contain new road 2, footpath on the southern side of the new road, and a detention basin with park at the end of the cul-de-sac with overflow directed towards Railway Street. This detention basin / park will have a 3m wide emergency access route onto Homer Street and footpath on the northern side of the reserve lot.
- Stage 3 (12 Residential Lots) – Lots ranging from 700m² to 1039.5m².
- Stage 4 (13 Residential Lots) – Lots ranging from 621.9m² to 1,040.4m² and a new footpath connecting to Belmore Street to the south.

The site contains an existing dam in the western portion of the land which naturally falls from Belmore Street in the south to Railway Street in the north and scant vegetation across the site. All services including water, sewer and power are available to the land.

The development plans and site location plan are provided in Figures 1, 2 and 3 below.



Figure 1: Site Location Plan



Figure 2: Proposed Plan of Subdivision including landscaping

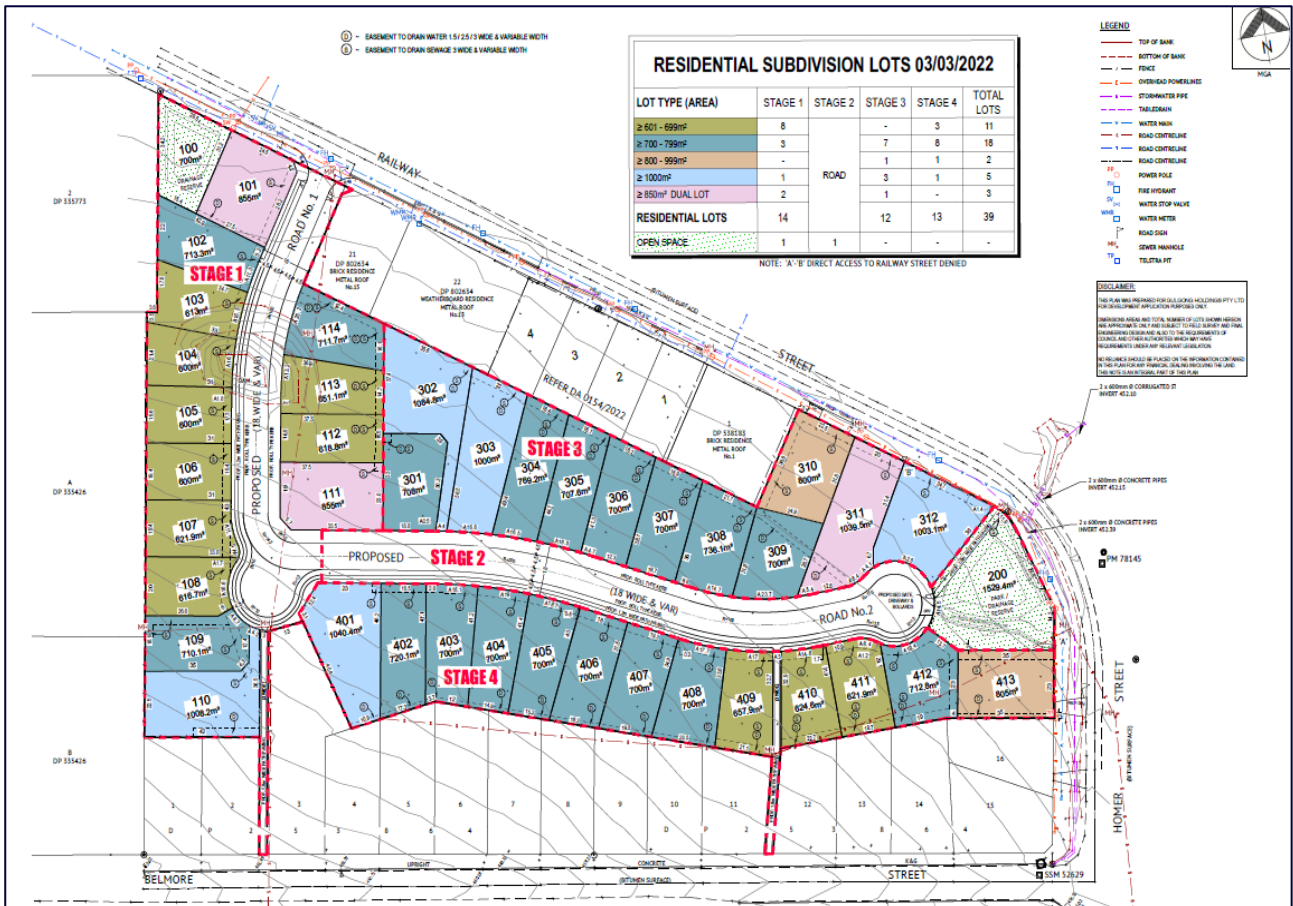


Figure 3: Proposed Plan of Subdivision including staging detail

LEGISLATIVE REQUIREMENTS

1. 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.

2. 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 significant 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 proposal does not involve development that requires the issue of BASIX certificate. Therefore, no further consideration of this SEPP is considered necessary.

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

There are no works identified by the proposal that is exempt or complying development. 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 it impacted by any other requirements of this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY NO 65—DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

The proposal does not involve a Residential Apartment 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 (PLANNING SYSTEMS) 2021

The proposed development is not 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 site. Further, the application was supported by a Stage 1 Preliminary Site Investigation Report. The report concluded:

- *The area comprising the site, consisting of Lot 2 in DP 613429 appears to have predominantly been historically utilised for passive rural / agricultural purposes.*

- *Based on known activities at or in the vicinity of the site, and observations during the inspection in September 2021, no significant routes of exposure by receptors (current or future) to potential contamination sources have been identified, due to negligible impacts present. The potential risk of any residual contamination impacts, if present, would be minor in scale and may be adequately managed by conducting works in accordance with appropriate construction industry standards.*
- *Based on the findings of this preliminary site investigation, Premise considers that any residual environmental impacts are likely to be aesthetic in nature and, if identified, may be managed by industry-standard waste management practices.*

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 impact on electricity power lines, distribution pole or tower. Referral to Essential Energy to determine impacts on the infrastructure occurred on the 25 March 2022 with comments and conditions provided which have been included in the draft conditions and advisory notes.

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 the subdivision of land and pursuant to section 6.2 of the *Environmental planning and Assessment Act*, is further defined as:

Subdivision of land means the division of land into 2 or more parts that, after the division, would be obviously adapted for separate occupation, use or disposition. The division may (but need not) be effected—

(a) by conveyance, transfer or partition, or

(b) by any agreement, dealing, plan or instrument rendering different parts of the land available for separate occupation, use or disposition.

(2) Without limiting subsection (1), **subdivision** of land includes the procuring of the registration in the office of the Registrar-General of—

(a) a plan of subdivision within the meaning of section 195 of the *Conveyancing Act 1919*, or

(b) a strata plan or a strata plan of subdivision within the meaning of the *Strata Schemes Development Act 2015*.

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned R1 General Residential and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned R1 General Residential pursuant to MWRLEP 2012. The proposal, being the subdivision of land 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:

R1 General Residential

1. *To provide for the housing needs of the community.*

Comment The proposal will contribute to the housing needs of the community.

2. *To provide for a variety of housing types and densities.*

Comment The proposal will contribute to the variety of housing types and densities within the R1 zone.

3. *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Comment The proposal is not expected to hinder other possible permissible land uses within the immediate area.

Clause 2.6 Subdivision – consent requirements

As the proposal involves subdivision this will also require development consent as discussed throughout the report.

Clause 4.1 Minimum subdivision lot size

The proposed subdivision generally meets the objectives of the clause, as the proposal will promote further suitable land uses that can be accommodated on the site whilst complying with all the relevant planning controls.

The proposed lots have a minimum area of 600m². The minimum lot size pursuant to the mapping is 600m².

Accordingly, the proposal complies with the development standard.

Clause 4.3 Height of buildings

The subject site is mapped for a maximum height limit of 8.5 metres above existing ground level. As a result, future buildings on the site must ensure compliance is achieved with this development standard.

Clause 5.10 Heritage Conservation

The proposal includes development adjoining a local heritage item identified as I342. As a result, consideration must be given to impacts on the heritage significance of the item accordance with Clause 5.10(4).

The proposed development is for the residential infill subdivision of the land to create 41 lots to the rear of the heritage item I342, being a house under schedule 5 of the Mid-Western Regional LEP 2012, located at 13 Railway Street. As a result of the subdivision being located to the rear of the dwelling, there are not considered to be any adverse impacts on the heritage significance of the dwelling.

Lot 4 created under the stage 1 approval (1 into 5 lots) of DA0154/2022 should consider however any future building on this land as noted in the previous assessment of the subdivision.

Clause 5.21 Flood planning

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

Clause 6.3 Earthworks

The proposal involves extensive earthworks including creation of new roads, detention basins and preparing the land for residential buildings. The provisions under Clause 6.3(3) have been satisfactorily addressed by the application including concept civil designs provided to ensure that there is no adverse impacts on the site or to surrounding land and impact mitigation measures are installed at each stage of construction. Conditions have also been imposed to reinforce this requirement.

Clause 6.4 Groundwater vulnerability

The site is identified as groundwater vulnerable in accordance with Council's mapping. No deep 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.

Note - A nearby groundwater bore is located within 500m of the site identified as GW800646.1 and was drilled to a depth of 72m on the 27/1/1999 for the purposes of water supply. As a result, the proposed development is unlikely to have any significant adverse impact on groundwater in this location as a result of civil earthworks or servicing.

Clause 6.5 Terrestrial biodiversity

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

Clause 6.9 Essential Services

The application was supported by an Infrastructure Capability Assessment, which was designed to assess existing services and the concept water and sewer design plans for the development. The report concluded that there are no constraints preventing the development occurring in accordance with Council's requirements.

Water is available within Railway Street, sewer is located through the site and within Railway Street, electricity is also within Railway Street and NBN is also available in Railway Street. New drainage infrastructure will be required to support the development and also manage existing drainage from the surrounding catchment.

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

3. 4.15(1)(a) Requirements of Regulations and Policies

(ii) Draft environmental planning instruments (EPI)

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

(iii) Any development control plans

MID-WESTERN REGIONAL DCP 2013

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

Part 4.7 Tree Preservation Order

No trees to be removed listed under the TPO.

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 7.1 Urban Subdivision

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Applies to	
Land zoned residential; village zones; rural residential lots up to 2 hectares	Land is zoned Residential
Lot size	
Minimum lot size as determined by MWRC LEP 2012	Yes
All lots have street frontage	All lots have frontage to a new road or Railway Street.
Lots increase in size relative to slope as follows: – 0-10 degrees: 600m ² – 10-15 degrees: 700m ² – 15-20 degrees: 800m ² – >20: subdivision prohibited	Approximately 10 to 15 degrees
All lots have 16m width at building line in residential and village zones	Yes. Lots are of ample size and dimension
Battle-axe handles in R1, R3 and RU5 Village have width of 4m	Yes. Handle width is 4m.
Battle-axe handles in R2 and R5 residential zones have width of 6m	Not applicable
Lot Design	
For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development	Yes. Achieves adequate solar access.
For new release subdivision lot orientation maximises solar access by maximising north-south lots	Not applicable
For new release subdivision east-west orientated lots have increased width and midpoint	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Lots generally rectangular in shape	The development includes a majority of rectangular lots. The lots are all of sufficient size to accommodate a substantial building envelope
Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling	Generally achieved.
Corner lots have sufficient area to allow dual occupancy and independent utility connection points	Yes
Street Layout and Design	
Traffic Impact Statement submitted for 5+ lots	Assessment provided by applicant. Discussed elsewhere in report
Traffic Impact Statement submitted for all subdivisions where new road required	Assessment provided by applicant. Discussed elsewhere in report
Subdivision integrates with existing residential area	Yes
New roads must provide “through road” connections to surrounding roads and road heads where they exist in the locality	Not applicable
Where cul-de-sac treatment unavoidable, pedestrian linkages between streets provided	Good pedestrian linkages provided.
Multiple cul-de-sacs and “no through roads” discouraged	Minimum cul-de-sacs provided. Cul-de-sac heads for turning complies with Council requirements.
Maximum number of lots in cul-de-sac is 12 lots	Does not comply – see justification at end of table.
Subdivision >80 lots should not require backtracking	Not applicable
Road Standards for New Development	
Urban Road Standards required	Yes
1 x 1.2m footpath, barrier kerbing	Yes, however increased to 1.35m to accommodate accessibility standards.
Commercial and Industrial Subdivision roads: 22m road reserve, 13m carriageway, 2 x 4.5m nature strip, 1 x 1.2m footpath, barrier / rollover kerbing	Not applicable
Cycle ways and footpaths	
Cycle ways and pedestrian networks included in new subdivisions	Not applicable
If subdivision site identified in Council cycle way plan or pedestrian strategy, subdivision needs to respond to strategy	Not applicable, the development area is not identified in the PAMP. It is

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
	noted however that a previous complaint was made in relation to safety of pedestrians walking along Railway Street and therefore, this application will require a new footpath at the frontage of the site with the future stage to also include new footpath connections to support the development. The PAMP may then need to be updated to accommodate new pathway links to recreational areas and the school.
New subdivisions provide direct, convenient and safe access to major facilities	Minimum cul-de-sacs provided
Cul-de-sacs may be required to include 10m wide shared overland flow/pathway	Minimum cul-de-sacs provided. Cul-de-sac heads for turning and overland flow paths complies with Council requirements.
Developer to provide contribution to Council for installation of cycle ways and footpaths prior to release of subdivision certificate	Yes, condition included in consent
Open Space	
Greenfield sites >20 lots ensure that lots are <400m from local park, playground or passive open space	Reserve with playground to be installed.
Where on-site detention basins double as open space, must include raised level area which incorporates playground or fitness equipment etc and shading landscaping	Yes, to be provided – conditions recommended to ensure protection measures are installed.
Landscaping	
Landscape plan provided, detailing treatment of public domain	Landscape plan provided however an updated plan is required as part of SWC application for the drainage reserve/s.
Land dedicated as public reserve top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years	To be conditioned, including a bond to be provided.
Street Trees	
Two (2) street trees provided per lot	To be conditioned with additional details to be provided with the SWC.

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Developer provides levy to Council to provide these trees after 80% of works carried out	To be conditioned
Utility Services	
Servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development	Lots to be connected to reticulated water, sewer, electricity and telecommunications
Evidence of consultation with relevant authorities submitted with application	Not applicable (small subdivision)
Drainage	
As per Section 5.3 Stormwater and Drainage	Detailed stormwater plan to be lodged at CC stage. Concept plan adequate

Variation sought by application:

The applicant seeks to vary the maximum number of lots within a cul-de-sac under the DCP 2013. The DCP requires a maximum of 12 lots or otherwise, the cul-de-sac is restricted to less than 150metres in length.

The applicant seeks approval for 23 Lots via an 18m wide and approximately 220m new Road. It should be noted that 4 lots to be formed at the end of the cul-de-sac also benefit from frontages / access via Railway or Homer Streets along with the proposed detention basin / park within Lot 200.

This results in a variation of 91.6% to the DCP requirement for the maximum number of lots and also 46.6% to the maximum length.

The applicant has provided the following justification for the variation in this instance:

The internal road is proposed to comprise a cul-de-sac which is longer than the 150 metres identified by Part 7.1 of the DCP.

Consideration was given to providing a ‘crescent’ shaped road which connected to Railway Street at the east and the west of the subdivision, however, due to the proximity of the bend in Railway Street / Homer Street to the east of the site, and traffic safety concerns, a single intersection has been proposed.

Stanbury Traffic Planning have prepared a Traffic and Parking Impact Assessment, and have concluded the proposed road design is considered satisfactory for the following reasons:

- *A single connection to the subdivision road is proposed from Railway Street due to the sight distance associated with the bend to the east of the subdivision;*
- *There are two turn around locations within the cul de sac; and*
- *Multiple active transport pathways are provided in addition to the subdivision road to provide permeability for residents of the subdivision and the surrounding.*

The proposed variation to this requirement is supported on a merits based assessment, due to the constraints of the site adjoining an obscured road alignment and profile (being Railway and Homer Streets) and to ensure intersection sight distances remain compliant.

The arrangement proposed is also supported by Council’s Development Engineering Department as the matter of traffic and pedestrian safety in this location, along with maintaining compliant site distances at intersections is a high priority.

Emergency egress is also proposed to be provided via the Reserve located at the end of the cul-de-sac as depicted in the Traffic Report and Figure 4 provided below:

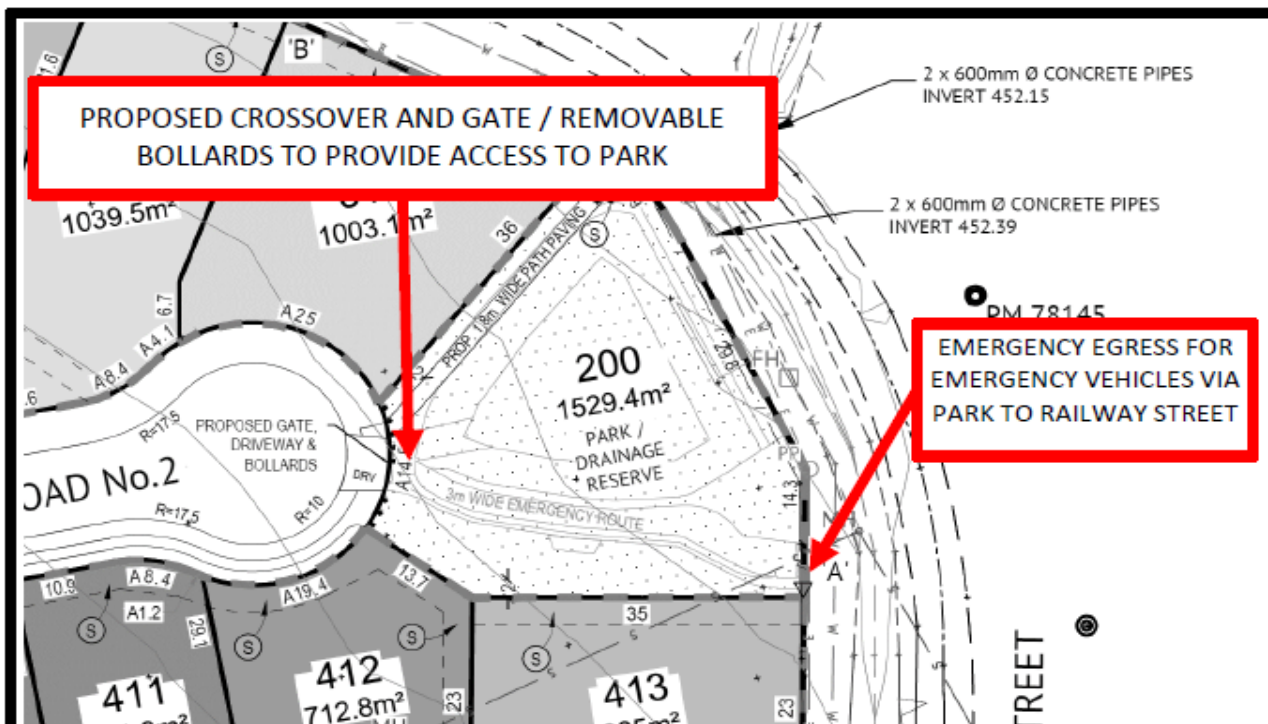


Figure 4: Proposed emergency access arrangements

On the basis of the above, the proposed variation to Part 7.1 of the DCP 2013 is supported by staff in the circumstances of the case.

Part 8.1 Gulgong – Site Specific Controls

The subject site is not within the land specified in Part 8.1 of the DCP 2013.

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

Pursuant to Council’s Contributions Plan 2019, the development is proposing the subdivision of the land creating 41 lots (noting that 2 lots are proposed as Reserves and 1 credit is applied for the existing lot) which requires the payment of a contribution in accordance with the plan. The contributions payable has been calculated below:

	Per 2 or more bed dwelling / separate house / lot	38 Residential Lots (2 Reserves and credit for existing lot)
Transport Facilities	\$ 2,399.00	\$ 91,162.00
Recreation and Open Space	\$ 997.00	\$ 37,886.00
Community Facilities	\$ 630.00	\$ 23,940.00
Stormwater Management	\$ -	\$ -
Plan Administration	\$ 1,003.00	\$ 38,114.00
Total	\$ 5,029.00	\$ 191,102.00

An appropriate condition has been imposed requiring payment of the contribution.

Section 64 - Water/Sewer Developer Services Charges

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the proposed development will require the payment of DC headworks charges detailed as follows:

Water

Residential allotment (small) <650m ²	0.75	\$ 6,567.00
Residential allotment (medium) 650m ² -1200m ²	1	\$ 8,756.00
Residential allotment (large) >1200m ²	1.5	\$ 13,134.00

Sewer

Residential allotment (small) <650m ²	0.75	\$2,997.75
Residential allotment (medium) 650m ² -1200m ²	1	\$ 3,997.00
Residential allotment (large) >1200m ²	1.05	\$ 4,196.85

Based on the current staging proposed, the following calculations are provided.

Stage 1

Section 64 Contributions	7 Lots @ 1ET and 7 Lots @ 0.75ET less 1 credit for existing large lot
Water Headworks	\$ 94,127.00
Sewer Headworks	\$ 44,766.40
Total Headworks	\$ 138,893.40

Stage 2

Section 64 Contributions	Road and Drainage Lot only
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Stage 4

Section 64 Contributions	2 Lots @ 0.75ET and 11 Lots @ 1 ET less 1 credit for existing large lot
Water Headworks	\$ 96,316.00
Sewer Headworks	\$ 45,765.65
Total Headworks	\$ 142,081.65

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 2000

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

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

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

(A) CONTEXT AND SETTING

The proposal is appropriate with regards to the surrounding context and setting.

(B) ACCESS, TRANSPORT AND TRAFFIC

The implications of additional traffic and suitable access are discussed throughout this report, noting that a Traffic Impact Assessment accompanied the development application submission. The report concluded and recommended the following:

- *The proposed alignment and construction design of the new Local Street servicing the site is generally in accordance with the relevant requirements of the Mid-Western Regional Development Control Plan 2013. One junction with Railway Street is proposed rather than two due to the alignment of Railway Street and the bend at the eastern end of the subdivision;*
- *Appropriate public road intersection control treatments (line marking and signage) are proposed to safely and efficiently accommodate conflicting movements as required. These can be determined at a later stage and will have to be approved by the Local Traffic Committee;*
- *It is recommended that Lot 312 be accessed solely from the internal access road as there is insufficient sight distance from Railway Street to meet the desirable sight distance identified in AS2890.1:2004.*
- *The driveway for Lot 413 is recommended to be provided as shown on the southern boundary and for Lot 311, if access is provided from Railway Street, the driveway for Lot 311 is recommended to be on the western boundary to meet the desirable sight distance outlined in AS2890.1:2004. All other lots accessed from Railway Street or the internal access road have satisfactory sight distance in accordance with AS2890.1:2004;*
- *No parking restrictions are proposed along the new access road with the exception of the statutory No Stopping restrictions near the junction with Railway Street;*
- *The proposed pedestrian access and mobility infrastructure in association with the new Local Street construction is in accordance with the relevant requirements of the Mid-Western Regional Development Control Plan 2013. Additional active transport connections are also provided to Belmore Street and through the park at the eastern end of the subdivision and are considered satisfactory to support the existing nearby residents and new residents of the proposed subdivision;*
- *The proposed emergency vehicle access via the eastern park / drainage reserve can accommodate the swept path of the emergency vehicle required by the Fire Safety Guideline and accordingly is considered satisfactory;*
- *The subdivision is capable of generating up to 28 to 31 peak hour vehicle trips in accordance with the abovementioned Roads & Maritime Services' relevant rates specified within Guide to Traffic Generating Developments and Technical Direction TDT 203/04a; and*

- *The limited extent of the traffic generating ability of the subdivision, representing one vehicle movement every 2 minutes during weekday commuter peaks, is unlikely to result in any unreasonable impacts on the safety and efficiency of the surrounding public road network.*

In relation to point 3 and 4 above, restrictions to future access / driveways to Lots 311, 312 and 413 are to be considered by the future Section 138 Application where site distances are required to be assessed and the requirements of Council's Access to Properties Policy is to be achieved for each future dwelling. Therefore no covenants over these lots are recommended in this regard.

(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 as noted within the LEP assessment, under clause 6.9.

(E) HERITAGE

Not applicable. Discussed in Clause 5.10 of MWRLEP 2012.

(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, subject to conditions. A site specific Stormwater Management Plan has been provided for assessment and subject to compliance with the recommended conditions from Council's Development Engineers, the development is not likely to impact surrounding land from stormwater runoff.

(H) SOILS

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

(I) AIR AND MICROCLIMATE

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

(J) FLORA AND FAUNA

The vegetation proposed to be removed has been discussed throughout this report.

(K) WASTE

Waste service available in this area. New services collections will be required which has been accommodated within the road design.

(L) ENERGY

Not applicable

(M) NOISE AND VIBRATION

Not applicable. Conditions to be imposed and ensure noise is managed during construction.

(N) NATURAL HAZARDS

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

(O) TECHNOLOGICAL HAZARDS

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

(P) SAFETY, SECURITY AND CRIME PREVENTION

Increased passive surveillance as a result of the proposed development.

(Q) SOCIAL IMPACT IN THE LOCALITY

Generally positive, providing additional housing opportunities for Gulgong.

(R) ECONOMIC IMPACT IN THE LOCALITY

Generally positive, providing additional civil construction opportunities for local businesses along with the collection of developer contributions to fund future works in accordance with the Contributions Plan.

(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 advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 8 April 2022. During the notification period, no submission/s were received.

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

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

The application was referred to Essential Energy with comments and conditions received. .

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

No consultation necessary.

(B) TECHNICAL SERVICES

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

(C) HERITAGE ADVISOR

No consultation necessary.

(D) ACCESS COMMITTEE

No consultation necessary.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

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

Legislation

Environmental Planning & Assessment Act 1979
Environmental Planning & Assessment Regulation 2000
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. It should also be noted however that the applicant has already filed Class 1 Land & Environment Court proceedings in relation to this matter as the 'deemed refusal' period has now lapsed.

KAYLA ROBSON
PLANNING COORDINATOR

ALINA AZAR
ACTING DIRECTOR DEVELOPMENT

1 June 2022

Attachments:

1. Proposed Plan of Subdivision. (separately attached)
2. Statement of Environmental Effects. (separately attached)
3. Landscape Plan. (separately attached)
4. Concept Civil Engineering Design. (separately attached)
5. Infrastructure Capability Assessment. (separately attached)
6. Stormwater Management Plan. (separately attached)
7. Traffic Impact Assessment. (separately attached)

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

8.3 Planning Proposal 58 Pitts Lane, Putta Bucca, Lot 2 DP 1252505 and Part of Lot 1 DP 125505 - Post Exhibition

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 15 JUNE 2022 ORDINARY MEETING
GOV400088, LAN900139, GOV400098

RECOMMENDATION

That Council:

- A. receive the report by the Manager, Strategic Planning on the Planning Proposal 58 Pitts Lane, Putta Bucca, Lot 2 DP 1252505 and Part of Lot 1 DP 125505 - Post Exhibition; and**
- B. exercise its delegation in the preparation of the amendment to the Mid-Western Regional Local Environmental Plan 2012 to rezone from RU4 Primary Production Small Lots to RE1 Public Recreation with no minimum lot size and include a buffer and corresponding clause or similar to restrict and ensure future land uses consider odour subject to the Opinion issued by Parliamentary Counsel.**

Executive summary

At Council's 16 March 2022 meeting, Council resolved to support the Planning Proposal and to forward it to the NSW Department of Planning and Environment (DPE) for a Gateway Determination. The Planning Proposal relates to 58 Pitts Lane, Putta Bucca, Lot 2 DP 1252505 and Part of Lot 1 DP 125505 and proposes to rezone from RU4 Primary Production Small Lots to RE1 Public Recreation with no minimum lot size and include a buffer and corresponding clause or similar to restrict and ensure future land uses consider odour.

A conditional Gateway Determination was granted on 9 May 2022. A copy of the Gateway Determination and Alteration is provided as Attachment 1.

Condition 1 of the Gateway Determination required that prior to the commencement of community consultation the Planning Proposal be updated to include Part of lot 1 DP 1252505. A copy of the amended Planning Proposal that was placed on public exhibition is provided as Attachment 2.

The Planning Proposal was placed on public exhibition on Monday 16 May 2022 until Monday 13 June 2022 in accordance with Gateway Determination Condition 2 (a) and (b) and the Department of Planning and Environment, *Local Environmental Plan Making Guideline*, December 2021. No submissions were received during the exhibition period.

Responses were received from both the Environmental Protection Authority and the Biodiversity, Conservation and Science Directorate of the Department of Planning and Environment.

The purpose of this report is to provide Council with a post exhibition report and to advise DPE to progress to the finalisation stage of the LEP making process.

Disclosure of Interest

Nil

Detailed report

Planning Proposals

Planning Proposal is a term used to describe the application and process of rezoning or making an amendment to a Local Environmental Plan (LEP). A Planning Proposal application is a document that explains the intended effect of the LEP amendment and provides a strategic justification for doing so. DPE has issued *Local Environmental Plan Making Guideline*, dated December 2021 to provide guidance and information on the process for preparing planning proposals.

The Gateway Process

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

Gateway Timeline

The following table summarises the key components of making an amendment to the Mid-Western Regional Local Environmental Plan 2012 and the progress of the current Planning Proposal through the various stages.

Stage	Completed	Comment
Preparation of a Planning Proposal		
Planning Proposal lodged with Council	✓	10 January 2022
Staff Undertake Initial Assessment	✓	January – March 2022
Council Decision to Support Proposal	✓	16 March 2022
Issue of Gateway Determination		
Council Requests Gateway Determination	✓	4 April 2022
DPIE Issues Gateway Determination	✓	9 May 2022
Gateway Conditions Satisfied	✓	January 2022
Consultation		
Consultation with Relevant Agencies	✓	Agency consultation with: - Environmental Protection Authority. - Department of Planning Environment – Biodiversity and Conservation Division.
Public Exhibition	✓	Monday 16 May 2022 until Monday 13 June 2022
Post-Exhibition Report to Council	✓	Planning Proposal Post Exhibition is being reported to 15 June 2022 meeting.
Finalisation of the Planning Proposal		
Council Exercises Delegation to Prepare LEP		
Draft LEP by Parliamentary Council		
Opinion Issued and LEP Made		

GATEWAY DETERMINATION

A conditional Gateway Determination was received on 9 May 2022 and included five standard conditions. Condition 1 required the Planning Proposal to be updated to include part of Lot 1 DP

1252505. The Planning Proposal was updated prior to exhibition. The report was provided and the Planning Proposal was updated.

CONSULTATION

Community Consultation

Condition 2 of the Gateway Determination required Council to undertake community consultation with a public exhibition period of 28 days. During the public exhibition, no submissions were received.

Agency Consultation

In accordance with Condition 3, the Planning Proposal was referred to the Environmental Protection Authority and the Department of Planning and Environment – Biodiversity and conservation Division.

A submission was received from the Environmental Protection Authority; the submission is provided as Attachment 3. The submission states the proposal does not appear to lead to development that will require an environment protection licence under the *Protection of the Environment Operations Act 1997*. Further, the submission stated, Environmental Protection Authority has no comments to provide on this project and no follow-up consultation is required.

A submission was received from the Biodiversity, Conservation and Science Directorate of the Department of Planning and Environment; the submission is provided as Attachment 4. The submission outlines the primary areas of interest for the Directorate. The submission details the site constraints of biodiversity and flooding and matters for consideration in the future stages of the development and relating to the road construction.

FINALISATION OF PLANNING PROPOSAL

The recommendation of staff is to proceed with the finalisation of the Planning Proposal. This will involve drafting LEP provisions and amending maps.

Draft LEP

Included, as part of the Gateway Determination is a written Authorisation to Exercise Delegation of the Minister's functions under Section 3.36 (previously Section 59) of the *Environmental Planning and Assessment Act 1979*. The documentation will be forwarded to the Office of Parliamentary Counsel to draft the amendment to the LEP and seek an Opinion that the plan may be made. A copy of the request will be forwarded to DPE – Western Region. Following the receipt of the Opinion, a request that the LEP amendment be notified will be made.

Community Plan implications

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

Strategic implications

Council Strategies

Mid-Western Regional Comprehensive Land Use Strategy, August 2010.

Council Policies

The steps involved towards the notification of the Planning Proposal will not require any change to relevant policies.

Legislation

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

Financial implications

Nil

Associated Risks

If Council does not wish to proceed with finalisation of the Planning Proposal, it can withdraw its support at this stage in the Gateway Process. Council would be required to formally resolve not to proceed with the Planning Proposal and advise the landowners and DPE accordingly.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

ALINA AZAR
ACTING DIRECTOR DEVELOPMENT

26 May 2022

Attachments:

1. Gateway Determination. (separately attached)
2. Planning Proposal. (separately attached)
3. Environmental Planning Authority Submission. (separately attached)
4. Biodiversity, Conservation and Science Directorate Submission. (separately attached)

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

8.4 Monthly Development Applications Processing and Determined

REPORT BY THE MANAGER, PLANNING
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, GOV400088, A0420109

RECOMMENDATION

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

Executive summary

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

Disclosure of Interest

Nil

Detailed report

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

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

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

Not applicable

Associated Risks

Not applicable

LINDSAY DUNSTAN
MANAGER, PLANNING

ALINA AZAR
ACTING DIRECTOR DEVELOPMENT

1 June 2022

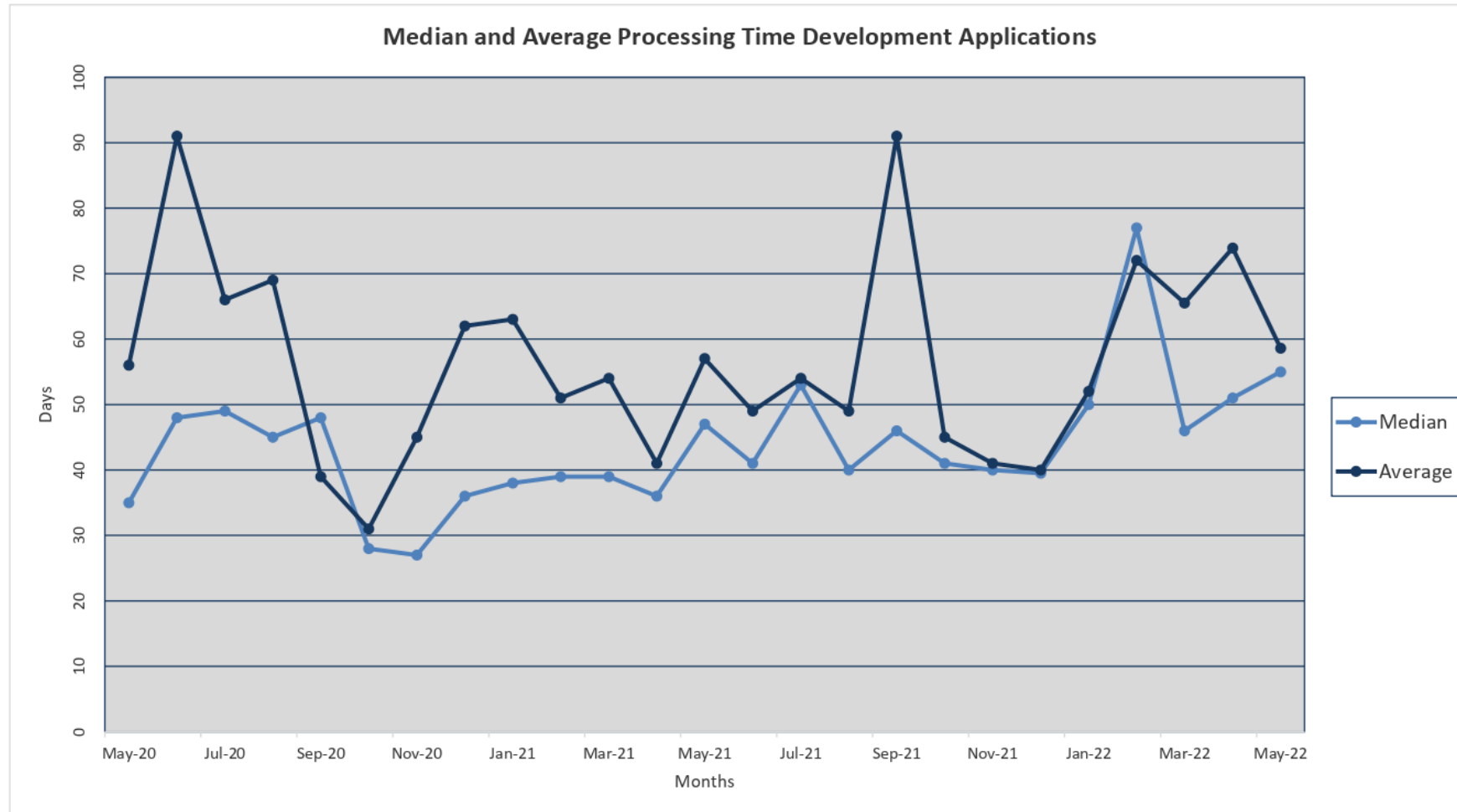
Attachments: 1. DA Applications Processing and Determined May 2022.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

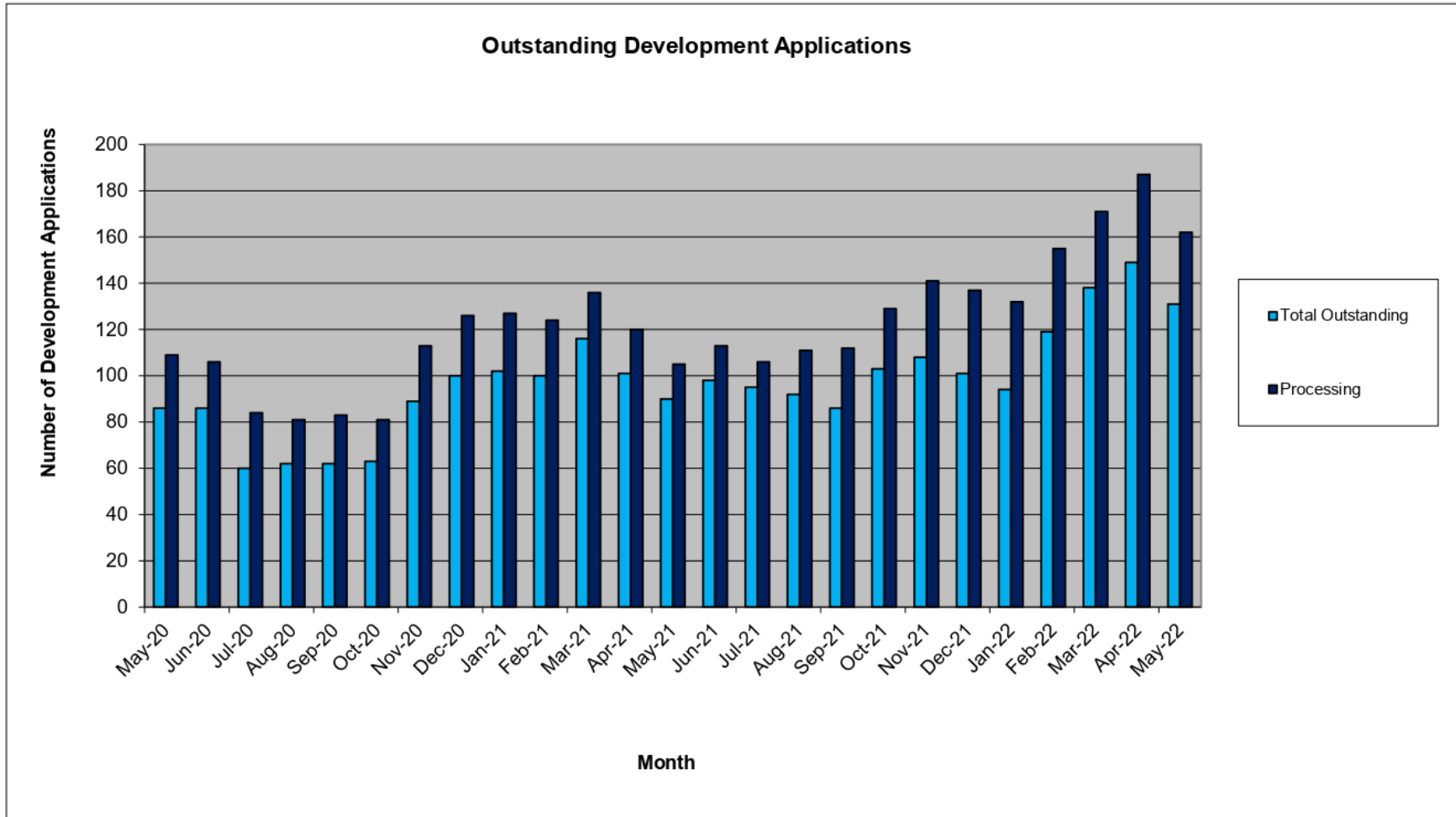
Monthly Development Application Processing Report – May 2022

This report covers the period for the month of May 2022. Graph 1 indicates the processing times up to 31 May 2022 with the month of May having an average of 58.6 days and a median time of 55 days.



Monthly Development Application Processing Report – May 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 – May 2022

The Planning and Development Department determined 41 Development Applications either by Council or under delegation during May 2022.

Development Applications Determined – May 2022

Appl/Proc ID	Description	House No	Street Name	Locality
DA0095/2022	Facilities for Electric Vehicles	27	Mayne Street	GULGONG
DA0157/2022	Dwelling House	361	Old Grattai Road	ERUDGERE
DA0182/2022	Subdivision - Torrens Title	50	Burrundulla Road	BURRUNDULLA
DA0210/2022	Demolition	68	Short Street	MUDGEE
DA0213/2022	Dwelling House	19	Hughson Avenue	MUDGEE
DA0219/2022	Garage	1858	Cudgegong Road	CUDGEGONG
DA0220/2022	Dwelling House	46	George Street	MUDGEE
DA0224/2022	Other (DA)	71	Lions Drive	MUDGEE
DA0238/2022	Dwelling House	30	Robertson Street	MUDGEE
DA0245/2022	Shed >150m2	33	Macquarie Drive	MUDGEE
DA0263/2022	Alterations & Additions	288	Frog Rock Road	ST FILLANS
DA0264/2022	Dwelling House	1217	Queens Pinch Road	QUEENS PINCH
DA0265/2022	Dwelling House	173	Lowes Peak Road	ST FILLANS
DA0272/2022	Other (DA)	11	Belmore Street	GULGONG
DA0276/2022	Dual Occupancy	120	Rocky Waterhole Road	MOUNT FROME
DA0283/2022	Secondary dwelling	124	Bellevue Road	MUDGEE
DA0290/2022	Ancillary Residential Development	783	Henry Lawson Drive	EURUNDEREE
DA0291/2022	Dual Occupancy	5	Holleys Lane	GULGONG
DA0293/2022	Alterations & Additions	215	Gladstone Street	MUDGEE
DA0296/2022	Farm building	931	Spring Flat Road	SPRING FLAT
DA0298/2022	Subdivision - Strata Title	32	Melton Road	MUDGEE
DA0299/2022	Farm building	2252	Castlereagh Highway	GALAMBINE
DA0306/2022	Subdivision - Strata Title	34	Court Street	MUDGEE
DA0307/2022	Dual Occupancy	15	Goodlet Lane	MUDGEE
DA0314/2022	Shed >150m2	26	Scotts Lane	GULGONG
DA0320/2022	Shed >150m2	232	Wyoming Road	STUBBO
DA0321/2022	Alterations & Additions	973	Spring Flat Road	SPRING FLAT
DA0325/2022	Dwelling House	5	Goodlet Lane	MUDGEE
DA0327/2022	Dwelling House	47	Suttor Avenue	CAERLEON

Monthly Development Application Processing Report – May 2022

DA0331/2022	Shed >150m2	1794	Windeyer Road	WINDEYER
DA0337/2022	Shed >150m2	17	Buckaroo Road	BUCKAROO
DA0345/2022	Alterations & Additions	86	White Circle	MUDGEE
DA0347/2022	Ancillary Residential Development	62	Mudgee Street	RYLSTONE
DA0352/2022	Shed >150m2	3	Vera Court	MUDGEE
DA0354/2022	Alterations & Additions	24	Mealey Street	MUDGEE
DA0357/2022	Dwelling House	6	Eleanor Dark Court	MUDGEE
DA0363/2022	Alterations & Additions	4665	Hill End Road	HARGRAVES
DA0365/2022	Demolition	30	Meares Street	MUDGEE
DA0375/2022	Alterations & Additions	69	Lawson Street	MUDGEE
DA0383/2022	Dwelling House	43	Webster Street	BOMBIRA
DA0384/2022	Alterations & Additions	39	Mulgoa Way	MUDGEE

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

- **DA0182/2022 (<10%) variation to the LEP**
- **DA0272/2022 (>10%) Variation to the DCP**

Monthly Development Application Processing Report – May 2022

Development Applications currently being processed – May 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	MUDGEES
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	MUDGEES
DA0142/2018	Subdivision - Torrens Title	38	Rifle Range Road	MUDGEES
DA0089/2019	Change of use - Shed to habitable dwelling	2037	Coxs Creek Road	RYLSTONE
DA0263/2019	camping ground	40	Grevillea Street	GULGONG
DA0024/2021	Subdivision - Community Title	20	Sydney Road	MUDGEES
DA0087/2021	Carport	63	Court Street	MUDGEES
DA0166/2021	water storage facility	51	Oaklands Road	MOUNT FROME
DA0199/2021	Change of use - to serviced apartments	1	Sydney Road	MUDGEES
DA0412/2021	Other (DA)	38	Lions Drive	SPRING FLAT
DA0429/2021	Dual Occupancy	182	Cudgegong Road	RYLSTONE
DA0434/2021	Subdivision - Torrens Title	2	Stewart Street	KANDOS
DA0003/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON
DA0006/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON
DA0015/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON
DA0093/2022	Subdivision - Torrens Title	26	Hone Creek Drive	MUDGEES
DA0094/2022	Dwelling House	96	Madeira Road	MUDGEES
DA0123/2022	bed and breakfast accommodation	226	Melrose Road	MOUNT FROME
DA0130/2022	Industrial Building	3	Wilkins Crescent	MUDGEES
DA0164/2022	Change of use - to a retail premises	9	Sydney Road	MUDGEES
DA0166/2022	Subdivision - Torrens Title	15	Cainbil Street	GULGONG
DA0170/2022	Other (DA)	33	Blain Road	CAERLEON
DA0178/2022	Dual Occupancy	21	Robertson Street	MUDGEES
DA0189/2022	Change of use - shed to secondary dwelling	4	Avisford Court	MUDGEES
DA0190/2022	Subdivision - Torrens Title	150	Gladstone Street	MUDGEES

Monthly Development Application Processing Report – May 2022

DA0215/2022	Dwelling House	902	Botobolar Road	BOTOBOLAR
DA0216/2022	Dwelling House	1858	Cudgegong Road	CUDGEGONG
DA0218/2022	Demolition	1858	Cudgegong Road	CUDGEGONG
DA0226/2022	Garage	12	Wandoona Court	MUDGEE
DA0232/2022	Subdivision - Torrens Title	34	Leconfield Drive	BOMBIRA
DA0233/2022	Demolition	58	Pitts Lane	PUTTA BUCCA
DA0241/2022	secondary dwelling	257	Melrose Road	MOUNT FROME
DA0243/2022	Emergency Services/Bushfire Hazard Reduction	3	Garner Street	LUE
DA0244/2022	Emergency Services/Bushfire Hazard Reduction	41	George Campbell Drive	BOMBIRA
DA0247/2022	Ancillary Residential Development	25	Burrundulla Avenue	MUDGEE
DA0254/2022	Subdivision - Torrens Title	213	Putta Bucca Road	PUTTA BUCCA
DA0255/2022	business premises	38	Hill End Road	CAERLEON
DA0257/2022	Shed >150m2	17	Waterworks Road	MUDGEE
DA0262/2022	Shed >150m2	210	Green Gully Road	GREEN GULLY
DA0267/2022	telecommunications facility	20	Robison Street	ULAN
DA0268/2022	Subdivision - Torrens Title	313	Magpie Lane	GALAMBINE
DA0269/2022	Change of use - change of trading hours	34	Inglis Street	MUDGEE
DA0270/2022	Dual Occupancy	64	Inglis Street	MUDGEE
DA0271/2022	Alterations and additions to industrial developmnt	6	Horatio Lane	MUDGEE
DA0274/2022	Dual Occupancy	21	Suttor Avenue	CAERLEON
DA0277/2022	Ancillary Residential Development	15	Mudgee Street	RYLSTONE
DA0279/2022	secondary dwelling	41	Medley Street	GULGONG
DA0284/2022	Ancillary Residential Development	14	Dunphy Crescent	MUDGEE
DA0286/2022	Pergola	21	White Circle	MUDGEE
DA0288/2022	Shed >150m2	10	Robert Jones Street	MUDGEE
DA0292/2022	Dual Occupancy	1	Saleyards Lane	MUDGEE
DA0294/2022	Garage	107	Denison Street	MUDGEE
DA0295/2022	Subdivision - Torrens Title	25	Rifle Range Road	MUDGEE
DA0301/2022	Dual Occupancy	25	Fairydale Lane	MUDGEE
DA0302/2022	Shed >150m2	6	Worobil Street	GULGONG
DA0308/2022	Dual Occupancy	5	Suttor Avenue	CAERLEON
DA0309/2022	Dual Occupancy	4	Goodlet Lane	MUDGEE
DA0310/2022	Other (DA)	6	Wilkins Crescent	MUDGEE

Monthly Development Application Processing Report – May 2022

DA0311/2022	Dwelling House	31	McLachlan Street	KANDOS
DA0312/2022	Subdivision - Torrens Title	55	Ilford Road	KANDOS
DA0313/2022	Subdivision - Torrens Title	194	Hill End Road	CAERLEON
DA0315/2022	semi-detached dwelling	1858	Cudgegong Road	CUDGEGONG
DA0316/2022	secondary dwelling	61	Buchanan Street	KANDOS
DA0317/2022	Other (DA)	44	Davies Road	KANDOS
DA0319/2022	Dwelling House	251	Cuthel Lane	BERYL
DA0322/2022	secondary dwelling	148	Pipeclay Lane	BUDGEE BUDGEE
DA0326/2022	Shed >150m2	25	Henry Bayly Drive	MUDGEE
DA0328/2022	Dwelling House	86	Rissler Road	STUBBO
DA0329/2022	Other (DA)	19	Sydney Road	MUDGEE
DA0330/2022	Dwelling House	12	Goodlet Lane	MUDGEE
DA0333/2022	Subdivision - Torrens Title	1	Railway Street	GULGONG
DA0334/2022	Dual Occupancy	4	Suttor Avenue	CAERLEON
DA0335/2022	Garage	163	Narrango Road	DABEE
DA0336/2022	Shed >150m2	44	Burrundulla Road	BURRUNDULLA
DA0338/2022	Dual Occupancy	9	Goodlet Lane	MUDGEE
DA0339/2022	Dwelling House	310	Castlereagh Highway	GULGONG
DA0341/2022	Dwelling House	59	Snelsons Lane	GULGONG
DA0342/2022	Shed >150m2	20	Carwell Street	RYLSTONE
DA0343/2022	Garage	14	Herbert Street	GULGONG
DA0344/2022	Subdivision - Torrens Title	49	White Street	GULGONG
DA0348/2022	Dual Occupancy	8	Flinders Avenue	MUDGEE
DA0349/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON
DA0351/2022	Dwelling House	29	Suttor Avenue	CAERLEON
DA0353/2022	Other (DA)	37	Racecourse Road	GULGONG
DA0355/2022	Shed >150m2	59	Snelsons Lane	GULGONG
DA0358/2022	farm building	221	Stubbo Road	STUBBO
DA0361/2022	Other (DA)	131	Buckaroo Road	BUCKAROO
DA0364/2022	Dwelling House	22	Suttor Avenue	CAERLEON
DA0367/2022	Alterations & Additions	3	Diana Drive	SPRING FLAT
DA0368/2022	Dwelling House	76	Zimmmer Lane	GULGONG
DA0369/2022	Dual Occupancy	43	Suttor Avenue	CAERLEON

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DA0370/2022	Shed >150m2	81	Adams Lead Road	GULGONG
DA0371/2022	Dwelling House	11	Goodlet Lane	MUDGEE
DA0372/2022	Dwelling House	195	Lowes Peak Road	ST FILLANS
DA0373/2022	Other (DA)	391	Brogans Creek Road	CLANDULLA
DA0374/2022	Shed >150m2	32	Bawden Road	MUDGEE
DA0376/2022	Industrial Building	38	Hill End Road	CAERLEON
DA0377/2022	Dual Occupancy	433	Kaludabah Road	PIAMBONG
DA0378/2022	Other (DA)	99	Mount Pleasant Lane	BUCKAROO
DA0379/2022	Dwelling House	171	Black Lead Lane	GULGONG
DA0380/2022	secondary dwelling	62	Rodgers Street	KANDOS
DA0381/2022	Shed >150m2	8	Thomas Clark Place	MUDGEE
DA0385/2022	Industrial Building	32	Burrundulla Road	BURRUNDULLA
DA0386/2022	Shed >150m2	11	Steel Drive	SPRING FLAT
DA0387/2022	Dwelling House	219	Lowes Peak Road	ST FILLANS
DA0388/2022	Subdivision - Torrens Title	52	Nicholson Street	MUDGEE
DA0389/2022	Garage	59	Wyaldra Lane	COOKS GAP
DA0390/2022	Subdivision - Torrens Title	7	Lovett Court	FLAT
DA0391/2022	secondary dwelling	7	McLachlan Street	KANDOS
DA0394/2022	Shed >150m2	65	Drews Lane	HOME RULE
DA0396/2022	Subdivision - Torrens Title	227	Melrose Road	MOUNT FROME
DA0397/2022	Subdivision - Torrens Title	1	Short Street	KANDOS
DA0400/2022	Dwelling House	40	Saleyards Lane	MUDGEE
DA0401/2022	Dual Occupancy	41	Suttor Avenue	CAERLEON
DA0402/2022	Dwelling House	6	Enfield Avenue	CAERLEON
DA0403/2022	Subdivision - Torrens Title	7	Madeira Road	MUDGEE
DA0404/2022	Dwelling House	235	Gladstone Street	MUDGEE
DA0405/2022	Other (DA)	77	Market Street	MUDGEE
DA0406/2022	Subdivision - Torrens Title	36	Tinja Lane	PUTTA BUCCA
DA0408/2022	Other (DA)	115	Eurunderee Lane	EURUNDEREE
DA0409/2022	Dual Occupancy	151	Wattlegrove Lane	LINBURN
DA0410/2022	Other (DA)	267	Ulan Road	BOMBIRA
DA0412/2022	Recreation Area	2358	Henry Lawson Drive	CANADIAN LEAD
DA0413/2022	Subdivision - Torrens Title	900	Castlereagh Highway	BERYL

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DA0414/2022	Subdivision - Torrens Title	5056	Hill End Road	HARGRAVES
DA0415/2022	Dwelling House	27	Anderson Street	GULGONG
DA0416/2022	Garage	15	Mudgee Street	RYLSTONE
DA0417/2022	Other (DA)	59	Church Street	MUDGEE
DA0418/2022	Dual Occupancy	12	Little Bayly Street	GULGONG
DA0419/2022	Subdivision - Torrens Title	53	Cox Street	MUDGEE
DA0422/2022	Shed >150m2	115	Coxs Creek Trail	COXS CREEK
DA0423/2022	Dual Occupancy	155	Suzanne Road	TALLAWANG
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
DA0428/2022	Subdivision - Torrens Title	19	Waterworks Road	MUDGEE
DA0420/2022	Subdivision - Torrens Title	900	Castlereagh Highway	BERYL
DA0424/2022	Subdivision - Torrens Title	19	Waterworks Road	MUDGEE

Monthly Development Application Processing Report – May 2022

Heritage Development Applications currently being processed – May 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
DA0369/2021	Alterations & Additions	22	Queen Street	GULGONG
DA0070/2022	Dwelling House	120	Market Street	MUDGEES
DA0087/2022	Demolition	33	Horatio Street	MUDGEES
DA0201/2022	Garage	74	Gladstone Street	MUDGEES
DA0234/2022	Dwelling House	64	Lawson Street	MUDGEES
DA0300/2022	Alterations & Additions	41	Cox Street	MUDGEES
DA0303/2022	Other (DA)	103	Lawson Street	MUDGEES
DA0318/2022	signage	115	Market Street	MUDGEES
DA0350/2022	Subdivision - Torrens Title	74	Inglis Street	MUDGEES
DA0366/2022	Change of use	160	Church Street	MUDGEES
DA0382/2022	Dwelling House	3	Goodlet Lane	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
DA0399/2022	Other (DA)	28	Louee Street	RYLSTONE
DA0407/2022	signage	70	Church Street	MUDGEES
DA0411/2022	Other (DA)	28	Market Street	MUDGEES

Item 9: Finance

9.1 Application for Closure of Part White Street Road Reserve in Gulgong

REPORT BY THE PROPERTY OFFICER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, GOV400088, DA0159/2021

RECOMMENDATION

That Council:

1. **receive the report by the Property Officer on the Application for Closure of Part White Street Road Reserve in Gulgong;**
2. **note that there were no objections received during the notice period and formal closure of Part White Street Gulgong can proceed to completion;**
3. **authorise the closed road and resultant freehold land parcel to remain in the ownership of Council;**
4. **authorise the General Manager to sign all documentation, where necessary, in relation to the proposed closure and subsequent transfer of the closed Council Public Road to Council;**
5. **authorise the Mayor to sign any documentation, where additionally required to do so, in relation to the proposed closure and subsequent transfer of the Council Public Road to Council; and**
6. **authorise the Common Seal of Council be affixed to all documentation, where necessary, in relation to the proposed closure and subsequent transfer of the closed road reserve to Council.**

Executive summary

The purpose of this Report is to notify Council that there were no objections to the proposed road closure of Part White Street, Gulgong and for Council to approve the closure and retention of this land parcel in Council's ownership.

Disclosure of Interest

Nil

Detailed report

Council's Community Services Department applied for the closure of the road as an outcome of the review and assessment of DA0159/2021 for the upgrade of the Red Hill Gulgong site, which includes the Red Hill Cottage.

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

Council advertised the intention to close the road in the Friday 19 November 2021 edition of the Mudgee Guardian. The advertisement is appended as Attachment 1. The proposal was also advertised on Council's website.

Notifications were sent to all notifiable authorities including notification to NSW Department of Planning, Industry and Environment - Crown Land appended as Attachment 2.

No objections were received. The "no objection" responses are appended as Attachment 3.

Council will therefore proceed with formal closure of the road and it will to be transferred to Council's ownership and added to Council's property asset portfolio.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Roads Act 1993

Financial implications

The road closure process will be funded from Council Community Department's existing current budget.

Associated Risks

If the public road is not closed, it will impact on the execution of DA0159/2021 to upgrade the Red Hill site. A boundary adjustment is required due to the cottage originally being built on part of the road reserve.

LILIAN MUKWEWA MUTYIRI
PROPERTY OFFICER

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

28 March 2022

- Attachments:*
1. Road closure advertisement. (separately attached)
 2. Notification to NSW Department of Planning Industry & Environment. (separately attached)
 3. Notifiable Authorities no objection responses. (separately attached)

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

9.2 Naming of new streets in a subdivision off Knox Crescent, Caerleon

REPORT BY THE PROPERTY SUPPORT OFFICER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, P26609, R0790141, DA0003/2021, DA0006/2021, DA0015/2021

RECOMMENDATION

That Council:

1. **receive the report by the Property Support Officer on the Naming of new streets in a subdivision off Knox Crescent, Caerleon; and**
2. **formally approve the names of Moore Street, Margaret Lane and Orchard Court.**

Executive summary

Formal approval is requested to name the new streets in a subdivision off Knox Crescent in the locality of Caerleon, Moore Street, Margaret Lane and Orchard Court.

Disclosure of Interest

Nil

Detailed report

Council, being the Roads Authority, is required to name new and unnamed streets and roads.

Following the approval of a new subdivision off Knox Crescent in the locality of Caerleon, Council wrote to the owners of the subdivision on 18th of January 2022 requesting their naming suggestions. Public consultation was also invited in an advertisement place in the 21st January 2022 issue of the Mudgee Guardian and on Council's website.

From submissions received, Council provisionally approved the names of Moore Street, Margaret Lane and Orchard Court at their 16 March 2022 meeting.

Moore – The Moore family were long time owners of the grazing properties of Caerleon and Meramie within which the subdivision of Caerleon Estate is located. Edward (Ted) Moore (1901-1976) moved to the area from Sydney and purchased Caerleon in 1927. He and his wife Sadie Moore (1906-1959) raised their two children, Frederick James (Jimmy) Moore (1929-2011) and Juelie Bell nee Moore (1931-2021), on the property. Jimmy and his wife Jennifer lived on the section of the property named Meramie. Ted and Jimmy ran the property together until Ted's passing.

Margaret Smyth (1941-2020) came to Mudgee in 1968 and was a teacher at Mudgee High School for many decades. She taught home economics, food technology, computing and business studies. Apart from providing the skills to enable several generations of school children to look after themselves, Mrs Smyth was also the President of the Mudgee View Club, raised funds to support children through the Smith Family, was President of the Mudgee

Presbyterian Women's Association for 25 years and was an active member of the Country Women's Association.

Orchard – Jean Marie (John) Orchard (1817-1872) was born in Calais in France. His wife Hannah Sabina Browne (1820-1898) was born in Cork in Ireland. They married on 14th of May 1842 in Bowenfels near Lithgow. They, and their daughter Victoria (1843-1920) came to Mudgee in 1854. The family were very well respected and both John and Hannah worked towards and contributed to the establishment of the Methodist Church in Mudgee. After John's passing, Hannah later married Daniel Cassin, who would go on to be a Mayor of Mudgee. Victoria married John Newman on 3/4/1861 and they set up their home in Grattai, just along from the Caerleon Estate land. John and Victoria raised 15 children, 12 of whom survived to adulthood and went on to contribute to the development of Mudgee, with descendants continuing to live on and manage properties all through the area.

The Geographical Names Board has been advised of these names and have no objections.

The proposed new street names were advertised in 25th March 2022 issue of the Mudgee Guardian and on Council's website with no additional submissions or objections received.

Notices of the new street names were served on Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire & Rescue, NSW Rural Fire Brigades, NSW Police Force, NSW State Emergency Service and NSW Volunteer Rescue Association via the Geographical Names Board Place and Road Naming Proposal System with no objections received.

Street naming is legislated under the Roads Act (1993). This Act empowers the authority in charge of the road with the rights to name it. The naming of these streets will allow the completion of street addressing within the new subdivision. Section 162 of the Roads Act (1993) states that "a road authority may name and number all public roads for which it is the authority. A road authority may not alter the name of a public road unless it has given the Geographical Names Board (GNB) at least two months' notice of the proposed name."

In accordance with Council's Road, Bridge & Place Naming Policy, should Council formally endorse the naming of these new streets, notice of the approved name/s will be:

1. Published in the Government Gazette, the Mudgee Guardian and on Council's website.
2. Concurrently, notice of the new names will be sent to Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire & Rescue, NSW Rural Fire Brigades, NSW Police Force, NSW State Emergency Service and NSW Volunteer Rescue Association, and, in the case of a classified road – Transport for NSW.

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

Road Bridge and Place Naming Policy

Legislation

Roads Act 1993

Road Regulation 2008

Geographical Names Act, 1996

Geographical Names Board of NSW Address Policy and User Manual, October 2019

Financial implications

The cost and installation of street sign/s, located at the intersections of Meramie Street with Moore Street, at the intersections of Moore Street with Margaret Lane and Orchard Court and the intersection of Moore Street with Knox Crescent. The costs of which will be met by the developer.

Associated Risks

Nil

CAROLYN ATKINS
PROPERTY SUPPORT OFFICER

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

16 May 2022

Attachments: 1. Submission.
2. Submission.
3. Submission.
4. Submission.
5. Submission.
6. Map.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

STREET NAMES FOR CAERLEON DEVELOPMENT, MUDGEES

These names would have to be checked to see that they, or a variation close in spelling/pronunciation, aren't already in use:

Association:

The following names are proposed by close geographical association and from looking at the names of original crown grantees of the relevant land:

~~**KNOX:** after crown grantee J. A. Knox, possibly John Knox, a saddler who lived in Mudgee in the second half of the 1800s and had a saddlery business on the north side of Market Street, Mudgee, between Court and Cox Streets. Approved 15/10/14 Council Meeting~~

~~**HOSKING:** after crown grantee George Hosking, a settler from Devon in England who took up numerous small acreages in the immediate area. George Hosking was a relation of the pioneer Crossing family. Approved 15/10/14 Council Meeting~~

PRICE: after John Alexander Horatio Price, surveyor, builder in the mid 1860s of adjacent homestead now called Carleon Park, home of Max Roth. It seems that the Price family coined the name Carleon for their property. Price may have had some family association with Wales; his wife's maiden name was Campbell.

MOORE: after the Moore family, long time owners of the grazing property Carleon/Meremie.

~~**SUTOR:** name of a prominent pioneer grazing family of the Bathurst and Hargraves district, the maiden name of former owner Jay Moore. Approved 15/10/14 Council Meeting~~

~~**ENFIELD:** after an adjoining property to the north, once quite extensive, which was established and expanded by prominent entrepreneur Richard Crossing, originally from Devon in England, and his family. Approved 15/10/14 Council Meeting~~

~~**SHEARMAN:** after Christy and Helen Shearman from neighbouring Darthula. Approved 2/2/22 Council Meeting~~

~~**MERAMIE:** after the Moore family property near the NW junction of the Castlereagh Highway and the Hill End Road. Approved 19/10/16 Council Meeting.~~

~~**HONE:** after Hone Creek which flows through the area. The origin of this name is obscure. Hone Creek approved 16/12/15 Council Meeting.~~

Nathan: Note re your suggestion **CUDEGONG:** there is an existing street in Rylstone by this name

John Broadley, Mudgee Historical Society

Information provided by Mrs Jennifer Moore by telephone 18/10/21

Edward Moore moved to the area from Sydney and purchased Caerleon in 1927. He and his wife, Sadie, raised their two children, Frederick James (James) and Juelie who were born after their move to Mudgee, on the property.

James and his wife Jennifer lived on the section of the property named Meramie (pronounced Mer Army) which was still part of Caerleon. Edward and James ran the property until Edward's passing.

The Caerleon woolshed is over 100 years old and was the first built in the area. It was used by all the properties in the area for some time.



The Sydney Morning Herald Mon 21 Nov 1927

Shooting Fatality

MR. R. H. SEFTON KILLED.
BODY FOUND NEAR FENCE.

A shocking shooting fatality occurred near Grattai on Thursday last, the victim being Mr. Robert Henry Sefton, a very fine type of young man, who was highly esteemed by all classes of the community. He was 33 years of age.

Deceased left Mudgee on Thursday and proceeded to a property on the Grattai road which he recently sold to Mr. Moore, of Caerleon. He had a conversation with the manager, Mr. H. Smart, during which he stated that he wanted to shoot a couple of rabbits for his two dogs. He then took a repeating rifle and started on his hunt.

As he did not return towards evening Mr. Smart became somewhat anxious and made a search. Being unsuccessful he has enquired to Mudgee and communicated with the police, and Constables Treloar and Bray pro-

ceeded to the property. A diligent search was made throughout the night without result. Others, including Messrs. J. Whittaker, and Birchall joined the police and early on Friday morning they found the body of Mr. Sefton about 500 yards from the homestead and near a wire fence, with the rifle on the other side. Deceased was shot through the forehead, and death must have been almost instantaneous. There was a spent cartridge in the rifle and several in the magazine.

In the meantime Sergeant Taylor and Mudgee friends had organised a strong search party, but when they reached Grattai they learned the sad news of Mr. Sefton's death.

Deceased came to the district several years ago with his father, Mr. R. H. Sefton, a retired bank manager, who purchased the well-known Beau-desert Estate, down the river from Cullenbone, on which the family resided until Mr. Brownhill acquired the property a couple of years ago. The Seftons then proceeded to Sydney, where they at present reside.

About twelve months ago deceased acquired the Grattai property, which he retained until quite recently, when

he disposed of his interests to Mr. Moore, of Caerleon.

The late Mr. Sefton saw much active service in the great war, and was gassed during the fighting at the front. During his residence in the district he made a large number of warm friends, to whom the news of his untimely death came as a terrible shock. To the bereaved father, Brothers, and sisters we extend our very deepest sympathy.

MR. and Mrs. Edward Moore and their two children, of "Caerleon," Mudgee have returned home after a fortnight's holiday spent with Mr. and Mrs. L. U. Cox, of Mosman.

Mudgee Guardian Mon 27 Feb 1939

Painful Accident

Young Jimmy Moore, son of Mr. and Mrs. Ted Moore, of Caerleon Mudgee, met with a painful accident yesterday. He was preparing to take a couple of horses to Mudgee, to be shod, when one pulled back suddenly breaking the bridle, the buckle portion of which struck him in the eye. He was at once hurried to Orange for specialist treatment, and the hope is universal that the injury will soon yield to treatment.

Mudgee Guardian Thu 27 Jan 1949

There was a happy gathering at the home of Mr. and Mrs. Ted Moore, "Caerleon", Mudgee, on Friday night last, when the 21st birthday of their son Jim was celebrated. Friends came from as far away as Wellington.

Mudgee Guardian Thu 7 Dec 1950



COUNTRY VISITORS MISS JENNIFER SUTTON (of Glendowda, Coonabarabran), and MISS JUELIE MOORE (Caerleon, Mudgee), lunched at the Pickwick Club yesterday with their respective mothers, Mrs. M. Suttor and Mrs. E. Moore and Mrs. R. Swift of Collaroy.

Sydney Morning Herald Thu 25 Sep 1952

Mr. Jim Moore and sister, Julie, of Caerleon, Mudgee, were the guests of Mr. and Mrs. M. R. Suttor, of Glendowda, Mullaley, during the running of the Castlereagh Amateur Turf Club races at Coonabarabran last week. In the course of the festivities, Miss Jennifer Suttor celebrated her 21st birthday, and advantage was taken of the occasion to announce her engagement to Jim. About 100 guests were in attendance at the party.

Mudgee Guardian Thu 30 Apr 1953



—Monte Luke Photos.

MR. AND MRS. FREDERICK JAMES MOORE, of "Meramie," Mudgee, photographed on their way to the reception at the Royal Sydney Golf Club following their wedding at St. Mark's Church, Darling Point. (See account of wedding this page.)

WOMEN'S INTERESTS

All White Wedding At St. Mark's Church; Bride From Mullaley

WHITE chiffon, the bodice beautifully draped and hand embroidered in a cut-out design, fashioned the wedding gown of the bride when Jennifer Ronald Suttor was married to Frederick James Moore at St. Mark's Church, Darling Point, last Wednesday evening.

The church was beautifully decorated with white flowers for this all-white wedding.

The bride is the only daughter of Mr. and Mrs. M. R. Suttor, of "Glen Dowda," Mullaley, and the bridegroom, the only son of Mr. and Mrs. E. Moore, of "Caerlton," Mudgee.

The bridal frock, which was made with a deep train, was worn with a fingertip length tulle veil falling from a tulle shell, and she carried white gardenias and tuberoses in her bouquet.

Three bridesmaids were in attendance, all dressed

in white embossed organza with tiny white shells of white velvet instead of hats, and carrying bouquets of orange triumph roses tied with red velvet streamers.

They were the Misses Jocelyn Exom, of Suva, Fiji, who made the trip especially for the occasion, Judy Capps, of Mendooran, and Julie Moore, sister of the bridegroom, of Mudgee.

The bridegroom was attended by Messrs. Dick Cox (Mudgee), Harley Suttor, the bride's brother, and Jim Fitzhardinge, of Pymble.

Following a reception at the Royal Sydney Golf

Club, the couple left for their honeymoon at Terrigal, the bride wearing an unusual dress of prune-colored taffeta shantung, patterned in black with a small black curvette, sequin-trimmed to match her frock.

They will live on the bridegroom's property, "Meramie," Mudgee.

WEDDING
MOORE-SUTTOR

St. Mark's Church, Darling Point, Sydney, was beautifully decorated by friends of the bride with white flowers for the wedding of Miss Jennifer Ranaid Suttor, only daughter of Mr. and Mrs. M. R. Suttor of "Glendowda" Mullaley, and Mr. Frederick James Moore, only son of Mr. and Mrs. E. M. Moore, of "Caerleon", Mudgee.

The bridal frock of white chiffon, with a bodice of cut out velvet embossed with Swiss embroidery, was made with a deep train, and worn with a fingertip length tulle veil falling from a tulle shell. The bride carried white gardenias and tuberoses in her bouquet.

The three bridesmaids were all dressed in white embossed organza, with tiny white velvet curvettes, and carried bouquets of red triumph roses tied with deep red velvet ribbon. They were Misses Jocelyn Exon (Suva, Fiji), Judith Capps (Boori, Mendooran) and Julie Moore (sister of the 'groom).

The 'groom was attended by Messrs. Richard Cox, of Mudgee, Harley Suttor (the bride's brother), and James Fitzhardinge, of Pymble.

Following a reception at Royal Sydney Golf Club, the couple left for their honeymoon at Terrigal, the bride wearing a frock of prune coloured taffeta, Shantung, patterned in black, with a small black velvet curvette sequin - trimmed hat to match.

The young couple have since taken up residence at "Meramie", Mudgee.

Mudgee Guardian Thu 15 Apr 1954

PROPOSED NEW STREET NAME

I wish to make a submission for a proposed new street name in Mudgee, to be named Margaret Street, or Margaret Crescent, or Margaret Place.

My mother Margaret Smyth was born in Orange on 8 March 1941 and died in Mudgee Hospital on 10 June 2020. She was born on the first International Women's Day, and was a great teacher, mother, friend, and member of the community.

Margaret Smyth moved to Mudgee in 1968 and was a teacher at Mudgee High School for many years. She taught Home Economics/Food Technology, Computing and Business Studies, and made a difference to many people. She had a number of students go on to become Home Economics / Food Technology teachers, but what she valued most was teaching young people to be able to prepare and cook nutritious meals and always be able to look after themselves. She was a great teacher.

She was instrumental in causing change for people for good, including winning the right to wear trousers rather than skirts for female teachers as was required in the 1970's (hard to believe today), successfully putting forward her case of playground duty in the cold of Mudgee winters.

Mum was always thinking of others. When public telephones became available, Mum wrote to the Council and suggested numerous places for installations, including near the Regent Theatre, and near the Taxi Rank, so that young people in Mudgee could call their parents when they came out of the pictures and were safe. The Council took on all her suggestions and installed them.

She was President of the Mudgee View Club for many years, raising funds to support children through The Smith Family.

She was President of the Mudgee Presbyterian Women's Association for 25 years and spent many hours contributing work for fundraising and helping others.

She was an active member of the Country Women's Association, providing years of community service and contribution.

In her retired years she took in sewing for people and donated all the money she made to the Cancer Council.

She had three children who grew up in Mudgee. Her two sons were both school captains of Mudgee High School, sporting champions, and one was dux of the school in Year 12.

Mum was the person who supported, encouraged and enabled others to thrive. She always cared about other people and valued good characteristics in people. She was

a kind, caring and giving person. She had that special quality that was in some ways indefinable, but which touched everyone she met.

She doesn't have a grave or a plaque. She wanted her ashes scattered at a place on the Turon River / Macquarie River Junction on the Bridle Track from Hill End. She recalled when she dropped Dad and my two brothers and myself there once with our kayaks and canoes, and picked us up the next day down the river at Triamble. As she sat quietly after we paddled away down the river, a group of platypus emerged and frolicked in the water in front of where she was sitting. It was one of her favourite moments and this is where she wanted her ashes scattered, which we did last year.

A street named after her would acknowledge her and her contribution to the town and to many people. I hope this meets with your favourable consideration.

Yours sincerely,
Kylie Smyth

From:

Sent: Thursday, 3 February 2022 1:58 PM

To: Council <Council@midwestern.nsw.gov.au>

Subject: Road Naming

Hi,

I'd like to put forward 2 name suggestions for our at Carleon estate.

Neil place
Byron Drive

Neil Australia Byron was my maternal grandfather. He lived at Collingwood and was actually born at night under a bridge on the Hill End rd on the 13th July 1915 (weighing 14lb - my poor great grandmother lol). He was a gun shearer, high up in the Miscellaneous Workers Union, actually fighting for workers rights, helped Aborigines, they even gave him an Aboriginal name because they appreciated him so much. He helped out cleaning up the devastation of Cyclone Tracy, being away from his wife and 4 little kids for months on end, as well as many other things. You can read about his life in a book called All Among The Wool Boys.

<https://catalogue.nla.gov.au/Record/2569327>

Please don't share my name.

Thank you for taking the time to read and consider this. I would love to give him a long lasting legacy here because he truly deserves it.

Kind Regards

Sent from my iPhone

27/8/2021

The General Manager,
Mid Western Regional Council,
Mudgee. 2850

RE: SUBMISSION FOR THE NAMING OF 2 STREETS IN CARLEON SUBDIVISION

Dear Mr Camm,

On Friday, August 6th, 2021, the Mudgee Guardian advertised a request for submissions for proposed street names for 2 new streets off Hone Creek Drive in the locality of Caerleon on the Hill End Road, Mudgee.

I would like to propose that the names **Newman** and **Orchard** be considered as street names within this locality.

The names proposed are significant within the locality of Caerleon as John Newman was a pioneer of the Mudgee district and John and his wife Victoria Orchard were settlers and eminent residents of the Caerleon locality.

Stage 1 of Caerleon Estate, recognised early pioneers of our family in naming Hosking Street and Enfield Avenue within the estate. However, my G Grandparent's names were not recognised at that time.

John Newman arrived in Mudgee in 1857 with his cousin George Hosking and he settled in the Erudgere/McDonald Creek area where he and his cousin acquired a considerable amount of land. This was close to land that had already been acquired by their Uncle, Richard Crossing who made his home at Enfield.

The Crossing, Hosking and Newman families were a close knit family and their acquisition of land in the area promoted both agriculture and business ventures within the Mudgee District. George Hosking ran a butcher's shop and farmed land whilst Richard Crossing owned the Settler's store in Mudgee and had had extensive business dealings within in the Mudgee district and acted as Mayor at one time. John Newman, lived in proximity to his cousin, George Hosking and uncle, Richard Crossing at Enfield.

Victoria Orchard came to Mudgee with her parents Jean Marie (John) Orchard and Hannah Sabina (Browne) Orchard in the 1854. Victoria's Grandfather had a distinguished career in the military unit called the Buffs, stationed at Bowenfels. The family were very well respected and both Jean Marie and Hannah contributed to the establishment of the Methodist Church in Mudgee. In later years, after Jean Marie died, Hannah married Daniel Cassin who later became the mayor of Mudgee.

John married Victoria Orchard on 3rd April 1861 and they made their home at "Wattle Cottage", on the corner of the Hargraves and Old Grattai Roads, in close proximity to the Caerleon Estate. They had 15 children born at Wattle Cottage, 12 living to adults, who also contributed to the development of Mudgee. My Grandfather, Albert Orchard Newman lived his whole life at McDonald's Creek and Collingwood and the Newman family continue to live and manage properties in the Collingwood/Yarrabin area.

Victoria was a highly regarded member of the community. She managed the home and contributed significantly to the Methodist Church in both Mudgee and Collingwood. After having 2 strokes, she had 8 children and in later life she was confined to a wheelchair.

In her obituary, in the Mudgee Guardian, 13th September, 1920, Victoria was described as a "grand old lady and the news of her death is universally regretted". When her husband John died, his obituary also recognised Victoria as "a charming personality and richly endowed with common sense and the graces of beautiful womanhood".

John Newman was respected by all who knew him and he showed a commitment to family, agriculture and the community and helped shape the character of Mudgee during his lifetime, (1838-1922). He was considered by his peers as a pioneer of the Mudgee district.

John Newman owned a considerable amount of land in the Erudgere/McDonald's Creek area, including land from his house block, Portion 32, Munna Map Sheet, to McDonald's Creek. He also owned Burnbrae winery and adjacent Portions, (see Erudgere Parish Map) as well as 2 Portions labelled Rushby, adjoining McDonald's Creek. Here he ran a Lincoln stud, promoted the Farmer's and Settler's Association and was prominent in the Mudgee Agricultural Show Society.

John's commitment to the community is shown by his involvement in civic duties. He was an Alderman on the Cudgegong Borough Council for 40 continuous years and acted as Mayor from 1870-71. He was still actively involved with the Council when he was appointed an Alderman in 1906. The Mudgee Guardian reported on 15th March, 1906 that the Mayor stated at Council that "the ratepayers gained a distinct advantage of Alderman Newman coming back to Council. His long experience of municipal life would be a great advantage to the Council"

John Newman was appointed a Magistrate of the colony, (JP) in 1898 and he contributed further to Mudgee as he also served on the Mudgee Public School Board in 1898.

Attached is the Obituary of John Newman, which summarises many of his contributions and a map of the Erudgere/McDonald's Creek area which identifies land owned and managed by John Newman and his family.

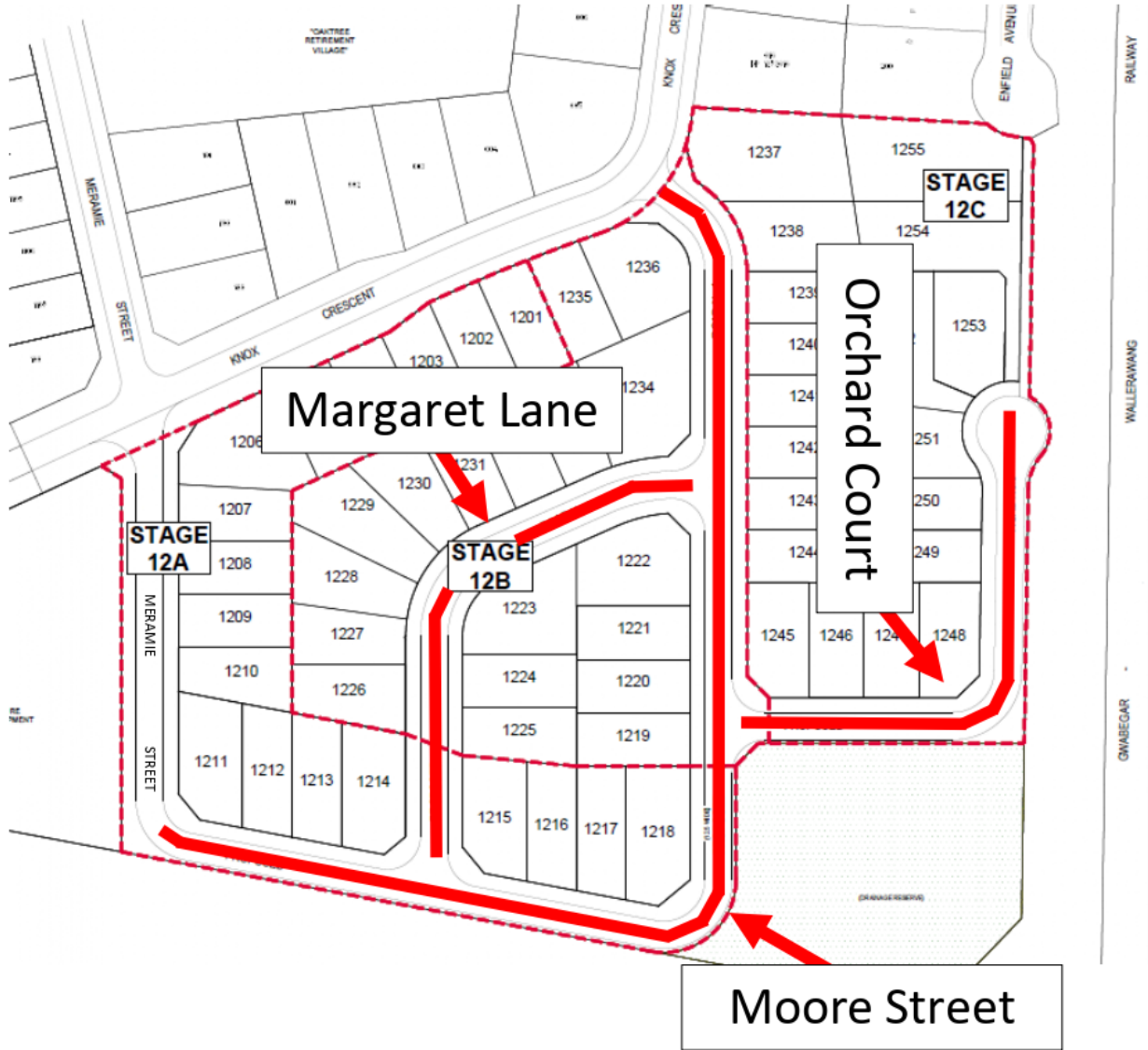
I would appreciate it if you could pass my submission to the Mayor and Councillors as well as appropriate Council staff for consideration of naming the new streets in the locality of Caerleon.

Further information can be supplied about John Newman and Victoria (Orchard) Newman if required.

Thanking you for consideration of this matter.

Regards

Bill Newman



9.3 Naming of a Bridge on Spring Ridge Road over Goodiman Creek Beryl

REPORT BY THE REVENUE OFFICER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, ROA100071

RECOMMENDATION

That Council:

1. receive the report by Revenue Officer on the naming of a Bridge on Spring Ridge Road over Goodiman Creek Beryl;
2. support the name of O'Brien's Bridge; and
3. call for further submissions in relation to the proposed name and receive a further report at the end of the exhibition period to formalise the name of the bridge.

Executive summary

Council has received a request from the public to name the bridge on Spring Ridge Road over Goodiman Creek at Beryl.

Disclosure of Interest

Nil

Detailed report

Council received a request for the bridge on Spring Ridge Road over Goodiman Creek to be named. Letters were sent to the immediate neighbours of the bridge, and advertising was placed in the 1st April 2022 Mudgee Guardian. Submissions closed on the 22nd April 2022 with 3 submissions received for the name 'O'Brien Bridge'.

O'Brien is a valid name choice for the area and can apply to the bridge.

The recommended name of O'Brien relates to the O'Brien family who have resided in the area since the late 1800's, and continue to reside in the area adjacent to the bridge being named.

Council has the authority to name bridges and the naming of this bridge will assist in identifying locations along Spring Ridge Road when reporting incidents to 000.

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

Unlike road naming and place naming, the Geographical Names Board does not have any authority over the naming of bridges and this is entirely under Council's purview. Using Council's Road, Bridge & Place naming policy as a reference, notice of the proposed name will be:

- a. advertised in the Mudgee Guardian inviting submissions in writing from the public for a period of 21 days.
- b. concurrently, notice of the proposed name will be sent to Australia Post, the Registrar General, the Surveyor General, The Chief Executive of the Ambulance Service of NSW, New South Wales Fire Brigades, the NSW Rural Fire Service, the NSW Police Force, the State Emergency Service, the New South Wales Volunteer Rescue Association Inc., and, in the case of a classified road – the RMS, inviting submissions in writing for a period of 21 days.

Council Policies

Road, Bridge & Place Naming Policy

Legislation

Roads Regulation 2018

Financial implications

Two names signs at an approximate cost of \$300. These costs are included in the existing signage budgets.

Associated Risks

Nil

SARAH PRINGLE
REVENUE OFFICER

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

16 May 2022

Attachments: 1. Submission.
2. Submission.
3. Submission.
4. Map.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

April 4th, 2022

From: Abby-Lee Honeysett

To: General Manager
Mid-Western Regional Council,
PO Box 156
Mudgee, 2850

To the General Manager,

I am writing to submit a name for the new bridge on Spring Creek Road over Goodiman Creek, Beryl. The O'Brien Family have lived in the area around Beryl for generations, and with the passing of John O'Brien last year, I propose naming the bridge in honour of him.


The suggestion I am putting forward is:

- **O'Brien Bridge**

Sincerely,

Abby-Lee Honeysett



From: 
To: [Council](#)
Subject: Submission re NAMING OF BRIDGE ON SPRING RIDGE ROAD OVER GOODIMAN CREEK
Date: Monday, 4 April 2022 9:18:57 PM
Attachments: [BRIDGE naming.png](#)

I grew up in the homestead at Goodiman, the farm that surrounds this bridge.

My family history research indicates that 5 generations of relatives lived and worked on land all around this bridge since the 1870s.

Full details of the O'Brien history can be obtained here: <http://dibley-history.blogspot.com/2018/01/index-obrien.html>

The main players are listed below and shown on the attached aerial image.

- - **Thomas O'Brien**, a police sergeant in Ilford, Mudgee, Hargraves and Peak Hill, owned the land now known as the "Old Station" in the 1890s – just up the road from the bridge.
- - His son, **John Michael O'Brien**, was a school teacher at Tallawang from 1886 to 1914. He travelled across Honeysett's land to socialise at the Goodiman Inn where he met and married Julia O'Connell.
- - Their son, **Wilfred O'Brien**, ran Goodiman farm with his uncles (the O'Connell brothers) who had moved to the area in 1879. Wilfred inherited the farm from them and passed it on to his son, our father, John O'Brien.
- - My sister currently runs Goodiman, with frequent visits from her O'Brien sibling

No other family has such a long standing connection to this geographic area and it seems fitting to memorialise that history in adopting the name O'BRIEN BRIDGE.

Yours sincerely,

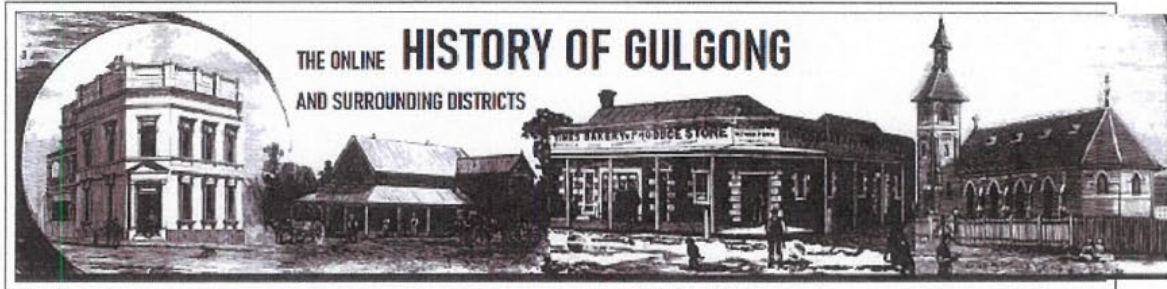
ren O'Brien

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THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: Thomas O'Brien

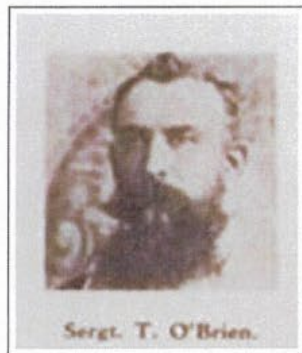
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TUESDAY, FEBRUARY 3, 2015

Thomas O'Brien



Source: History of Peak Hill & District facebook page

Thomas O'Brien was born at Cloonnanfinneela, County Kerry, Ireland, on 14 February 1839. He married Ellen Roberts, of Ennis, County Clare, on 21 February 1862 in County Clare.

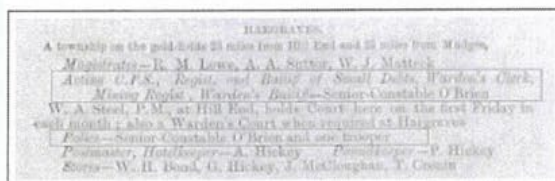
Ellen is thought to have been born in 1843-4 and died 2nd August 1879 at the age of about 36, having had 8 children, only six of whom lived beyond infancy. Ellen is buried in Hargraves.

Employment

NSW State Records (Police Service Register) indicate that Thomas O'Brien, a native of Ireland, born in 1840, was appointed to the police force on 5 March 1863.

Source: Service No 1095; Reel 3043 Item [8/3251]. See: <http://srwww.records.nsw.gov.au/indexes/>

From 1869 Thomas worked as a constable in the Rylstone area. In 1877 he was Senior Constable at Hargraves. Moore's Almanac from 1889 shows a number of additional roles that Thomas performed in Hargraves.



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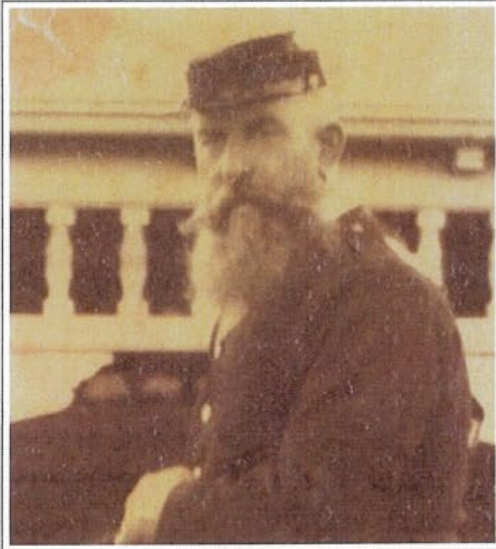
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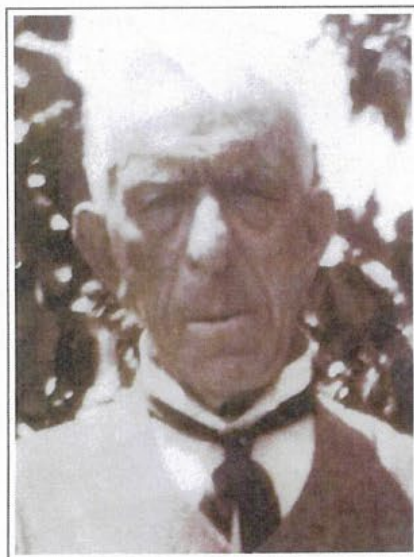
THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: Thomas O'Brien



Sergt O'Brien, Peak Hill, detail

Family

Thomas and Ellen's children, at the time of Thomas' death were listed as Annie (deceased), John Michael O'Brien (Education Department), William Roberts O'Brien (Education Department, W.A.), George Cashel O'Brien (Sydney), Martin Casey O'Brien (Peak Hill), Sara Ellen O'Brien (Mrs. Sampson, Perth, W.A.), Mary Catherine O'Brien (Mrs. Mahoney, Temora), and Johanna (deceased).



20/04/2022, 15:18

THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: Thomas O'Brien

APPOINTMENTS -... senior-constable Thomas O'Brien to be Gold Receiver at Hargraves, and senior constable Thomas Purcell to be Gold Receiver at Hill End, both appointments to date from the 1st instant.

Source: The Sydney Morning Herald (NSW : 1842 - 1954) Wed 4 Jul 1877 Page 8

GOVERNMENT GAZETTE.

APPOINTMENTS.- ... constable Thomas O'Brien, to be warden's clerk and mining registrar, &c., at Hargreaves;

Source: The Sydney Morning Herald (NSW : 1842 - 1954) Wed 18 Jul 1877 Page 3

GOVERNMENT GAZETTE.

Appointments. – Constable James Hoban to be mining registrar at Tarcutta, and to issue miners' rights, business and mineral licenses; and senior- constable O'Brien to be bailiff of the Warden's Court at Hargraves – both appointments to take effect from the 1st proximo.

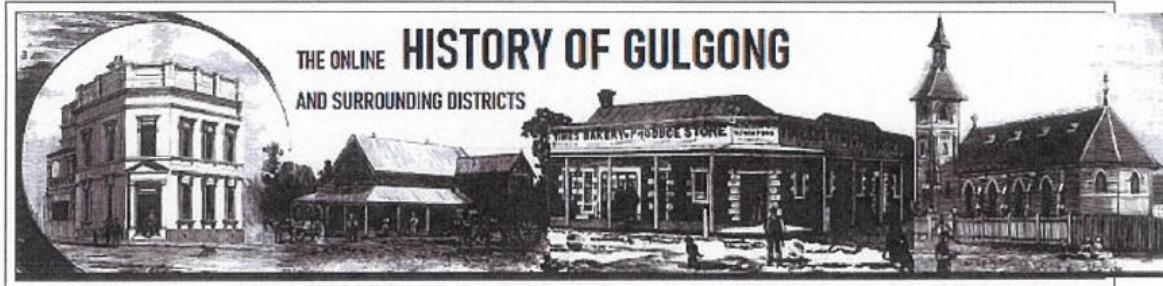
Source: The Sydney Mail and New South Wales Advertiser (NSW : 1871 - 1912) Sat 6 Aug 1881 Page 266

20/04/2022, 15:17

THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: John Michael O'Brien

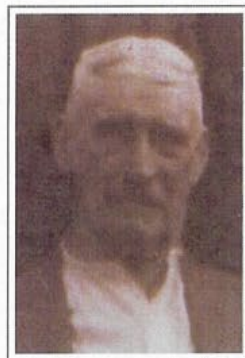
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TUESDAY, FEBRUARY 3, 2015

John Michael O'Brien



John Michael O'Brien was born on 9 June in 1865 to **Thomas O'Brien** (constable) 25 years of age (born in County Kerry, Ireland) and **Ellen Roberts**, 21 years of age from County Clare, Ireland. He was a school teacher in **Tallawang** for 28 years from 1886 to 1914.



Birth Certificate

In 1890, John Michael O'Brien married **Julia O'Connell** at Goodiman. Witnesses to the ceremony were John's brother **William Roberts O'Brien** and Julia's 19-year-old niece, **Maggie Isabella Payne**.

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20/04/2022, 15:17

THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: John Michael O'Brien

After leaving Tallawang, John Michael O'Brien taught at Canimbla (in the Cowra district) for 3 years. He also undertook some relief teaching at Bobin Public School and Jones' Island School.

John Michael later lived at 41 Robert Street, Marrickville with his wife, Julia, and various children. His son, Eugene, lived nearby with his wife Doreen nee Madsen, at 20 Robert Street and also at 26 David Street.

John Michael O'Brien died of cerebral thrombosis on 25 June, 1950 in Marrickville at the age of 85, having been ill for a year. He was buried on 27 June, at the Catholic Cemetery Rookwood.

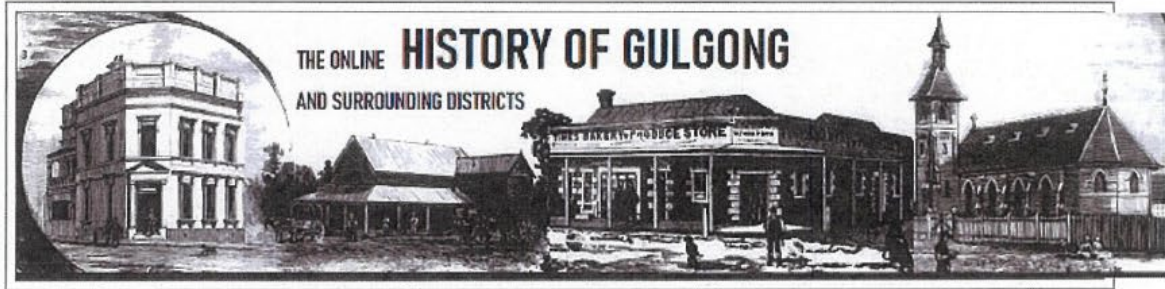


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THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: Wilfred O'Brien

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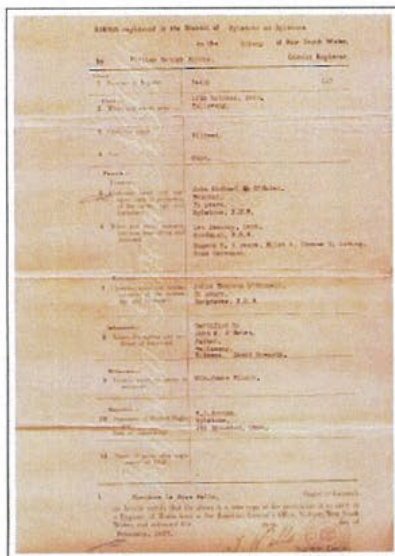


TUESDAY, FEBRUARY 17, 2015

Wilfred O'Brien



Wilfred O'Brien was born at Tallawang on 12 October 1896, the fourth child and third son of **John Michael O'Brien** and **Julia (nee O'Connell)**. He attended his father's school in Tallawang.



Wilfred's Birth Certificate

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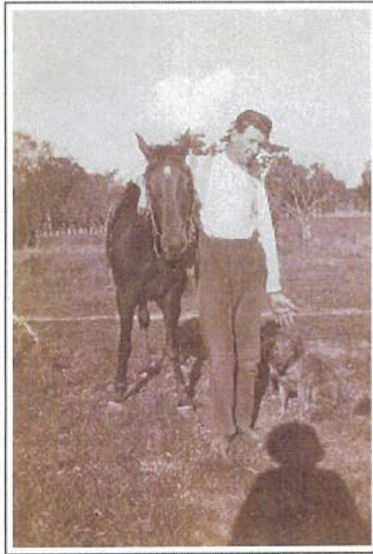
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20/04/2022, 15:18

THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: Wilfred O'Brien



This appears to be Wilfred at Goodiman. Year unknown.



Wilfred with a young girl? But who?

Wilfred had a bank job lined up in Sydney but broke his arm so stayed with the O'Connell's in the country while it mended and his brother Charles took the job.

After Eugene's death, Wilfred took over the running of Goodiman farm.

1930 - [PROBATE]

IN THE SUPREME COURT OF NEW SOUTH WALES
PROBATE JURISDICTION— In the Will of EUGENE
O'CONNELL late of Goodiman Gulgong in the State of

20/04/2022, 15:18

THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: Wilfred O'Brien

Wilfred O'Brien, of Goodaman Station, Gulgong, third son of Mr. and Mrs. J. O'Brien, of Sydney.

Source: *The Sydney Morning Herald* Saturday 4 February 1933 p 12 Family Notices

1934 - [DEPARTURE]

Mr W O'Brien, of Goodiman, left for Sydney a few days ago to see his wool sold.

Source: *Mudgee Guardian* Thursday 18 January 1934

In 1934 Wilfred married Grace Morris. For more details of the wedding, see [Grace Morris nee O'Brien \(nee Morris\)](#)

1934 – [WEDDING ARRANGEMENTS]

Arrangements have been made for the wedding of Miss Grace Morris, of Mudgee to Mr. Wilfred O'Brien, of Goodiman Station, to take place in Sydney. They will be married at 8 o'clock on December 1 at a Nuptial Mass at St. Mary's Basilica. The bridesmaids will be Misses Jean Kirk and Kath O'Brien, and the best man the groomsmen, Messrs. Charles and John O'Brien. The reception is to be at Usher's, and they will leave on the Strathaird at about noon the same day for Bombay. The honeymoon is to be spent touring India.

Source: *Catholic Freeman's Journal* Thursday 29 November 1934



20/04/2022, 15:18

THE ONLINE HISTORY OF GULGONG AND SURROUNDING DISTRICTS: Wilfred O'Brien

Constable A E Tucker, of Gulgong, and Mr W O'Brien, of Goodiman, Gulgong, have joined the ranks of new car owners.

...

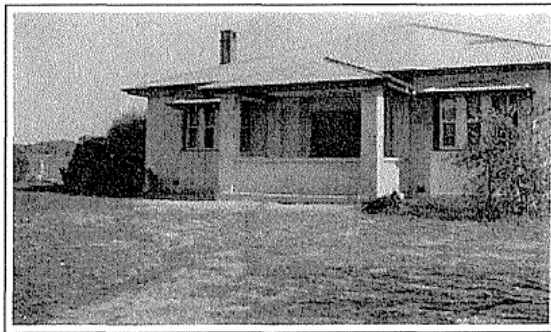
MRS. O'Brien nee Miss Grace Morris, of Mudgee), wife of Mr. W. O'Brien, of Goodiman, Gulgong, rendered a much-appreciated carillon recital at Bathurst last week.

Source: Mudgee Guardian Thursday 28 May 1936

1936 - FINE NEW HOME

THE new home being erected for Mr. and Mrs. Wilfred O'Brien, of Goodiman Station, is nearing completion. It is a very fine building of nine rooms and sun verandahs, and has all modern conveniences, including a sewerage system. Mrs. O'Brien, before her marriage, was Miss Grace Morris, of Mudgee. Mr. Rayner, of Mudgee, is the contractor. — 'Mudgee Guardian.'

Source: Mudgee Guardian Thursday 9 July 1936



Goodiman Homestead

1938 - GULGONG PERSONAL

Miss Kath O'Brien, who, prior to being the guest of Mr. and Mrs. B. J. Naughton for a few days, was the guest of her brother, Mr. Wilfred O'Brien, and Mrs. O'Brien, of 'Goodiman,' returned to Sydney a few days ago.

Source: *Mudgee Guardian* Thursday 27 January 1938

In 1939, Eugene O'Brien took a series of photos around Goodiman. They are a fantastic record of the homestead, sheds and paddock at the time.

Extract of biographical information for Thomas O'Brien, John Michael O'Brien & Wilfred O'Brien from 'The Online History of Gulgong & Surrounding Districts'

Michael O'Brien

March 24, 2022

The General Manager
Mid-Western Regional Council
PO Box 156
Mudgee NSW 2850
council@midwestern.nsw.gov.au

RE: *Submission to name the currently unnamed bridge at Goodiman the O'BRIEN BRIDGE.*

Dear Sir,

A Council sign has gone up at the bridge along our road announcing the 'Goodiman Creek Bridge Replacement' to be completed by late 2022. It seems to me (a) this would be a good time to give the bridge an official name, and (b) I would like to submit that the bridge be named O'BRIEN BRIDGE after the O'Brien family, which has owned the land on each side of the bridge for some miles in either direction for 5 generations and over 100 years.

(a) The bridge in question urgently needs an official name and signpost.

There are few landmarks or signposts along Spring Ridge Road and the bridge is a distinctive place, coming as it does just after the junction with Lahey's Creek Road. It would be helpful to be able to say *'the fire/flood/cattle on the road are just this side/that side/four kilometres past O'BRIEN BRIDGE'*. Twenty years ago, only 3 families owned all the country along this road all the way from Goodiman to Spring Ridge, but now there are hundreds of small blocks, a lot more through traffic and more emergencies occurring along Spring Ridge Road requiring specific reporting as to location.

(b) Why name it O'BRIEN BRIDGE?

My name is Michael O'Brien and I am the fifth generation of the O'Brien family to farm 'Goodiman', the land on either side of this bridge. In fact, the bridge has always been known in the area as the bridge at Goodiman (our property name), but unfortunately 'Goodiman Bridge' is the official title of the new bridge on the Mebul Road. We would be perfectly happy with 'Goodiman Creek Bridge' (as is written on the current sign about the rebuild) but if that is too similar and likely to be confused with 'Goodiman Bridge' then we would like to propose O'BRIEN BRIDGE.

Five generations of O'Briens have associations with this bridge and the surrounding country:

- Thomas O'Brien, a police sergeant in Ilford, Mudgee, Hargraves and Peak Hill, owned the land now known as the "Old Station" in the 1890s – just up the road from the bridge.
- His son, John Michael O'Brien, a school teacher at Tallawang, travelled across Honeysett's land to visit the Goodiman Inn (a former Cobb & Co. coach stop just before the bridge) where he met and married Julia O'Connell.

- Their son, Wilfred O'Brien, ran Goodiman farm with the O'Connell brothers and inherited it and passed it on to his son, our father, John O'Brien.
- And now I run Goodiman, with frequent visits from my six O'Brien siblings.

Over the years Goodiman's boundaries have extended for as much as 5 miles in either direction from the bridge. So that bridge has always been right in the centre of our property and a location for everyone on both the Spring Ridge Rd and Lahey's Creek Rd to mark as the place where the O'Brien property of Goodiman was located.

The bridge means a lot to us and there are hundreds of stories of floods and adventures affecting that bridge and our family. During the incredible floods of 1956 Gwen Bryant, heavily pregnant with her first child up at the homestead at Spring Ridge was driven down to the bridge by her husband Bill Bryant where she walked hand over hand in pouring rain over what remained of the washed away bridge to where my grandfather Wilfred O'Brien waited on the other side to take her to hospital.

If such an event were to happen again it would be great to be able say *'the ambulance will meet her at O'Brien Bridge'*, not *'... at that bridge about half a kay down the road from the junction of Spring Ridge Road and Lahey's Creek Rd, about half a kay from the O'Brien front gate...'*

I'd be more than happy to answer any questions you might have about my submission, and would be grateful if you could advise me if there is a more formal submission process for naming this bridge.

Yours sincerely,

Michaëley O'Brien



9.4 Building Upgrade Finance (using Environmental Upgrade Agreements) Policy

REPORT BY THE MANAGER PROPERTY AND REVENUE
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, EN200067

RECOMMENDATION

That Council:

1. receive the report by the Manager Property and Revenue on the Building Upgrade Finance (using Environmental Upgrade Agreements) Policy;
2. endorse public exhibition of the Building Upgrade Finance (using Environmental Upgrade Agreements) Policy for a period of 28 days (Attachment 1);
3. adopt the Building Upgrade Finance (using Environmental Upgrade Agreements) Policy, if no submissions are received after the exhibition period;
4. adopt the following Environmental Upgrade Agreement Supporting Documents:
 - 4.1 The Environmental Upgrade Agreement Enforcement Procedure being Council's Debt Management and Recovery Policy (Attachment 5);
 - 4.2 Environmental Upgrade Agreement Application Form (hosted online);
5. delegate authority to the General Manager:
 - 5.1 to negotiate, execute and administer Environmental Upgrade Agreements and to negotiate, execute and administer any variation for an existing Environmental Upgrade Agreement in the Mid-Western Regional Council's Local Government Area;
 - 5.2 make and amend Environmental Upgrade Charges under Environmental Upgrade Agreements; and
 - 5.3 make and amend Environmental Upgrade Agreement Supporting Documents as required;
6. endorse the use of the Environmental Upgrade Agreement contract template (4 July 2016), approved or otherwise agreed by the NSW Director General of the Department of Premier and Cabinet from time to time (Attachment 6);
7. place on public exhibition for 28 days the following fees, as written below; and
 - Environmental Upgrade Agreement - Signing Fee \$400
 - Environmental Upgrade Agreement – Administration Fee \$200, per year
 - Environmental Upgrade Agreement – Administrative Cost - Late Payment Fee \$20, per each late payment;

8. **adopt the new fees following the 28 day exhibition period if no submissions are received.**

Executive summary

The purpose of this Report is to present the draft Building Upgrade Finance (using Environmental Upgrade Agreements) Policy (the Policy) to Council for consideration along with a number of proposed delegations to the General Manager relevant to Council's implementation and ongoing management of the Environmental Upgrade Finance Program (EUFP).

The draft Building Upgrade Finance (using Environmental Upgrade Agreements) Policy is appended as attachment 1.

Disclosure of Interest

Nil

Detailed report

At the 13 October 2021 Ordinary Council Meeting, Council endorsed the implementation of Environmental Upgrade Agreements (EUAs) in the Mid-Western Regional Council area and requested *an Environmental upgrade Agreement Policy be developed and brought back to Council for consideration.*

The report and Council minute are appended as attachments 2 & 3, respectively.

The Policy reflects and supports the discussion in the October Council report and provides clear parameters around the establishment and administration of EUAs in accordance with the following legislation and guides:

- In New South Wales, Building Upgrade Finance (BUF) has been enabled through amendments to the *Local Government Act 1993* (Part 2A – Environmental Upgrade Agreements) (LG Act) which allows any local council in NSW to offer EUAs;
- The *Local Government (General) Regulation 2005* (Part 5A- Environmental Upgrade Agreements) which enables council's to delegate to the General Manager the authority to make or amend Environmental Upgrade Charges (EUCs);
- The *Guidelines for Environmental Upgrade Agreements 18 February 2011* support the legislation and provide details on the mandatory provisions for councils.
- The NSW Department of Planning, Industry and Environment's *NSW Local Council's Building Upgrade Finance Guide March 2020* provides an overview of BUF and procedural information regarding its establishment and administration. The Guide is appended as attachment 4.

The Policy also stipulates a trial 2 year period during which time, a Program Administrator will be contracted to assist in establishing the EUFP and work with Council to provide administrative services to facilitate Council meeting its obligations under the EUA Legislation.

As the legislation allows Council to delegate authority to the General Manager to enter into EUAs, and to make or amend EUCs under an EUA, it is recommended that Council delegate authority to the General Manager so that Council can manage EUAs efficiently.

To support the General Manager's delegation, it is also recommended that Council endorse the development and use of the following Environmental Upgrade Agreement Supporting Documents:

- *Environmental Upgrade Agreement Application Form* – an eligibility check for the building owner, building and upgrade works (not required by the legislation, but created to confirm eligibility against the legislative requirements).
- *The Environmental Upgrade Agreement Enforcement Procedure* – outlining Council’s best endeavours to recover unpaid EUCs (required as an annexure to the *EUA contract*). Council’s *Debt Management and Recovery Policy* is the reference in this regard. Appended as attachment 5.

The *Environmental Upgrade Agreement* contract is the template contract prepared by the NSW Government for all transactions in NSW. Appended as attachment 6.

New fees and charges are proposed that aim to cover the full cost of the administration work required to setup a new agreement (Signing Fee \$400) and continue with the quarterly and annual administration required by the agreement and regulations (Administration Fee \$200 per year). A new fee for administering late payment procedures (Administrative Cost - Late Payment Fee \$20 per each late payment) will also be setup.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

Proposed GUPF fees –

Revenue associated with these changes is on the basis of cost recovery only.

Associated Risks

The risks and liability to Council in the management and delivery of the EUFP were detailed in the 21 October 2021 report.

The draft Policy addresses the key risks appropriately, ensuring that any projects carry an acceptable level of risk. Risk is also mitigated by utilising the services of a third-party program administrator.

DIANE SAWYERS
MANAGER PROPERTY AND REVENUE

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

28 March 2022

- Attachments:*
1. Draft Building Upgrade Finance (using Environmental Upgrade Agreements) Policy. (separately attached)
 2. Report Council Meeting 13/10/2021. (separately attached)
 3. Minute 301-21 Council Meeting 13/10/2021. (separately attached)
 4. NSW Local Council's Building Upgrade Finance Guide NSW DPIE March 2020. (separately attached)
 5. Environmental Upgrade Enforcement Procedure 11/12/2019. (separately attached)
 6. EUA-NSW Government prepared contract-4-July-2016. (separately attached)

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

9.5 Financial Assistance - GP Respiratory and Vaccine Clinic

REPORT BY THE FINANCIAL OPERATIONS COORDINATOR
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, PUB600025

RECOMMENDATION

That Council:

1. **receive the report by the Financial Operations Coordinator on the Financial Assistance - GP Respiratory and Vaccine Clinic;**
2. **provide in kind financial assistance in the financial year 2021/22 for the GP Respiratory and Vaccine Clinic as set out in this report, at a value of \$82,003; and**
3. **amend the 2021/22 budget as follows:**
 - 3.1 **increase showground revenue by \$82,003**
 - 3.2 **increase financial assistance expenditure by \$82,003**

Executive summary

Since the beginning of the COVID-19 pandemic in April 2020 through until February 2022 there has been a GP Respiratory clinic and Vaccine clinic run at Council's Mudgee showground facility, this report outlines the in kind financial assistance provided and summarises the success of these clinics.

Disclosure of Interest

Nil

Detailed report

In response to COVID-19 the Commonwealth Health Department established a new organisation known as GP Respiratory and Vaccine Clinics and early in the pandemic they called for expressions of interest to which Dr Moore and Dr Ghanem responded to.

This saw the establishment of a respiratory clinic at the Mudgee Showground and this was one of 141 clinics that were established in rural and regional areas across the country. Up until its closure at the Mudgee Showground site in February 2022 the clinic conducted 13,700 consultations and this meant that our region was able to successfully divert assessment and care of unwell respiratory patients away from general practices and hospitals to a separate safe medical facility.

Later on in the pandemic the clinic was able to expand its operation and conduct a vaccination clinic over a number of months using Council's main pavilion at the Mudgee Showground, the clinic was able to secure higher numbers of vaccines than it would if it was distributed out of ordinary general practice. This clinic administered 23,728 vaccinations and was instrumental in our region's response to the pandemic.

Whilst obtaining information and figures for this report it is to be noted that Dr Gary Moore expressed that he would like to give his gratitude to Council for being so supportive and willing to assist our pandemic response.

Council can waive fees, however waiver of fees requires a category of hardship, which this does not meet, or another category to be developed, and advertised for 28 days. A category for fee waiver is not recommended as this is likely to be a one-off situation. It is therefore recommended that the pavilion hire be treated as financial assistance, with no net impact to Council (see financial implications).

Community Plan implications

Theme	Looking After Our Community
Goal	A safe and healthy community
Strategy	Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Local Government Act 1993 Sections:

356 Can a council financially assist others?

- (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.
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.
- (3) However, public notice is not required if—
 - (a) the financial assistance is part of a specific program, and
 - (b) the program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and
 - (c) the program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and
 - (d) the program applies uniformly to all persons within the council's area or to a significant group of persons within the area.
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.

610E Council may waive or reduce fees

- (1) A council may waive payment of, or reduce, a fee (whether expressed as an actual or a maximum amount) in a particular case if the council is satisfied that the case falls within a category of hardship or any other category in respect of which the council has determined payment should be so waived or reduced.

- (2) However, a council must not determine a category of cases under this section until it has given public notice of the proposed category in the same way as it is required to give public notice of the amount of a proposed fee under section 61F(2) or (3).

Financial implications

Hire of Mudgee Showground's main Pavilion is \$463.63 per day excluding GST (2021/22). During the 2021/22 financial year the cost for the hire of the main pavilion was \$63,981.81 excluding GST. Hire of Mudgee Showgrounds grassed area along Douro Street is \$76.36 per day excluding GST (2021/22). During the 2021/22 financial year the cost for the hire of the grassed area along Douro Street was \$18,021.82 excluding GST. There will be no impact to the ratios or unrestricted cash, as the expenditure and income is received by Council.

Associated Risks

Nil

TRISH ELSEGOOD
FINANCIAL OPERATIONS COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

25 May 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

9.6 Write-off of Debts - Period 26/5/2021 to 27/5/2022

REPORT BY THE REVENUE COORDINATOR

TO 15 JUNE 2022 ORDINARY MEETING

GOV400098, GOV400088, GOV400087, GOV400067, A0140197

RECOMMENDATION

That Council:

1. **receive the report by the Revenue Coordinator on the Write-off of Debts - Period 26/5/2021 to 27/5/2022;**
2. **note the write-offs totalling \$2,381.42 made under delegated authority as stipulated in Attachment 1 to this Report for the period 26/5/2021 to 27/5/2022; and**
3. **authorise the write-off of those debts greater than \$2,500 and totalling \$82,387.88 as stipulated in Attachment 1 to this Report for the period 26/5/2021 to 27/5/2022.**

Executive summary

This report provides a summary of debts less than \$2,500 owed to Council that have been written off since 26 May 2021 under delegated authority and seeks Council's resolution to write off debts that are greater than \$2,500 that are owed to Council.

Disclosure of Interest

Nil

Detailed report

The Local Government Regulations specify the requirements and restrictions placed on Council to write off debts, as outlined in the Legislation section of this report. The attached summaries document the delegated write offs and outlines the debts greater than \$2,500 that require Council's resolution to write off.

The total amount written off for the period 26 May 2021 to 27 May 2022 under delegation was \$2,381.42. Details of the individual debts are shown in the confidential Attachment 1 to this report.

The total amount of debts greater than \$2,500 requiring a Council resolution to write off is \$82,387.88. These debts stem from impounding fees levied on the debtor in 2019 and 2020, and legal fees awarded by the courts against the debtor following protracted court action. These amounts are now unrecoverable following the bankruptcy of the debtor concerned. Details surrounding this matter are outlined in the confidential Attachment 2 to this report.

Consultation has been undertaken with Council's debt collection agent and/or solicitors throughout the debt recovery processes in relation to these debts. Action to continue to pursue the debts is available to Council, however this was not considered appropriate for the reasons stated in the confidential Attachment 1.

It is important to note that a debt that has been written off does not prevent Council initiating legal proceedings in the future to recover the debt. Any amount written off will be adjusted if part or all of the debt is subsequently recovered.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Councils Debt Management and Recovery & Credit Policies

Legislation

Sections 213 and 131 of the Local Government (General) Regulation 2005 specify restrictions on writing off debts owed to a council. Council has previously resolved that the General Manager be delegated to write off amounts up to \$2,500. Debts owed to Council that are greater than \$2,500 must have a Council resolution directing that the stipulated amounts be written off.

Regulation 213(5) states that a debt can only be written off if it satisfies one of the following criteria:

- a) if the debt is not lawfully recoverable, or
- b) as a result of a decision of a court, or
- c) if the council or the general manager believes on reasonable grounds that an attempt to recover the debt would not be cost effective.

Regulation 131(6) states that the General Manager must advise the Council of rates and charges written off by written order of the General Manager.

Financial implications

The writing off of the amounts shown in the attachment will reduce the balances of outstanding receivables. Provisions for doubtful debts exist within Councils accounts. The impact on operating performance ratio will depend on the assessment of other debts at financial year end.

Council's Credit Policy is in place to minimise the expenditure of valuable resources collecting and writing off overdue and bad debts.

There are no budget variations required for this write-off.

Associated Risks

Not applicable

IAN CLAYTON
REVENUE COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

27 May 2022

- Attachments:*
1. Write-off of debts - Period 26/5/2021 to 27/5/2022. (Confidential - separately attached)
 2. Additional Debt detail - Write-off of debts - Period 26/5/2021 to 27/5/2022. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

9.7 Monthly Budget Review - May 2022

REPORT BY THE ACCOUNTANT REPORTING & ANALYSIS
TO 15 JUNE 2022 ORDINARY MEETING
GOV400087, FIN300315, GOV400098

RECOMMENDATION

That Council:

1. **receive the report by the Accountant Reporting & Analysis on the Monthly Budget Review for May 2022; and**
2. **amend the 2021/22 budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report.**

Executive summary

This report provides Council with information on the progress of the 2021/22 capital works program at 31 May 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

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

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

- a) establish and maintain a system of budgetary control that will enable the council's actual income and expenditure to be monitored each month and to be compared with the estimate of Council's income and expenditure, and

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

Financial implications

The budget variations proposed will impact the below financial ratios.

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

Associated Risks

Not applicable

SUMEDHA UPRETI
ACCOUNTANT REPORTING & ANALYSIS

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

26 May 2022

Attachments: 1. Monthly Budget Review attachment - May 2022.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET
REVIEW -
31 MAY 2022

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

15 JUNE 2022

MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



1. PROPOSED BUDGET VARIATIONS

FUNDING SUMMARY

Fund	Funding Source	21/22	Grand Total
General	ASSET REPLACEMENT RESERVE	(58,500)	(58,500)
	GRT - FOOTPATHS & CYCLEWAYS - CAPITAL	0	0
	GRT - OTHER GRANT INCOME - CAPITAL	10,000	10,000
	GRT - RECREATION - CAPITAL	52,500	52,500
	GRT - ROADS TO RECOVERY	217,257	217,257
	GRT - RURAL FIRE SERVICE	(66,000)	(66,000)
	OTHER INTERNAL RESTRICTIONS	70,654	70,654
	Unrestricted Cash	(135,414)	(135,414)
	UNSPENT GRANTS	80,709	80,709
General Total		171,206	171,206
Grand Total		171206	171206

2021/22 VARIATIONS

Fund	Variation	Expenditure Budget Variation \$	Revenue Funding Source 1	Revenue Funding Source 1 Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Restricted Funding Source 2	Restricted Funding Source 2 Variation \$	Unrestricted Cash Variation \$
General	Bushfire Recovery -Makesafe Program (DRFA) - Double up as put in March QBR and separate council report.	-84,709	-	0	UNSPENT GRANTS	84,709	-	0	0
General	Rural Reseal - Crudine Rd Seg 40, 80 & 160 - Crudine Rd Rural reseal savings. RTR funding has been used on other roads projects.	-65,752	GRT - ROADS TO RECOVERY	56,752	-	0	-	0	9,000

Fund	Variation	Expenditure Budget Variation \$	Revenue Funding Source 1	Revenue Funding Source 1 Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Restricted Funding Source 2	Restricted Funding Source 2 Variation \$	Unrestricted Cash Variation \$
General	Putta Bucca Training Camp Facility - Stage 1 - Move budget to stage 2 project	-50,000	GRT - RECREATION - CAPITAL	50,000	-	0	-	0	0
General	Urban Rehab - Bombira Avenue - Savings recognised. RTR funding remaining has been used on other roads projects.	-34,058	GRT - ROADS TO RECOVERY	34,058	-	0	-	0	0
General	Rural Rehab - Lue Road Monivae Seg 100 - Lue Road Monivae Rural rehab savings. RTR funding used on other roads projects.	-32,102	GRT - ROADS TO RECOVERY	28,844	-	0	-	0	3,258
General	Putta Bucca Wetlands Infrastructure - Capital - Transfer of non-capital costs to operating project including the Income.	-12,939	GRT - FOOTPATHS & CYCLEWAYS - CAPITAL	12,939	-	0	-	0	0
General	Rural Reseal - St Fillans Rd Seg 10 - Savings recognised. RTR funding has been used for other roads projects.	-12,446	GRT - ROADS TO RECOVERY	12,446	-	0	-	0	0
General	Mudgee Town Hall Theatre - Air-Conditioning Upgrade - Transferring budget to Mudgee Library Air Conditioning account.	-10,626	-	0	ASSET REPLACEMENT RESERVE	10,626	-	0	0
General	Red Hill Reserve - Maintenance - Amend the duplication of budget for the Gulgong Gold Experience contract	-10,000	-	0	-	0	-	0	10,000
General	Rural Reseal - Lue Road Lue Seg 152-165 - Savings recognised. RTR funding has been used to fund other roads projects.	-8,908	GRT - ROADS TO RECOVERY	8,908	-	0	-	0	0

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – MAY 2022

Fund	Variation	Expenditure Budget Variation \$	Revenue Funding Source 1	Revenue Funding Source 1 Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Restricted Funding Source 2	Restricted Funding Source 2 Variation \$	Unrestricted Cash Variation \$
General	Urban Rehab - Church / Meares St Roundabout - Church St Roundabout savings. RTR funding to be used on another project	-8,685	GRT - ROADS TO RECOVERY	8,685	-	0	-	0	0
General	Rural Reseal - Buckaroo - Buckaroo Rural reseal savings. RTR funding has been used for other roads projects.	-3,222	GRT - ROADS TO RECOVERY	3,222	-	0	-	0	0
General	Rural Rehab - Cudgegong Rd - Savings recognised. Remaining RTR funding has been used on another roads project.	-984	GRT - ROADS TO RECOVERY	984	-	0	-	0	0
General	Causeway Improvement - Tallaway St Gulgong - Already received 100% claims from RTR funding this year on other projects.	0	GRT - ROADS TO RECOVERY	30,000	-	0	-	0	(30,000)
General	Causeway Improvement - Blacksprings Rd - Already received 100% claims from RTR funding this year on other projects.	0	GRT - ROADS TO RECOVERY	33,358	-	0	-	0	(33,358)
General	Kandos Hall & Library - Toilets - Grant funding unsuccessful Community building partnership.	0	GRT - OTHER GRANT INCOME - CAPITAL	10,000	ASSET REPLACEMENT RESERVE	(10,000)	-	0	0
General	Gulgong Pool Heaters - Grant funding through ClubGrants Infrastructure fund unsuccessful.	0	GRT - RECREATION - CAPITAL	52,500	ASSET REPLACEMENT RESERVE	(52,500)	-	0	0
General	Mudgee Pound Upgrade - Renovation & Extension - Unspent grant from 2020 FY recognised in 2022 FY.	0	-	0	UNSPENT GRANTS	(4,000)	ASSET REPLACEMENT RESERVE	4,000	0
General	Rural Unsealed Roads Administration - Increase the financial assistance grant for actuals received in advance	0	-	0	OTHER INTERNAL RESTRICTIONS	70,654	-	0	(70,654)

Fund	Variation	Expenditure Budget Variation \$	Revenue Funding Source 1	Revenue Funding Source 1 Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Restricted Funding Source 2	Restricted Funding Source 2 Variation \$	Unrestricted Cash Variation \$
General	Planning Proposal Pitts Lane - Adding Budget for internal Planning fee.	9,660	-	0	-	0	-	0	(9,660)
General	Mudgee Library Air Conditioning - Moving budget from Town hall theatre account	10,626	-	0	ASSET REPLACEMENT RESERVE	(10,626)	-	0	0
General	Putta Bucca Wetlands Infrastructure - Operating - Transfer of non-capital costs to operating project.	12,939	GRT - FOOTPATHS & CYCLEWAYS - CAPITAL	(12,939)	-	0	-	0	0
General	Plant Purchases - Adding budget to purchase Defibrillators	14,000	-	0	-	0	-	0	(14,000)
General	Putta Bucca Training Camp Facility -Stage 2 - Move budget to stage 2 project	50,000	GRT - RECREATION - CAPITAL	(50,000)	-	0	-	0	0
General	Streetscape - Rfs Hazard Reduction - Adding budget for Hazard Reduction Grant from NSW Rural Fire service.	66,000	GRT - RURAL FIRE SERVICE	(66,000)	-	0	-	0	0
Water	Water Mains - Capital - Capital project correction transferred to operating project	-1,361	-	0	WATER RESERVE	1,361	-	0	0
Water	Water Mains Ops & Maint - Capital Project correction transferred to operating project.	1,361	-	0	WATER RESERVE	(1,361)	-	0	0
Total		(171,206)		213,757		88,863		4,000	(135,414)

2. CAPITAL WORKS PROGRAM

Summary of capital works program as at 31 May 2022.

30.51 M

Actual YTD

204

Capital Projects

\$52.40 M

Budget

\$15.03M

Commitments

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Looking after our Community							
BUSHFIRE RECOVERY - LARGE WATER TANKS (DRFA)	6	0	6	6	100%	0	Project Scope
FIRE CONTROL CENTRE - CUDGEGONG COMMUNITY	500	0	500	0	0%	0	Procurement
RURAL FIRE SERVICE - COOKS GAP STATION (CAPITAL)	28	0	28	6	22%	21	Construction
RURAL FIRE SERVICE - LUE STATION (CAPITAL)	29	0	29	0	0%	0	Design
RURAL FIRE SERVICE - WATER TANK MAINTENANCE	15	0	15	0	0%	0	Consultation
MUDGEE POUND UPGRADE - RENOVATION & EXTENSION	85	0	85	64	75%	112	Construction
COUNTRY UNIVERSITY CENTER	20	0	20	14	69%	2	Design
CEMETERY CAPITAL PROGRAM	14	0	14	0	0%	12	Final works
MUDGEE CEMETERY ROAD UPGRADE	35	0	35	32	93%	0	Complete
RYLSTONE CEMETERY DRAINAGE	15	0	15	3	23%	0	Complete
PUBLIC TOILETS - GOOLMA	11	0	11	9	87%	0	Complete
LIBRARY BOOKS	93	0	93	66	71%	(12)	Construction
MUDGEE LIBRARY AIR CONDITIONING	0	11	11	0	0%	0	Consultation
HARGRAVES COURT HOUSE BUILDING - EXTERNAL WORKS	3	0	3	3	100%	0	Procurement
COMMUNITY CENTRE - COURT STREET CAPITAL WORKS	93	0	93	86	93%	4	Final works
MUDGEE TOWN HALL THEATRE - AIR-CONDITIONING UPGRADE	50	(11)	39	11	27%	0	Final works
KANDOS HALL & LIBRARY - EXTERNAL PAINTING & KITCHEN UPGRADE	160	0	160	55	34%	12	Final works
KANDOS HALL & LIBRARY - TOILETS	20	0	20	0	0%	1	Consultation
POOL SHADE PROGRAM	65	0	65	36	55%	24	Complete
GULGONG POOL STORAGE SHED	4	0	4	4	100%	0	Complete
GULGONG POOL HEATERS	105	0	105	0	0%	0	Procurement
MUDGEE SHOWGROUNDS - REDEVELOPMENT	475	0	475	317	67%	174	Construction
GLEN WILLOW SPORTS GROUND UPGRADES	4,832	0	4,832	3,917	81%	442	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
GLEN WILLOW CARPARK	114	0	114	118	103%	0	Complete
MUDGEES DOG PARK RELOCATION & UPGRADE	3	0	3	3	100%	0	Complete
GLEN WILLOW STORMWATER RETICULATION SYSTEM	350	0	350	13	4%	190	Construction
PUTTA BUCCA TRAINING CAMP FACILITY - STAGE 1	100	(50)	50	46	92%	45	Initial works
PUTTA BUCCA TRAINING CAMP FACILITY -STAGE 2	0	50	50	35	69%	0	Initial works
BILLY DUNN AMENITIES	323	0	323	317	98%	0	Complete-awaiting invoices
MUDGEES SHOWGROUNDS - GRANDSTAND FIT-OUT	250	0	250	8	3%	225	Construction
VICTORIA PARK GULGONG - CRICKET WICKET SYNTHETIC REPLACEMENT	8	0	8	5	67%	0	Complete
MUDGEES SHOWGROUND EQUIPMENT	47	0	47	0	0%	47	Construction
SCULPTURES ACROSS THE REGION	58	0	58	24	42%	0	Final works
PLAYGROUND SHADING PROGRAM	317	0	317	315	100%	0	Complete
MUDGEES DOG OFF LEASH AREA IMPROVEMENTS	10	0	10	4	35%	0	Construction
PITTS LANE - LIGHTING	17	0	17	17	100%	0	Complete
FLIRTATION HILL DEVELOPMENT	9	0	9	9	100%	0	Complete
RED HILL CAPITAL WORKS	70	0	70	11	16%	9	Procurement
MOUFARRIGE PARK FENCE	10	0	10	7	66%	0	Complete
PLAYGROUND EQUIPMENT UPGRADE - LAWSON PARK MUDGEES	30	0	30	0	0%	28	Initial works
PLAYGROUND EQUIPMENT UPGRADE - RYLSTONE SHOWGROUND	292	0	292	0	0%	0	Design
MUDGEES RIVERSIDE - WALKING TRACK IMPROVEMENTS	25	0	25	25	101%	0	Complete
MEMORIAL PARK MUDGEES - PATHWAY	32	0	32	0	0%	29	Initial works
FLIRTATION HILL MUDGEES - MASTER PLAN WORKS	50	0	50	0	0%	0	Consultation
BLACKMAN PARK - BLACKMAN VAULT	20	0	20	0	0%	17	Initial works
ART GALLERY FACILITY	1,000	0	1,000	520	52%	398	Construction
ART GALLERY CAPITAL	10	0	10	10	101%	0	Complete
STREET SCAPE IMPROVEMENTS	70	0	70	2	3%	50	Initial works

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
STREETSCAPE - STREET BINS	12	0	12	10	83%	0	Complete
CUDGEGONG WATERS - PUBLIC TOILETS	5	0	5	0	0%	0	Design
Total	9,889	0	9,889	6,129	62%	1,830	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	67	0	67	41	61%	29	Final works
MUDGEES WASTE DEPOT UPGRADES	47	0	47	37	78%	2	Final works
NEW TIP CELL CONSTRUCTION	100	0	100	52	52%	36	Final works
REMOTE SECURITY CAMERAS AT WTS	53	0	53	0	0%	39	Construction
RECYCLING PLANT UPGRADES	193	0	193	112	58%	30	Final works
LEACHATE POND ENLARGEMENT	475	0	475	411	87%	54	Final works
KANDOS WTS OFFICE REPLACEMENT	115	0	115	103	89%	0	Complete-awaiting invoices
GULGONG WTS OFFICE REPLACEMENT	12	0	12	12	100%	0	Complete
MUDGEES LANDFILL WHEEL WASH	6	0	6	6	101%	0	Complete
CAUSEWAY - SCHOOL LANE	1	0	1	1	100%	0	Complete
KANDOS STORMWATER UPGRADE	539	0	539	532	99%	4	Complete
CAUSEWAY - DREWS LANE	2	0	2	2	100%	0	Complete
CULVERTS, SHOULDER & K&G - BELLVUE RD MUDGEES	160	0	160	58	36%	5	Construction
CAUSEWAY IMPROVEMENT - TALLAWAY ST GULGONG	30	0	30	0	0%	0	Design
CAUSEWAY IMPROVEMENT - BLACKSPRINGS RD	33	0	33	2	6%	14	Design
PUTTA BUCCA WETLANDS TOILET	0	0	0	0	0%	0	Design
PUTTA BUCCA WETLANDS -PATHWAYS AND CAR PARK (REQUIRES GRANT)	25	0	25	0	0%	0	Consultation
PUTTA BUCCA WETLANDS INFRASTRUCTURE - CAPITAL	238	(13)	225	178	79%	33	Complete
WATER NEW CONNECTIONS	135	0	135	117	86%	0	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
WATER AUGMENTATION - MUDGEES HEADWORKS	400	0	400	320	80%	40	Construction
WATER RYLSTONE DAM UPGRADE	50	0	50	16	32%	11	Initial works
WATER TELEMTRY	3	0	3	3	101%	0	Complete
WATER MAINS - CAPITAL BUDGET ONLY	1	(1)	0	0	0%	0	Budget only
WATER MAINS - NICHOLSON ST COURT TO COX	145	0	145	144	100%	0	Complete
WATER MAINS - BYRON PLACE	82	0	82	25	31%	35	Construction
WATER MAINS - MAYNE STREET	370	0	370	137	37%	14	Construction
WATER MAINS - NICHOLSON ST COURT ST WEST ROAD CROSSING	19	0	19	19	100%	0	Complete
WATER MAINS - NICHOLSON ST COURT ST EAST ROAD CROSSING	35	0	35	8	22%	0	Construction
WATER MAINS - HORATIO ST COURT TO COX	55	0	55	0	0%	41	Consultation
WATER PUMP STATION - CAPITAL RENEWALS	21	0	21	18	87%	0	Construction
RYLSTONE DAM PS PAC DOSING SYSTEM	21	0	21	21	100%	0	Complete
RESERVOIRS - RYLSTONE, KANDOS, CHARBON, CLANDULLA	9	0	9	9	100%	0	Complete
RAW WATER SYSTEMS RENEWALS	61	0	61	4	7%	0	Procurement
WATER RESERVOIR RENEWALS	75	0	75	49	66%	38	Complete
WATER TREATMENT PLANT - RENEWALS	50	0	50	11	23%	9	Construction
RURAL CUSTOMER FILL STATIONS	180	0	180	179	100%	0	Complete
SEWER NEW CONNECTIONS	90	0	90	83	93%	3	Construction
SEWER AUGMENTATION - RYLSTONE & KANDOS	125	0	125	29	23%	61	Design
SEWER TELEMTRY	10	0	10	10	100%	0	Complete
SEWER MAINS RELINING	118	0	118	119	101%	0	Complete
RISING MAIN ULAN RD TO PUTTA BUCCA	13	0	13	13	100%	0	Deferred/Cancelled
SEWER PUMP STATION - CAPITAL RENEWALS	75	0	75	0	0%	0	Deferred/Cancelled
SEWER TREATMENT WORKS - RENEWALS	191	0	191	187	98%	0	Complete
MUDGEES STP EMERGENCY WORKS	23	0	23	7	30%	2	Complete

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Total	4,453	(14)	4,439	3,074	69%	503	

Building a Strong Local Economy

CUDGEGONG WATERS CARAVAN PARK - KIOSK & OFFICE	115	0	115	29	25%	57	Initial works
RYLSTONE CARAVAN PARK - CAPITAL	200	0	200	92	46%	379	Construction
RIVERSIDE CARAVAN PARK FIRE SERVICES	96	0	96	94	99%	2	Final works
MUDGEE VALLEY PARK UPGRADE	319	0	319	293	92%	14	Complete-awaiting invoices
CUDGEGONG WATERS PARK HOUSE	20	0	20	17	83%	240	Initial works
MUDGEE VALLEY PARK EXPANSION	4,650	0	4,650	2,796	60%	2,884	Construction
CARAVAN PARK - CUDGEGONG WATERS CAPITAL	14	0	14	7	46%	0	Construction
DIGITAL SIGNAGE	80	0	80	0	0%	0	Consultation
SALEYARDS - CATTLE CRUSH	17	0	17	15	89%	0	Final works
SALEYARDS TRUCK WASH	12	0	12	12	100%	0	Complete
PROPERTY - MUDGEE AIRPORT SUBDIVISION	1	0	1	1	101%	0	Complete
TOOHEYS PARK - BUILDING	20	0	20	0	0%	0	Consultation
PROPERTY - EX SALEYARDS STAGE II	2,500	0	2,500	89	4%	31	Design
PROPERTY - DEVELOPMENT MORTIMER ST	10	0	10	0	0%	0	Procurement
COMMERCIAL PROP - AERODROME COTTAGE RENOVATIONS	15	0	15	15	97%	0	Complete
Total	8,068	0	8,068	3,459	43%	3,609	

Connecting our Region

URBAN RESEALS - BELMORE ST GULGONG	74	0	74	37	50%	0	Construction
URBAN ROADS KERB & GUTTER CAPITAL	27	0	27	19	71%	2	Construction
URBAN REHAB - CHURCH / MEARES ST ROUNDABOUT	601	(9)	592	592	100%	0	Complete
URBAN HEAVY PATCHING	26	0	26	24	94%	0	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
URBAN REHAB - PERCY NOTT	180	0	180	172	96%	28	Complete-awaiting invoices
URBAN REHAB - DUNN STREET KANDOS SEG 10-30	182	0	182	6	3%	0	Design
URBAN REHAB - CHARBON	128	0	128	67	52%	1	Construction
URBAN RESEALS - BOMBIRA	(0)	0	(0)	0	0%	0	Consultation
URBAN RESEALS - CHARBON	65	0	65	68	105%	0	Complete
URBAN RESEALS - PUTTA BUCCA	44	0	44	43	99%	0	Complete
ROAD EXTENSION - BETWEEN PUTTA BUCCA & GLEN WILLOW	840	0	840	604	72%	100	Construction
URBAN RESEALS - SMALL GULGONG RESEALS	24	0	24	24	100%	0	Complete
URBAN RESEALS - SNELSONS LANE SEG 10 GULGONG	16	0	16	9	55%	0	Complete
URBAN RESEALS - WHITE ST GULGONG SEG 10 20 50-90	31	0	31	21	67%	0	Complete
URBAN RESEALS - ANGUS AVE SEG 40-60 KANDOS	70	0	70	42	60%	0	Complete
URBAN RESEALS - DUNN ST KANDOS SEG 40 50	7	0	7	0	6%	0	Consultation
URBAN RESEALS - BANJO PATERSON AVE MUDGEES SEG 10-40	20	0	20	20	100%	0	Complete
URBAN RESEALS - LAWSON ST MUDGEES SEG 30-90	67	0	67	46	68%	6	Complete
URBAN RESEALS - MACQUARIE DR MUDGEES SEG 30	17	0	17	17	100%	0	Complete
URBAN RESEALS - MEARES ST MUDGEES SEG 10	32	0	32	32	100%	0	Complete
URBAN RESEALS - NICHOLSON ST MUDGEES SEG 10-30	58	0	58	16	27%	7	Complete
URBAN RESEALS - ROBERTSON ST MUDGEES SEG 10	9	0	9	9	100%	0	Complete
URBAN RESEALS - WENTWORTH AVE MUDGEES 10-20	13	0	13	0	2%	0	Complete
URBAN RESEALS - SOUTH MUDGEES	53	0	53	51	96%	0	Complete
URBAN RESEALS - MEROO CRESCENT MUDGEES SEG 10	5	0	5	2	45%	0	Complete
URBAN RESEALS - RYLSTONE	32	0	32	24	74%	0	Complete
URBAN REHAB - BOMBIRA AVENUE	95	(34)	61	59	98%	1	Complete
HORATIO ST/PERRY ST SHOULDER SEALING	55	0	55	11	20%	9	Construction
URBAN RESEALS - HENNESSY PLACE	10	0	10	4	41%	0	Complete
RESHEETING - URBAN ROADS	16	0	16	0	0%	0	Consultation

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
ROAD SAFETY IMPROVEMENTS - MUDGEE SCHOOLS	60	0	60	1	1%	0	Deferred/Cancelled
MUDGEE SCHOOL ZEBRA CROSSING INFRASTRUCTURE UPGRADE	180	0	180	17	9%	9	Construction
URBAN ROADS LAND MATTERS CAPITAL	24	0	24	0	0%	0	Initial works
GUTTERING BYLONG VALLEY WAY KANDOS	50	0	50	35	71%	1	Construction
RURAL SEALED ROADS RESEALS BUDGET ONLY	12	0	12	0	0%	0	Budget only
RURAL SEALED ROAD REHAB & WIDENING - BUDGET ONLY	(0)	0	(0)	0	0%	0	Budget only
RURAL REHAB - CUDGEGONG RD	52	(1)	51	51	100%	0	Complete
RURAL REHAB - BARNEYS REEF RD	97	0	97	85	87%	1	Complete
HEAVY PATCHING	48	0	48	29	60%	0	Construction
ULAN WOLLAR ROAD - STAGE 1	8	0	8	2	29%	1	Complete
ULAN WOLLAR ROAD - STAGE 3A	0	0	0	0	100%	0	Complete
RURAL REHAB - LUE ROAD MONIVAE SEG 100	469	(32)	437	433	99%	4	Complete
RURAL RESEAL - CRUDINE RD SEG 40, 80 & 160	139	(66)	73	73	100%	0	Complete
RURAL RESEAL - BUCKAROO	89	(3)	86	86	100%	0	Complete
RURAL RESEAL - WINDEYER ROAD GRATTAI SEG 10	34	0	34	38	111%	0	Complete
RURAL RESEAL - HARGRAVES	120	0	120	102	85%	13	Complete
RURAL RESEAL - LUE ROAD LUE SEG 152-165	110	(9)	101	101	100%	0	Complete
RURAL RESEAL - PYRAMUL RD PYRAMUL SEG 140-190	154	0	154	157	102%	0	Complete
RURAL RESEAL - MOGO RD WOLLAR SEG 10 40	30	0	30	26	87%	0	Complete
RURAL RESEAL - BURRENDONG DAM RD YARRABIN SEG 10	30	0	30	25	84%	0	Complete
RURAL RESEAL - RYLSTONE	99	0	99	65	65%	0	Complete
RURAL RESEAL - BLACK SPRINGS ROAD SEG 10 20 60 110 120 150	163	0	163	151	92%	0	Construction
RURAL RESEAL - BUDGEE BUDGE	117	0	117	74	63%	0	Complete
RURAL RESEAL - ST FILLANS RD SEG 10	45	(12)	33	33	100%	0	Complete

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
RURAL RESEAL - ABATTOIRS RD MENAH SEG 10 20	67	0	67	19	29%	0	Complete
RURAL RESEAL - LOWER PIAMONG RD MENAH SEG 10-30	125	0	125	91	73%	0	Complete
WILPINJONG MINE ENTRANCES - ULAN WOLLAR RD	201	0	201	134	67%	0	Complete
LUE RD/PYANGLE RD INTERSECTION WIDENING	210	0	210	184	87%	0	Complete
RURAL RESEAL - LOWES PEAK RD SEG 10-30	100	0	100	44	44%	0	Complete
RURAL SEALED ROAD LAND MATTERS	16	0	16	0	0%	0	Initial works
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM	800	0	800	215	27%	158	Construction
MUNGHORN GAP REALIGNMENT & UPGRADE	1,265	0	1,265	1,001	79%	187	Construction
MUNGHORN GAP SHOULDER WIDENING BLACKSPOT	1,280	0	1,280	889	69%	279	Construction
HILL END ROAD SAFETY IMPROVEMENTS	300	0	300	229	76%	7	Construction
BVW UPGRADE RNSW 2080	300	0	300	218	73%	71	Complete
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	9	0	9	5	48%	6	Construction
SEALING - GRIMSHAW LANE	19	0	19	0	0%	0	Consultation
SEAL EXTENSION - LOWER PIAMBONG RD	578	0	578	474	82%	10	Construction
SEAL EXTENSION - AARONS PASS RD	1,000	0	1,000	504	50%	109	Construction
SEAL EXTENSION - QUEENS PINCH RD	747	0	747	136	18%	134	Design
SEAL EXTENSION - COXS CREEK RD	1,360	0	1,360	1,065	78%	23	Construction
SEAL EXTENSION - MEBUL RD	724	0	724	673	93%	7	Final works
SEAL EXTENSION - PYRAMUL RD SEG 120-130	5	0	5	5	100%	0	Complete
SEAL EXTENSION - COX STREET LUE	80	0	80	72	90%	0	Complete
SEAL EXTENSION - BOTOBOLAR RD	300	0	300	123	41%	8	Initial works
SEAL EXTENSION - SPRING FLAT ROAD	213	0	213	213	100%	0	Complete
SEAL EXTENSION - CORICUDGY ROAD	578	0	578	0	0%	0	Consultation
RESHEETING	2,025	0	2,025	1,931	95%	43	Construction
UNSEALED ROADS LAND MATTERS CAPITAL	21	0	21	7	35%	1	Construction
GOODIMAN CREEK BRIDGE REPLACEMENT	200	0	200	73	36%	711	Initial works
DIXONS LONG POINT CROSSING	700	0	700	531	76%	46	Procurement

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
BRIDGE TO PUTTA BUCCA ROAD	100	0	100	5	5%	1,200	Procurement
GOULBURN RIVER BRIDGE ULAN ROAD	1,637	0	1,637	1,578	96%	46	Construction
ULAN ROAD - BLACKSPRINGS ROAD TO BUCKAROO LANE	556	0	556	382	69%	47	Construction
FOOTWAYS - CAPITAL WORKS	138	0	138	0	0%	4	Construction
PEDESTRIAN - PUTTA BUCCA WALKWAY	30	0	30	30	100%	0	Complete
PUTTA BUCCA ECO TRAIL	134	0	134	136	101%	0	Complete
PEDESTRIAN ACCESS AND MOBILITY PLAN WORKS	370	0	370	215	58%	68	Construction
FOOTPATH - WALKERS OVAL TO CULTURAL PRECINCT	62	0	62	62	100%	0	Complete
SHARED PATHWAY - GLEN WILLOW TO PUTTA BUCCA WETLANDS AREA	87	0	87	14	16%	0	Construction
FOOTPATH - LIONS DRIVE	15	0	15	15	101%	0	Complete
BUGGY PATH LIGHTING	2	0	2	0	0%	0	Complete-awaiting invoices
AIRPORT HANGER AND STUDIO	5	0	5	1	16%	0	Consultation
CARPARK - MUDGEES COMMON	50	0	50	0	0%	0	Consultation
CARPARK - GULGONG POOL	30	0	30	13	43%	0	Construction
CBD PEDESTRIAN CROSSING LIGHTING UPGRADE	67	0	67	67	100%	0	Complete
Total	21,432	(166)	21,266	14,956	70%	3,347	

Good Government

MUDGEES ADMINISTRATION BUILDING UPGRADE	50	0	50	49	97%	0	Complete-awaiting invoices
OLD POLICE STATION CAPITAL	15	0	15	8	54%	0	Final works
BUILDINGS MASTER KEY SYSTEM	39	0	39	39	100%	0	Complete
MUDGEES ADMIN BUILDING EXTENSION	75	0	75	41	54%	42	Design
IT SPECIAL PROJECTS	32	0	32	28	86%	0	Final works
IT - NETWORK UPGRADES	105	0	105	13	13%	82	Construction
IT CORPORATE SOFTWARE	152	0	152	65	43%	0	Construction

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
IT - DATACENTRE STORAGE ARRAY	150	0	150	57	38%	0	Complete
PLANT PURCHASES	6,058	14	6,072	2,204	36%	5,290	Budget only
SOLAR FARM INITIATIVE	727	0	727	284	39%	283	Design
SOLAR FARM INITIATIVE - STAGE 3	1,000	0	1,000	0	0%	0	Project Scope
ROLLER BRAKING SYSTEM	154	0	154	101	66%	41	Construction
Total	8,557	14	8,571	2,888	34%	5,739	
 Total Capital Works Program	 52,400	 (166)	 52,234	 30,505	 58%	 15,028	

9.8 Monthly Statement of Investments as at 31 May 2022

REPORT BY THE FINANCIAL PLANNING COORDINATOR
TO 15 JUNE 2022 ORDINARY MEETING
GOV400088, FIN300053, GOV400098

RECOMMENDATION

That Council:

1. **receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 31 May 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 May 2022.

It is noted that at the time of publishing the 31 May report the TCorp managed fund balances were not finalised. These balances may be subject to change.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

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

Legislation

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

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

Financial implications

Not applicable

Associated Risks

Not applicable

AMANDA COVER
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

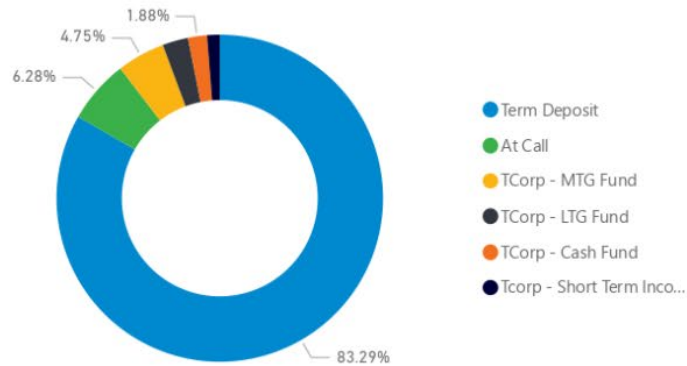
31 May 2022

Attachments: 1. Investment Report 31 May 2022.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

Investments by Type

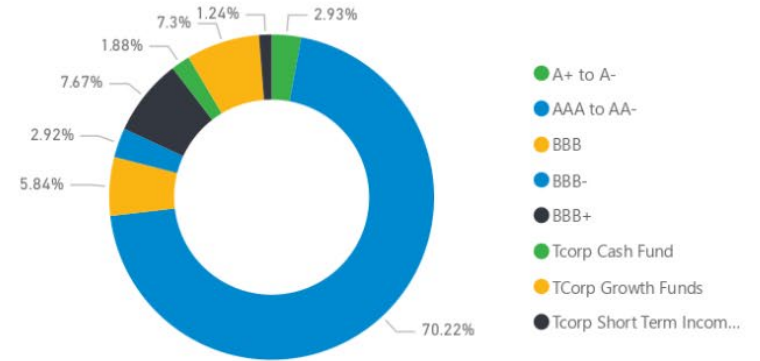


Mid-Western Regional Council Cash and Investments as at 31 May 2022

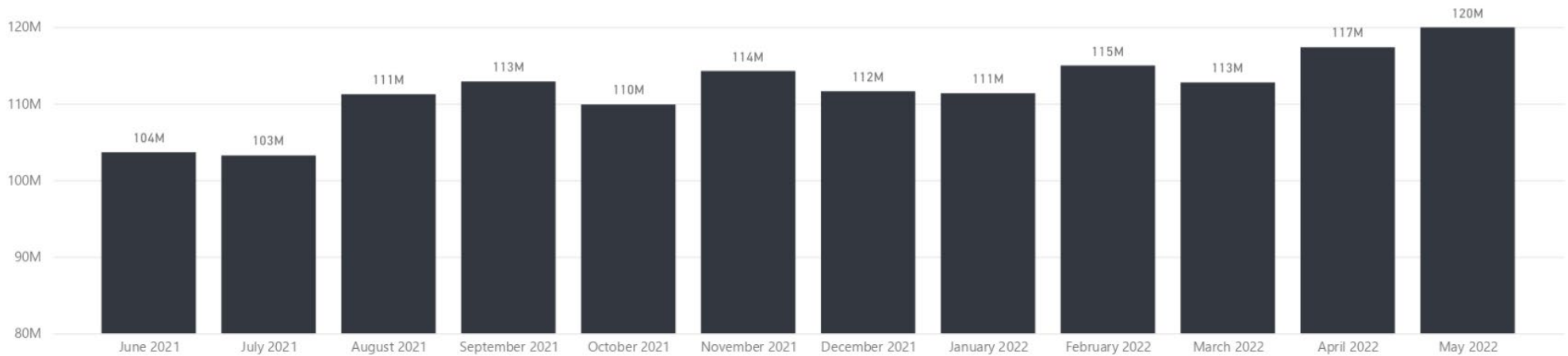
Total Investment Portfolio (\$)

119.95M

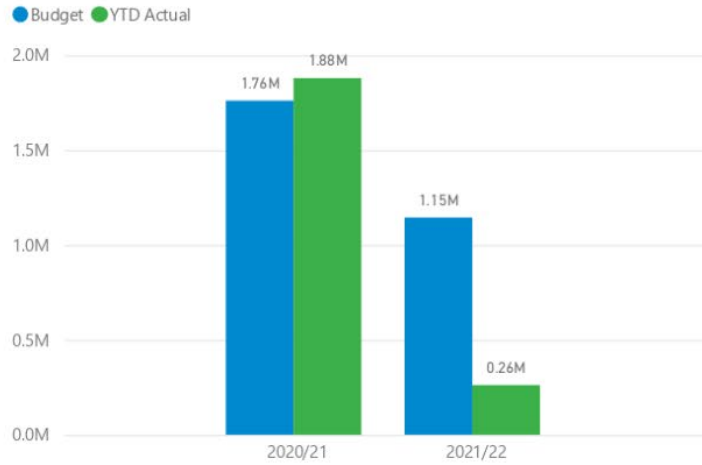
Investments by Long Term Rating



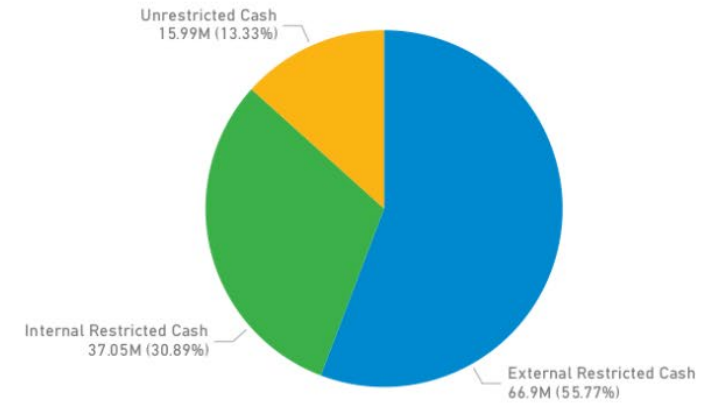
Portfolio Balance at End of Month (\$)



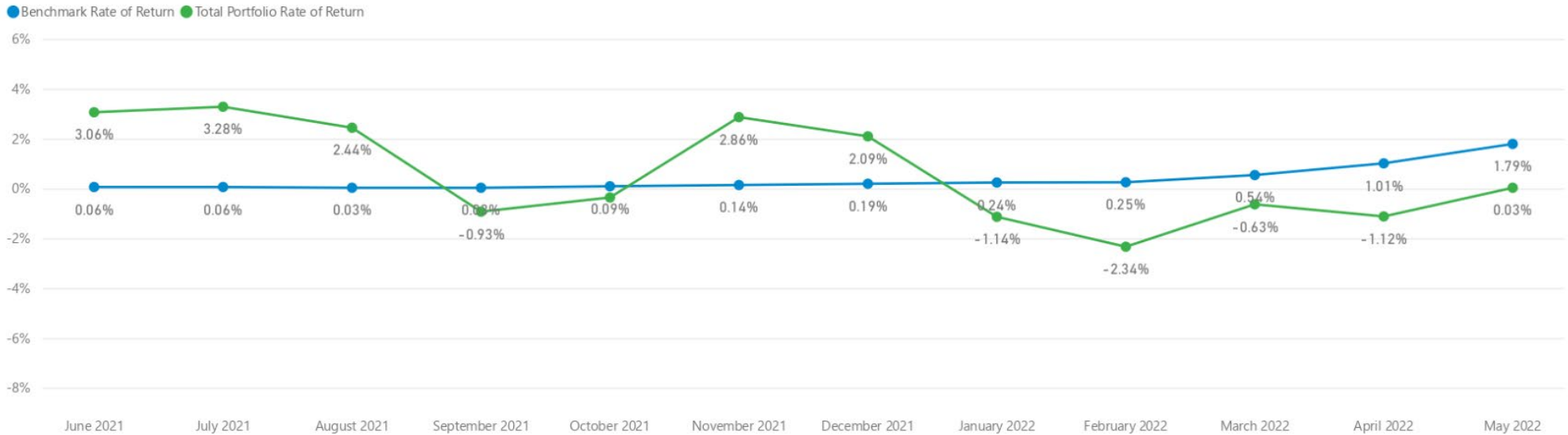
Income from Investments (\$)



Balance by Cash Category (\$)



Investment Performance



At Call Fund and Managed Funds

Institution	Yield	Term to Maturity	Principal	Amount
NAB	0.25%	0	\$	7,536,584
T Corp - Cash Fund	0.50%	1	\$	2,257,305
T Corp - Long Term Growth Fund	0.50%	5	\$	3,055,956
T Corp - Medium Term Growth Fund	0.50%	5	\$	5,698,048
T Corp - Short Term Income Fund	0.50%	5	\$	1,491,617
Total			\$	20,039,509

Current Term Deposits

Institution	Yield	Term to Maturity	Principal	Amount
AMP	1.00%	177	\$	2,000,000
AMP	1.10%	246	\$	1,500,000
Bank Of Queensland	0.90%	120	\$	1,500,000
Bank Of Queensland	0.50%	57	\$	2,200,000
Bank Of Queensland	0.50%	162	\$	1,500,000
Bank Of Queensland	0.61%	120	\$	1,000,000
Bank Of Queensland	0.85%	204	\$	1,000,000
Bank Of Queensland	1.20%	344	\$	2,000,000
CBA	0.42%	8	\$	1,000,000
CBA	0.42%	22	\$	2,000,000
CBA	0.41%	8	\$	1,000,000
CBA	0.46%	64	\$	1,500,000
CBA	0.46%	50	\$	1,700,000
CBA	0.72%	736	\$	2,000,000
CBA	0.47%	92	\$	1,500,000
CBA	0.50%	148	\$	1,500,000
CBA	0.47%	148	\$	1,000,000
CBA	0.77%	834	\$	1,000,000
CBA	0.47%	204	\$	1,500,000
CBA	0.85%	876	\$	2,500,000
CBA	0.48%	232	\$	2,000,000
CBA	0.73%	330	\$	1,500,000
CBA	3.05%	694	\$	2,000,000
CBA	2.63%	498	\$	1,500,000
CBA	2.31%	358	\$	1,500,000
CBA	2.75%	470	\$	1,500,000
CBA	3.15%	365	\$	1,000,000
ING	3.21%	421	\$	1,500,000
Judobank	0.65%	85	\$	1,500,000
Judobank	0.90%	148	\$	1,000,000
Judobank	1.01%	134	\$	1,000,000
Macquarie	1.40%	274	\$	1,014,077
Macquarie	1.15%	302	\$	1,000,000
MyState Bank	0.52%	36	\$	1,000,000
MyState Bank	0.52%	29	\$	1,500,000
MyState Bank	0.52%	50	\$	1,000,000
NAB	0.87%	78	\$	2,000,000
NAB	0.79%	106	\$	1,500,000
NAB	0.70%	134	\$	1,000,000
NAB	0.57%	274	\$	1,700,000
NAB	0.65%	393	\$	2,000,000
NAB	0.51%	205	\$	1,800,000
NAB	0.45%	176	\$	1,500,000
NAB	0.45%	190	\$	2,000,000
NAB	0.80%	820	\$	1,500,000
NAB	0.64%	512	\$	3,000,000
NAB	0.45%	218	\$	1,500,000
NAB	0.70%	484	\$	2,500,000
NAB	0.48%	246	\$	1,000,000
NAB	0.47%	36	\$	1,500,000
NAB	0.79%	260	\$	1,500,000
NAB	0.68%	183	\$	1,000,000
NAB	0.85%	190	\$	1,500,000
NAB	0.75%	183	\$	1,000,000
NAB	0.95%	302	\$	1,500,000
NAB	1.51%	456	\$	2,500,000
NAB	1.21%	330	\$	1,000,000
Westpac	0.85%	66	\$	2,000,000
Westpac	1.06%	624	\$	2,000,000
Westpac	0.70%	239	\$	1,500,000
Westpac	0.78%	288	\$	1,500,000
Westpac	0.90%	316	\$	2,500,000
Westpac	0.95%	267	\$	2,000,000
Westpac	2.28%	652	\$	1,500,000
Total			\$	99,914,077

Investment Portfolio Summary

Term to Maturity	Amount	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	\$ 39,939,509	33%	33%	20%	OK
Between 3 months and 1 year	\$ 52,014,077	43%	77%	40%	OK
Between 1 year and 2 years	\$ 21,000,000	18%	94%	50%	OK
Between 2 years and 4 years	\$ 7,000,000	6%	100%	85%	OK
More than 5 years	\$ -	0%	100%	0%	OK
Total	\$ 119,953,586				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	CBA	40%	OK	24%	\$ 29,200,000
	NAB	40%	OK	35%	\$ 42,036,584
	Westpac	40%	OK	11%	\$ 13,000,000
A+	Macquarie	20%	OK	2%	\$ 2,014,077
A	ING	20%	OK	1%	\$ 1,500,000
	Bank Of Queensland	10%	OK	8%	\$ 9,200,000
BBB+ BBB	AMP	5%	OK	3%	\$ 3,500,000
	MyState Bank	5%	OK	3%	\$ 3,500,000
	TCorp - Cash Fund	30%	OK	2%	\$ 2,257,305
TCorp Growth Funds	TCorp - Long Term Growth Fund	15%	OK	3%	\$ 3,055,956
	TCorp - Medium Term Growth Fund	15%	OK	5%	\$ 5,698,048
	TCorp - Short Term Income Fund	15%	OK	1%	\$ 1,491,617
BBB-	Judobank	5%	OK	3%	\$ 3,500,000
Grand Total				100%	\$119,953,586

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP)	% of Portfolio	Amount
AAA to AA-	100%	OK	70%	\$ 84,236,584
A+ to A-	50%	OK	3%	\$ 3,514,077
BBB+	20%	OK	8%	\$ 9,200,000
BBB	10%	OK	6%	\$ 7,000,000
Tcorp Cash Fund	30%	OK	2%	\$ 2,257,305
TCorp Growth Funds	15%	OK	7%	\$ 8,754,003
Tcorp Short Term Income Fund	15%	OK	1%	\$ 1,491,617
BBB-	5%	OK	3%	\$ 3,500,000
Grand Total			100%	\$119,953,586

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)	4,367,318		7,536,584
TCorp - Cash Fund	2,256,485		2,257,305
TCorp - Long Term Growth	3,085,992		3,055,956
TCorp - Medium Term Growth Fund	5,746,575		5,698,048
Tcorp - Short Term Income	1,491,954		1,491,617
Total	16,948,323	-	20,039,509

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
ING	1.13%	11/05/2022	1,500,000	33,482
CBA	0.46%	25/05/2022	1,500,000	8,469
Total			3,000,000	41,951

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
ING	3.21%	26/07/2023	1,500,000	58,044
CBA	3.15%	31/05/2023	1,000,000	32,622
Total			2,500,000	90,666

9.9 2022/23 Operational Plan and 2022/26 Delivery Program

REPORT BY THE FINANCIAL PLANNING COORDINATOR
TO 15 JUNE 2022 ORDINARY MEETING
GOV400067, FIN300201, GOV400098

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the 2022/23 Operational Plan and 2022/26 Delivery Program;
 2. adopt the Operational Plan for 2022/23 and Delivery Program for 2022-2026, including the Fees & Charges Schedule;
 3. makes the following rates and charges for the 2022/23 financial year:
 - 3.1 A Residential Rural Rate of 0.625755 cents in the dollar on the land value as at 1 July 2022 of all land so categorised as Residential, with a minimum rate of \$713.74;
 - 3.2 A Residential Urban Rate of 0.625755 cents in the dollar on the land value as at 1 July 2022 of all land so categorised as Residential and further subcategorised as Residential Urban, with a minimum rate of \$713.74;
 - 3.3 A Farmland Rate of 0.445256 cents in the dollar on the land value as at 1 July 2022 of all land so categorised as Farmland, with a minimum rate of \$713.74;
 - 3.4 A Business Rate of 0.845616 cents in the dollar on the land value as at 1 July 2022 of all land so categorised as Business, with a minimum rate of 713.74;
 - 3.5 A Business Rylstone Aeropark Rate of 0.291816 cents in the dollar on the land value as at 1 July 2022 of all land so categorised as Business and further subcategorised as Business Rylstone Aeropark, with a minimum rate of \$234.30;
 - 3.6 A Mining Rate of 2.240211 cents in the dollar on the land value as at 1 July 2022 of all land so categorised as Mining, with a minimum rate of \$713.74;
 - 3.7 A Hunter Valley Catchment Contribution Rate of 0.00977 cents in the dollar on the land value as at 1 July 2022 of all land within the catchment contribution area that has a land value in excess of \$300 and is rateable for the time being under the Local Government Act 1993. Council contributes to the provision of watercourse management in the area controlled by Hunter Local Land Services. A Hunter Valley Catchment Special Rate, which is determined by the authority, is to be applied for the purposes of the Local Land Services Regulation 2014.
-

- 3.8 The interest to be charged on overdue rates and charges shall be calculated at a rate of 6% per annum for the 2022-23 financial year, on a daily simple interest basis;
- 3.9 A Domestic Waste Management Charge of \$315 for all rateable and non-rateable properties within the service areas. Where there is more than one service the annual charge will be multiplied by the number of services;
- 3.10 A General Waste Disposal Charge of \$238 for all rateable and non-rateable properties with the exception of certain Farmland properties that can identify in the manner required by Council that they have a landholding comprised of multiple assessments with a lesser number of residences than assessments; they will be charged for the number of residences. Where there is more than one service the annual charge will be multiplied by the number of services;
- 3.11 A Business Waste Management Charge of \$244 for all rateable and non-rateable Business category properties where a service is rendered. Where there is more than one service the annual charge will be multiplied by the number of services;
- 3.12 Water charges for rateable and non-rateable properties within the water supply area of:

Charge Type	Detail	Amount
Service Availability	20mm meter	\$173
	25mm meter	\$270
	32mm meter	\$443
	40mm meter	\$692
	50mm meter	\$1,081
	80mm meter	\$2,768
	100mm meter	\$4,325
	150mm meter	\$9,731
Usage - per kL	Residential	\$3.42
	Business	\$3.42
	Raw Water	\$1.41
	Standpipe	\$6.23

In relation to any multi-unit residential development, including any strata development, each unit will be levied a 20mm service availability charge. In relation to vacant land where a water meter is not connected, each property will be levied with a 20mm service availability charge.

- 3.13 Sewer charges for rateable and non-rateable properties within the sewer service area of:

Charge Type	Detail	Amount
Service availability	Residential	\$944
	Non-Residential	\$527

Usage - Non Residential	Based on kLs of water that would reasonably be deemed to enter MWRC sewer schemes	\$3.02
Liquid Trade Waste - Annual Charge	Category 1 Discharger	\$104
	Category 2 Discharger	\$207
	Large Discharger	\$680
	Industrial Discharger	205-680
	Re-inspection Fee	\$100
Liquid Trade Waste - Category 1 without appropriate equipment	Per kilolitre	\$1.91
Liquid Trade Waste - Category 2 with appropriate equipment	Per kilolitre	\$1.91
Liquid Trade Waste - Category 2 without appropriate equipment	Per kilolitre	\$17.50

Executive summary

At the ordinary Council Meeting on 25 May 2022, Council considered all public and management submissions to the draft Operational Plan. Council resolved to amend the 2022/23 Operational Plan and 2022/26 Delivery Program, and that it be brought back to Council at the June Ordinary Meeting for endorsement.

Disclosure of Interest

Nil

Detailed report

Council has been through an extensive planning process over the past few months to determine an appropriate annual plan, culminating in the Draft 2022/23 Operational Plan and 2022/26 Delivery Program.

In April 2022, Council placed its' Draft 2022/23 Operational Plan and 2022/26 Delivery Program on exhibition. In this time, Council received a number of submissions that were considered on 25 May 2022.

RATES MODEL

The Rates Model proposed as part of the Draft 2022/23 Operational Plan and 2022/26 Delivery Program includes an increase to all rating categories of the IPART capped rate of 0.7%, distributed evenly.

Land rating categories are:

- Farmland;
- Residential;
- Business; and
- Mining

It should be noted that changes to land valuations and categorisation of properties will impact the net increase of a rating category, which may result in an adjusted movement of more or less than the 0.7% capped rate.

Council notes that Notional General Income calculations including compliance with the rate pegging provisions of the Local Government Act are subject to audit by the NSW Auditor General, whose findings are referred to the Office of Local Government to ensure compliance.

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 draft Delivery Program and draft Operational Plan, 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

The below sections of the Local Government Act 1993 have been referenced in this report, and/or have been taken into consideration for the recommendation set out in this report.

LOCAL GOVERNMENT ACT 1993 - SECT 405

405 Operational plan

(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.

LOCAL GOVERNMENT ACT 1993 - SECT 494

494 Ordinary rates must be made and levied annually

(1) A council must make and levy an ordinary rate for each year on all rateable land in its area.

(2) Each category or subcategory of ordinary rate is to apply only to land of the same category or subcategory.

LOCAL GOVERNMENT ACT 1993 - SECT 509

509 Maximum general income for a year

(1) A council must not make rates and charges for a year so as to produce general income of an amount that exceeds the notional general income of the council for the previous year as varied by the percentage (if any) applicable to the council under section 506, 508 (2) or 508A for the year for which the rates and charges are made, except as provided by section 511 or 511A.

(2) The "notional general income of a council for the previous year" is the amount that would have been derived if the same rates and charges as were made to produce the general income for that previous year had been so made but, in the case of rates, had been made in respect of:

(a) the valuations of rateable land in the council's valuation record applicable as at 1 July in that previous year and required under this Act to be used in that previous year for the making and levying of rates (not including valuations of those parcels of rateable land for which supplementary valuations referred to in paragraph (b) have been furnished), and

(b) supplementary valuations of rateable land having the same base date as those valuations and furnished to the council under the Valuation of Land Act 1916 during that previous year, and

(c) any estimates of increase in value of rateable land that are provided to the council under section 513 in respect of that previous year.

LOCAL GOVERNMENT ACT 1993 - SECT 532

532 Publication of draft operational plan

A council must not make a rate or charge until it has given public notice (in accordance with section 405) of its draft operational plan for the year for which the rate or charge is to be made and has considered any matters concerning the draft operational plan (in accordance with that section).

LOCAL GOVERNMENT ACT 1993 - SECT 533

533 Date by which a rate or charge must be made

A rate or charge must be made before 1 August in the year for which the rate or charge is made or before such later date in that year as the Minister may, if the Minister is of the opinion that there are special circumstances, allow.

Financial implications

All financial information is shown in the attached Draft Operational Plan 2022/23 and Draft Delivery Program 2022-2026.

Associated Risks

Not applicable

AMANDA COVER
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

31 May 2022

Attachments: 1. MWRC Operational Plan 2022/23. (separately attached)

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

Item 10: Operations

10.1 Asset Management Strategy

REPORT BY THE DIRECTOR OPERATIONS
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, COU500082

RECOMMENDATION

That Council:

1. **receive the report by the Director Operations on the Asset Management Strategy;**
2. **place the Asset Management Strategy and Asset Management Policy on public exhibition for 28 days; and**
3. **adopt the Asset Management Plan and Asset Management Policy if no submissions are received.**

Executive summary

The Asset Management Strategy (AMS) is a requirement of the Integrated Planning and Reporting process and is an important component of Council's Resourcing Strategy which incorporates the Long Term Financial Plan, Workforce Strategy and Asset Management Policy.

Disclosure of Interest

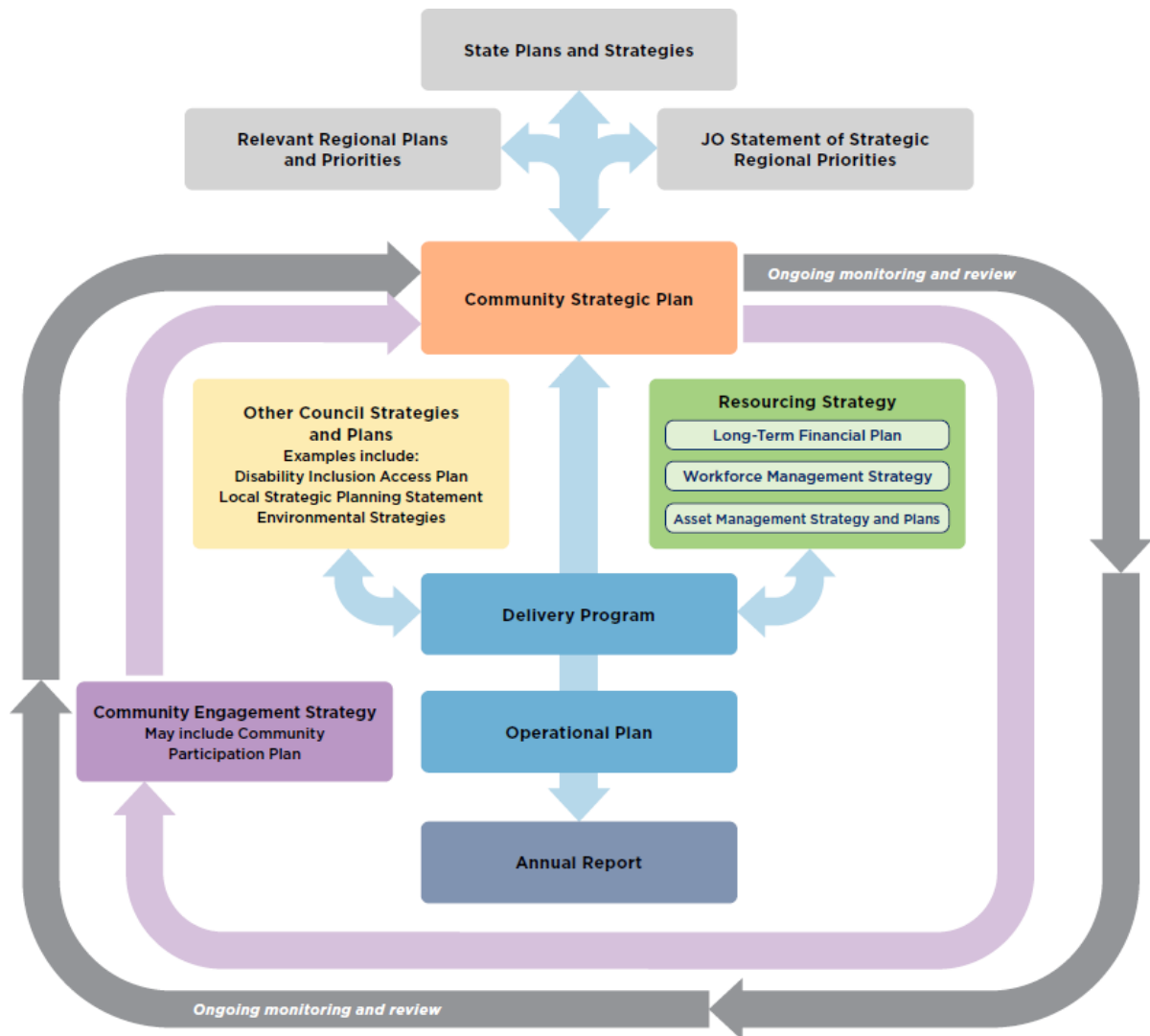
Nil

Detailed report

Integrated Planning and Reporting Framework

The Asset Management Strategy (AMS) is designed to provide ongoing strategies to manage Council's physical assets including setting parameters for asset selection, maintenance, inspection and renewal which plays a key role in determining the operational performance and sustainability of Council.

The Asset Management Strategy addresses ongoing asset management improvement tactics, action steps based on internal/external audit assessments and recommendations to ensure Council have plans and strategies in providing services and infrastructure that meet community needs.



Community Plan implications

Theme	Good Governance
Goal	An effective and efficient organisation
Strategy	Pursue excellence in service delivery

Strategic implications

Council Strategies
 Council Resourcing Strategy
 Operational Plan 2022/23

Council Policies
 Not applicable

Legislation
 Not applicable

Financial implications

The Asset Management Strategy makes up a part of the Council Resourcing Strategy and items from the strategy are included in the Operational Plan 2022/23 and the Long Term Financial Plan.

Associated Risks

Nil

JULIAN GEDDES
DIRECTOR OPERATIONS

8 June 2022

Attachments: 1. 2022 Asset Management Strategy. (separately attached)
2. Asset Management Policy. (separately attached)

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

10.2 Unmaintained unnamed lane off Dabee Street Rylstone (Between Louee and Mudgee Streets) - Request to be maintained

REPORT BY THE WORKS TECHNICAL OFFICER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, R0790192

RECOMMENDATION

That Council:

1. **receive the report by the Works Technical Officer on the Unmaintained unnamed lane off Dabee Street Rylstone (Between Louee and Mudgee Streets) - Request to be maintained; and**
2. **add the 300m unnamed lane north off Dabee Street to the Roads Asset Management Plan as maintained road.**

Executive summary

Council have received numerous correspondence from residents requesting maintenance be carried out to the lane. Council's Waste Department have also requested the lane be maintained as the garbage truck utilises the lane on a weekly basis.

It is recommended to undertake works and add the lane to Council's maintained road network to remain accessible for Council services, mail services and residents.

Disclosure of Interest

Nil

Detailed report

Council have received correspondence from residents requesting maintenance be carried out to the lane. Historically Council have completed minor patching and grading works on the lane when required upon request of Council's Waste Department who undertake garbage collect along the lane. If residents leave their bins for collection out the front of their properties on Louee Street, the garbage truck cannot turn around and still requires the use of the lane for the return route. This lane also provides better access to the majority of the houses fronting this segment of Louee Street due to the steep terrain out the front. Hence, property letterboxes and main access have been established from the lane.

The lane is a 300m length and runs north off Dabee Street between Louee Street and Mudgee Street, Rylstone. The lane is the primary access to 2 properties and rear access to a further 11 homes, some of which utilise as primary access. This report is recommending that Council approve, the unnamed lane being added to the current maintained roads on a 24 monthly schedule.

Community Plan implications

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

Strategic implications

Council Strategies

The Roads Asset Management Plan details Councils existing roads network and costs associated with maintaining the network compared to current annual budgets.

Council Policies

It is the intent of Council's Unmaintained and Unformed Roads Policy that Council will not undertake works on the unmaintained road network.

The policy also states;

'Roads will only be added to the maintained list after consideration by Council and taking into account the cost to bring the road up to a minimum standard (as defined in the Road Asset Management Plan), ongoing maintenance costs and the impact on the total roads program.'

'Sections of Council road reserve that service less than 5 permanent residences will not be considered for addition to the maintained road list, noting that historically, there are maintained roads within the local government area that do not meet this requirement.'

Legislation

Roads Act 1993

Financial implications

The following indicative costs will be required to bring the road up to standard, followed by grading every 2nd year. The figures below are based on general rates allowing for general earthworks, drainage works, and pavement construction from a local gravel source and finishing with a grade.

Initial cost to bring road up to standard is \$8,000 and the annual grading cost assuming a grade every second year is \$330.

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

Associated Risks

Nil

NICOLE CASSIDY
WORKS TECHNICAL OFFICER

JULIAN GEDDES
DIRECTOR OPERATIONS

27 May 2022

Attachments: 1. Unnamed Unmaintained Lane - Rylstone.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

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10.3 Unmaintained Zimmer Lane Gulgong - Request to be maintained

REPORT BY THE WORKS TECHNICAL OFFICER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, ROA100489

RECOMMENDATION

That Council:

1. receive the report by the Works Technical Officer on the Unmaintained Zimmer Lane Gulgong - Request to be maintained;
2. add 1km Zimmer Lane to the Roads Asset Management Plan as a maintained road; and
3. add an additional 250m of Ridout Lane to the Roads Asset Management Plan as a maintained road.

Executive summary

Council have received numerous letters and complaints from residents of Zimmer Lane in recent years requesting maintenance be carried out to the lane.

It is recommended to carry out works as there are 4 residences currently and a 5th development application approved, and hence will align with Council's Unmaintained and Unformed Road Policy, and the lane is in an area undergoing development.

Disclosure of Interest

Nil

Detailed report

Council receives many requests for grading of currently unmaintained sections of public road reserve. Most of these requests receive a written response advising of Councils Unmaintained and Unformed Roads Policy. Some people on reading the policy then formally request the road to be considered for inclusion as maintained roads as per the policy. These requests are then reported to Council.

Zimmer Lane is 1km in length and runs between Grimshaw Lane and Ridout Lane. The lane currently has 4 residences and a 5th development application approval and therefore will meet the policy requirements once the dwelling is constructed. This report is recommending that Council approve, Zimmer Lane being added to the current maintained roads schedule. The grading frequency to be a 24 monthly cycle. There is a 250m section of Ridout Lane that is currently unmaintained that links Zimmer Lane with the maintained section of Ridout Lane, hence it is also recommended to include this section as a maintained road.

It is estimated that it will cost \$81,000 to install pipes, form and sheet the 1.25km to bring Zimmer Lane and Ridout Lane up to the required standard.

Community Plan implications

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

Strategic implications

Council Strategies

The Roads Asset Management Plan details Councils existing roads network and costs associated with maintaining the network compared to current annual budgets.

Council Policies

It is the intent of Council's Unmaintained and Unformed Roads Policy that Council will not undertake works on the unmaintained road network.

However, the policy also states;

Roads will only be added to the maintained list after consideration by Council and taking into account the cost to bring the road up to a minimum standard (as defined in the Road Asset Management Plan), ongoing maintenance costs and the impact on the total roads program.

Sections of Council road reserve that service less than 5 permanent residences will not be considered for addition to the maintained road list, noting that historically, there are maintained roads within the local government area that do not meet this requirement.

Legislation

Roads Act 1993

Financial implications

The following indicative costs will be required to bring the road up to standard, followed by grading every 2nd year. The figures below are based on general rates allowing for general earthworks, drainage works and pavement construction from a local gravel source and finishing with a grade.

Zimmler Lane and 250m of Ridout Lane initial cost to bring road up to standard is \$81,000 and the annual grading cost assuming a grade every second year is \$1430.

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

Associated Risks

Nil

NICOLE CASSIDY
WORKS TECHNICAL OFFICER

JULIAN GEDDES
DIRECTOR OPERATIONS

27 May 2022


Attachments: 1. Zimmer Lane & Ridout Lane Map.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER


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10.4 Unmaintained Badgers Lane Cooyal - Request to be maintained

REPORT BY THE WORKS TECHNICAL OFFICER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, ROA100329

RECOMMENDATION

That Council:

1. **receive the report by the Works Technical Officer on the Unmaintained Badgers Lane Cooyal - Request to be maintained; and**
2. **add the 1.6km Badgers Lane to the Roads Asset Management Plan as a maintained road.**

Executive summary

Council have received numerous complaints from residents of Badgers Lane and Drip Lane requesting maintenance be carried out on Badgers Lane.

It is recommended to carry out works as Badgers Lane is the only accessible road for the residents of both Badgers Lane and Drip Lane when the Cooyal Creek is flooded.

Disclosure of Interest

Nil

Detailed report

There are 16 properties impacted when Cooyal Creek causeway floods on Drip Lane resulting in residents being stranded on Drip Lane with no secondary access.

Badgers Lane is 1.6km in length and runs between Drip Lane and Linburn Lane. The lane itself does not meet the requirements of the Unmaintained and Unformed Roads policy, however this report is recommending that Council approve Badgers Lane being added to the current maintained roads on a 24 monthly schedule to allow it to become the secondary access when flooding occurs.

The alternative of undertaking works to the causeway to upgrade it was considered, however the costs would be higher and Council would also still need to do works to Badgers Lane to allow it to be used as a temporary access during construction works.

It is estimated that it will cost \$98,000 to install pipes, form and sheet the 1.6km to bring Badgers Lane up to the required standard.

Community Plan implications

Theme	Connecting Our Region
Goal	High quality road network that is safe and efficient

Strategy	Provide a roads network that balances asset conditions with available resources and community needs
----------	-----------------------------------------------------------------------------------------------------

Strategic implications

Council Strategies

The Roads Asset Management Plan details Councils existing roads network and costs associated with maintaining the network compared to current annual budgets.

Council Policies

It is the intent of Council’s Unmaintained and Unformed Roads Policy that Council will not undertake works on the unmaintained road network.

However, the policy also states;

Roads will only be added to the maintained list after consideration by Council and taking into account the cost to bring the road up to a minimum standard (as defined in the Road Asset Management Plan), ongoing maintenance costs and the impact on the total roads program.

Sections of Council road reserve that service less than 5 permanent residences will not be considered for addition to the maintained road list, noting that historically, there are maintained roads within the local government area that do not meet this requirement.

Drip lane is often cut due to flooding at the causeway meaning more than 5 resident’s access Badgers lane.

Legislation

Roads Act 1993

Financial implications

The following indicative costs will be required to bring the road up to standard, followed by grading every 2nd year.

The figures below are based on general rates allowing for general earthworks, drainage works, and pavement construction from a local gravel source and finishing with a grade. Badgers Lane initial cost to bring road up to standard is \$98,000 and the annual grading cost assuming a grade every second year is \$2080.

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

Associated Risks

Nil

NICOLE CASSIDY
WORKS TECHNICAL OFFICER

JULIAN GEDDES
DIRECTOR OPERATIONS

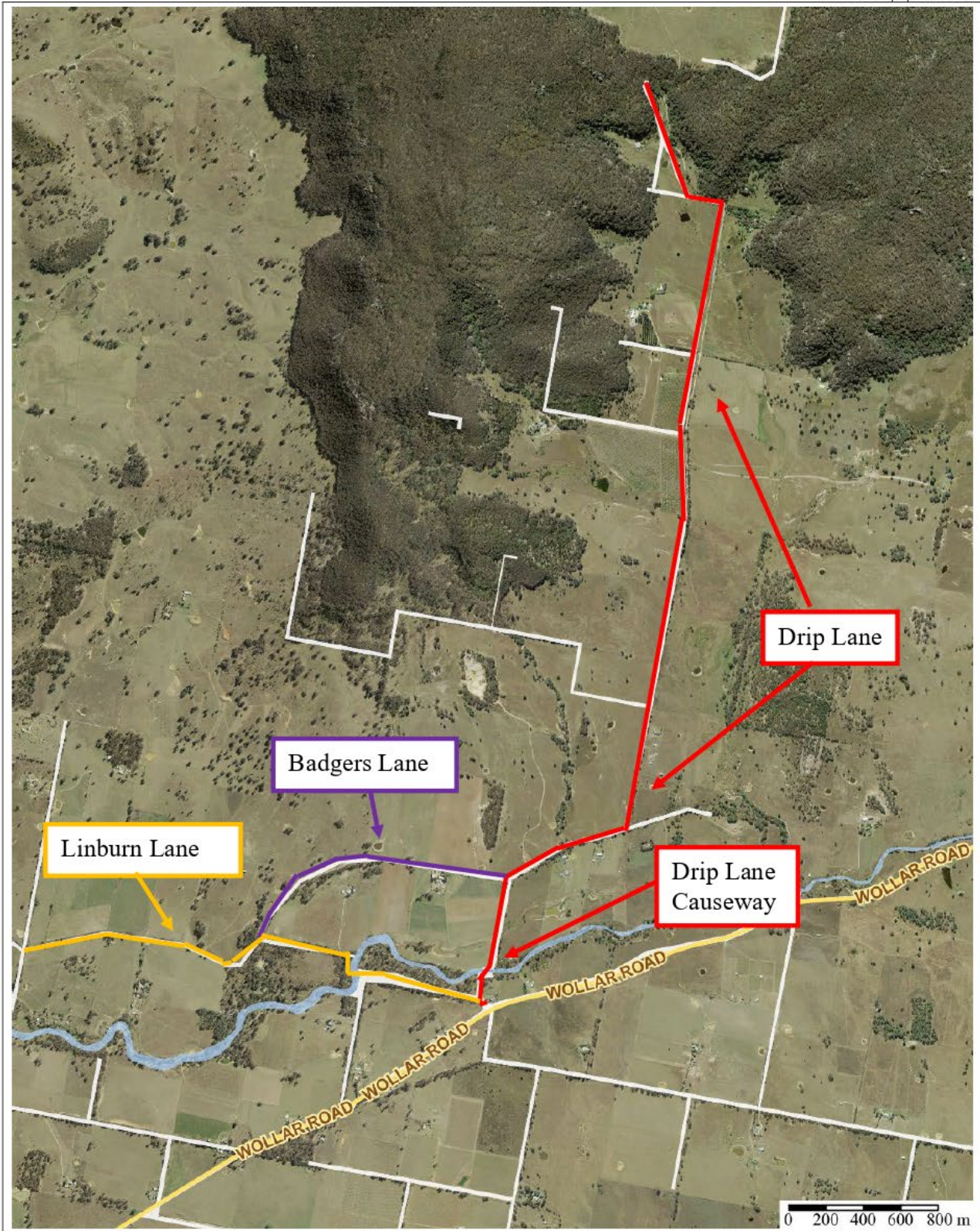
27 May 2022


Attachments: 1. Badges Lane map.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

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Item 11: Community

11.1 Access to Information Policy & Agency Information Guide

REPORT BY THE GOVERNANCE COORDINATOR
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, GOV400047

RECOMMENDATION

That Council:

1. **receive the report by the Governance Coordinator on the Access to Information Policy & Agency Information Guide ;**
2. **place the amended Access to Information Policy & Agency Information Guide on public exhibition for 28 days; and**
3. **adopt the Access to Information Policy and Agency Information Guide if no submissions are received.**

Executive summary

The Access to Information Policy and Agency Information Guide (AIG) are statutory requirements of the Government Information (Public Access) Act 2009 (GIPA Act). The proposed changes have been reviewed by the Information and Privacy Commission in accordance with sections 20 to 22 of the Act. The review of the Policy and the Guide ensures Council's legislative compliance.

Disclosure of Interest

Nil

Detailed report

The Information and Privacy Commission NSW have assessed the Council's AIG against the requirements of sections 20 to 22 of the GIPA Act and guidance published by the IPC. The feedback received has been reported to the Executive and recommended changes have been adopted in the reviewed versions now presented to Council.

Community Plan implications

Theme	Good Governance
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

Community Plan

Council Policies

Access to Information Policy

Privacy Management Plan

Legislation

Local Government Act 1993

Government Information (Public Access) Act 2009

Financial implications

Not applicable

Associated Risks

It is requirement under legislation that Council endorses an appropriate Access to Information Policy and Agency Information Guide.

TIM JOHNSTON
GOVERNANCE COORDINATOR

20 May 2022

Attachments: 1. Agency Information Guide. (separately attached)
2. Access to Information Policy. (separately attached)

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

11.2 Exemption From Tender - Training Camp Facility Retaining Wall

REPORT BY THE ACTING GENERAL MANAGER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, FIN300368

RECOMMENDATION

That Council:

1. **receive the report by the Acting General Manager on the Exemption From Tender - Training Camp Facility Retaining Wall;**
2. **approve an exemption from tender, in accordance with section 55 (3) (i) of the Local Government Act 1993, for the supply of L-block retaining walls for the construction of a retaining wall at the Training Camp Facility, noting that due to the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by inviting tenders;**
3. **note the reasons why a satisfactory outcome would not be achieved by inviting tenders are:**
 - a) **the market has already been tested appropriately, via public marketplace on VendorPanel – 10 suppliers over 2 categories selecting all suppliers under these categories that were capable of supplying the L-block retaining walls;**
 - b) **the same organisations would be targeted if we had tendered (via VendorPanel which picks from the marketplace) so there is no benefit in readvertising as a tender;**
4. **accept Ag-Crete Industries for the supply of L-block retaining walls for the Training Camp Retaining Wall in accordance with Clause 178 of the Local Government (General) Regulation 2005 – Part 7; and**
5. **delegate authority to the General Manager to negotiate and finalise the contract.**

Executive summary

An exemption from tender is sought from Council for the supply of L-block retaining wall materials for the Putta Bucca Training Camp facility. The cost of the materials is estimated to be around \$250,000. The market was tested through a Request for Quote process via VendorPanel. Only one response was received and staff have not been able to locate an alternate supplier for this product.

Disclosure of Interest

Nil

Detailed report

As part of the development of the Putta Bucca Training Camp facility, a significant retaining wall is required due to the topography of the land. As the concept for the training camp is that it be an

attractive destination for elite sporting groups, the design of the retaining wall also needs to be of a high quality as the majority of one face of the wall will be seen within the camp.

Staff have tested the market through the Vendor Panel procurement system by seeking quotes from 10 suppliers who may have been capable of delivery an L-block retaining wall product. Only one company responded. The response indicated a high quality product that would suit the needs of the project. The exact requirements and costs are unknown as it will depend partly on the amount of excavation that can be achieved on site. It is possible that the cost of the L-block retaining wall will be in excess of the tender threshold of \$250,000 (incl. GST). A further review of possible products and suppliers has led staff to consider that this is the best solution for the training camp. It is recommended that Council provide an exemption from tender for the supply of the L-block retaining wall products.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Procurement Policy

Legislation

Local Government Act 1993

Financial implications

No additional budget is sought with this report.

Associated Risks

It is important to continue making progress with this project so that the funding agreements can be honoured and the risk of losing significant funding is mitigated.

SIMON JONES
ACTING GENERAL MANAGER
3 June 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

11.3 Hargraves and District Progress Association Inc. Financial Assistance

REPORT BY THE DIRECTOR COMMUNITY
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, A0060040

RECOMMENDATION

That Council:

1. receive the report by the Director Community on the Hargraves and District Progress Association Inc. Financial Assistance; and
2. provide financial assistance to the Hargraves and District Progress Association Inc for an amount of \$6,310.00

Executive summary

Hargraves District and Progress Association Inc. requested \$12,619.00 for the replacement of a lawn mower. As part of the Village Subsidy scheme, the Hargraves and District Progress Association carry out open space maintenance activities in the area.

Disclosure of Interest

Nil

Detailed report

The Hargraves District and Progress Association Inc. applied for \$12,619 for a replacement lawn mower under Council's Community Grants Program in 2021. As per the Capital Grants Category under Council's Community Grants Program Policy, a maximum of \$25,000 or 50% of the total project cost, whichever is the lower may be provided. A total of \$6,310 was provided via resolution at the Council meeting on 16 June 2021.

The Association has since contacted Council to request further funding toward the lawn mower as they do not have the capacity to raise further funds.

It is recommended that Council provide financial assistance to the Hargraves and District Association for the remaining \$6,310 to purchase the lawn mower in order to continue to maintain the open space areas and uphold the aesthetic of the town.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Community Grants Program Policy

Legislation

Local Government Act 1993

Financial implications

There are sufficient remaining funds in the Community Grants financial assistance budget for this financial year to cover this cost.

Associated Risks

The open space areas at Hargraves will go unmaintained, unless further Council resources are provided. This will cause an impact on safety as well as the aesthetic appeal of the township.

SIMON JONES
DIRECTOR COMMUNITY

3 June 2022

Attachments: 1. Hargraves and District Progress Association Inc Letter.

APPROVED FOR SUBMISSION:

SIMON JONES
DIRECTOR COMMUNITY



Hargraves & District Progress Association Inc



12th October 2020

C/- Hargraves General Store
110 Merinda Street
HARGRAVES NSW 2850

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

Dear Sir/Madam,

On behalf of the Hargraves and District Progress Association and Hargraves Village we would like to take this opportunity to ask when and if there will be an Official naming and opening day for our Louisa Park, and if so what day and time would this take place. We also thought that a wooden name plaque would be appropriate to continue the theme of the area involved.

We would also like to enquire whether there would be an opportunity for Council to supply us with a new second hand ride on mower to replace the old, old mower that we have now. The mower we are using is still in reasonable working order a few problems that seem never to go away even after an arranged service has been done, and as the mower is a lot larger than the mowers Council use it would not fit on the trailer that Council sent out to collect it for its annual service. We now have to wait for a longer trailer to be made available. We hope Council will consider our request so that we may continue to keep our grounds neat and tidy.

Yours faithfully,

Irene E Elliott
Hon. Secretary

Item 12: Reports from Committees

12.1 Audit Risk and Improvement Committee Minutes 20 May 2022

REPORT BY THE EXECUTIVE MANAGER, PEOPLE AND PERFORMANCE
TO 15 JUNE 2022 ORDINARY MEETING
GOV400087, COR400236, GOV400098

RECOMMENDATION

That Council:

1. receive the report by the Executive Manager, People and Performance on the Audit Risk and Improvement Committee Minutes 20 May 2022 ; and
 2. endorse the minutes and recommendations of the Audit Risk and Improvement Committee meeting 20 May 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 20 May 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 20 May 2022 meeting.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

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

30 May 2022

Attachments: 1. ARIC Meeting Minutes - 20 May 2022.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

Minutes of the Audit, Risk and Improvement Committee

Held at the Council Chambers, 86 Market Street, Mudgee
on 20 May 2022, commencing at 9:34AM and concluding at 11:12AM

COMMITTEE MEMBERS PRESENT ARIC Chair (J Stuart), Committee Member (K Dicker), 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), Business Improvement Officer (Erin Reid) and Executive Assistant, People and Performance (Samantha Kost).

EXTERNAL PARTIES PRESENT Prosperity (Luke Malone), Crowe (Alison Lee), (NSW Audit Office) Unaib Jeffrey.

Item 1: Apologies

There were no apologies

Item 2: Disclosure of Interest

There were no disclosures of interest

Item 3: Confirmation of Minutes

17/22 MOTION: Stuart / Bentley

That the Minutes of the previous ARIC Meeting held on 25 February 2022 be taken as read and confirmed.

The motion was carried with the Committee Members voting unanimously.

Item 4: Matters in Progress

Item 5: Matters in Progress

18/22 MOTION: Bentley / Stuart

The Matters in Progress for the Legislative Compliance Report and Enterprise Risk Management report were noted as complete.

The motion was carried with the Committee Members voting unanimously.

ARIC COMMITTEE

SUBJECT	MEETING DATE	RESOLUTION	ACTION
Legislative Compliance	26/11/2021	<p><u>10/21</u> MOTION: BENTLEY/STUART</p> <p>The Audit, Risk and Improvement Committee:</p> <ol style="list-style-type: none"> 1. noted the Legislative Compliance report; and 2. considered a revised legislative compliance framework road map to be presented at the 25th February 2022 meeting. <p>The Governance Coordinator presented a demonstration of the Legislative Compliance Database.</p> <p><i>The motion was carried with the Committee Members voting unanimously.</i></p>	<p>13 Jan 2022 Richard Cushway, Manager Customer Service and Governance will provide a revised legislative compliance framework road map to the 25 February 2022 ARIC Meeting.</p> <p>10 May 2022 A legislative Compliance report and framework road map was provided to the ARIC Committee meeting on 25 February 2022.</p> <p>There is no update on Legislative Compliance for this meeting.</p> <p>Recommended for Completion</p>
Enterprise Risk Management	15/05/2020	<p>MOTION: O'Neill/ Bentley</p> <p>That the Audit Risk and Improvement Committee:</p> <ol style="list-style-type: none"> 1. receive the Enterprise Risk Management Report; and 2. endorse the Enterprise Risk Management Framework; and 	<p>11 Jan 2022 It was noted at the 06 August 2021 ARIC meeting that the review was due to be reported to ARIC at the August 2021 meeting however with the Local Government elections being held on 4 September 2021, the review will be delayed to ensure it is in keeping with any potential changes in direction that could be a consequence of newly</p>

		<p>3. note that the Enterprise Risk Management Framework will be reviewed annually.</p>	<p>elected members. Refer to report 6.1 of Meeting 26 November 2021.</p> <p>13 Jan 2022 It was noted at the 26 November 2021 ARIC meeting that the Risk Officer has commenced Maternity Leave and this has now delayed the ability to update the register in Pulse and set review deadlines as per our Risk Management Procedure. An update will be provided to the 25 February 2022 meeting.</p> <p>10 May 2022 The Risk Officer (Maternity Leave cover) on commenced on 31 January 2022. A review of the ERM Framework has commenced. An update on the progress of the Risk Register will be provided at the May ARIC meeting.</p> <p>Refer to report 6.1 of this agenda.</p> <p>Recommended for completion.</p>
Draft 2021/22 External Audit Engagement	25/02/2022	<p>05/22 MOTION: Bentley / Stuart</p> <p>That the Audit Risk and Improvement Committee:</p> <p>a) endorse the draft 2021/22 External Audit Engagement Plan; and b) schedule an ARIC meeting between 7 October and 19 October 2022 in accordance with the draft 2021/22 External Audit Engagement Plan.</p>	<p>22 Mar 2022 Erin Reid in consultation with Neil Bungate, will prepare 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>Refer to report 5.7 and report 8.1 of this agenda.</p>
ARIC Annual Workplan and Four Year Strategic Plan and update on the Draft	25/02/2022	<p>15/22 MOTION: Bentley / Stuart</p> <p>That the Audit, Risk and Improvement Committee:</p>	<p>22 Mar 2022 22/3/2022 Erin Reid - the Risk Management and Internal Audit Guidelines due to be adopted into legislation in June 2022. ARIC work plans to be created in the 22/23 financial year.</p>

Risk Management and Internal Audit for Local Councils Guidelines.		<ol style="list-style-type: none">1. note the report on the ARIC Annual Work plan and Four Year Strategic Plan and update on the Draft Risk Management and Internal Audit for Local Councils Guidelines; and2. determined to wait for the commencement of the guidelines and develop the annual work plan and four year strategic plan in the 22/23 financial year.	
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Item 6: Audit

6.7 INTERIM MANAGEMENT LETTER FOR MID-WESTERN REGIONAL COUNCIL FOR YEAR ENDING 30 JUNE 2022
COR400236, COR300347

19/22 **MOTION: Bentley / Dicker**

That the Audit Risk and Improvement Committee:

1. receive the 2021/22 Financial Statements Interim Management Letter; and
2. note the auditor recommendations and management responses.

The motion was carried with the Committee Members voting unanimously.

6.4 UPDATE ON EXTERNAL AUDIT ACTION ITEMS
COR400236, COR400236

20/22 **MOTION: Bentley / Dicker**

That the Audit, Risk and Improvement Committee note the progress on the external action items.

The motion was carried with the Committee Members voting unanimously.

6.6 BUILDING REGULATION: COMBUSTIBLE EXTERNAL
CLADDING - NSW AUDIT OFFICE REPORT
COR400236, COR400236

21/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the Council actions taken regarding the Building Regulation: Combustible Cladding – NSW Audit Report.

The motion was carried with the Committee Members voting unanimously.

6.1 INTERNAL AUDIT PROGRAM STATUS REPORT
COR400236, COR400243

22/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee receive the Crowe Internal Audit Program Status Report.

The motion was carried with the Committee Members voting unanimously.

6.2 INTERNAL DEVELOPMENT APPLICATION PROCESS
INTERNAL AUDIT
COR400236, COR400236

23/22 MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee receive the report on Council's Internal Development Application Process and note the completed actions.

The motion was carried with the Committee Members voting unanimously.

6.3 UPDATE ON INTERNAL AUDIT ACTION ITEMS
COR400236, COR400236

24/22 MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee note the progress on the internal action items.

The motion was carried with the Committee Members voting unanimously.

Item - 6.4 Update on External Audit Action Items - has been moved to another part of the document.

6.5 LOCAL GOVERNMENT BUSINESS AND SERVICE
CONTINUITY FOR NATURAL DISASTERS - NSW AUDIT
OFFICE REPORT

COR400236, COR00236

25/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee receive the Local Government Business and Service Continuity for Natural Disasters - NSW Audit Office Report

The motion was carried with the Committee Members voting unanimously.

Item - 6.6 Building Regulation: Combustible External Cladding - NSW Audit Office Report - has been moved to another part of the document.

Item - 6.7 Interim Management Letter for Mid-Western Regional Council for year ending 30 June 2022 - has been moved to another part of the document.

Item 7: Risk

7.1 ENTERPRISE RISK MANAGEMENT UPDATE

COR400236, COR400236

26/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the Enterprise Risk Management update.

The motion was carried with the Committee Members voting unanimously.

7.2 WORK HEALTH AND SAFETY REPORTS

COR400236, COR400236

27/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the WHS Reports for:

- February 2022;
- March 2022; and
- April 2022.

The motion was carried with the Committee Members voting unanimously.

7.3 FRAUD INCIDENT & PROCUREMENT BREACH REGISTERS

COR400236, COR400236

28/22 MOTION: Bentley / Dicker

That the Audit Risk and Improvement Committee note:

1. that there were no fraud incidents since the last ARIC meeting;
2. that there is 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.

Item 8: Improvement

- 8.1 UPDATE ON BUSINESS IMPROVEMENT AT COUNCIL
COR400236, COR400236

29/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the progress on the Business Improvement Program.

The motion was carried with the Committee Members voting unanimously.

- 8.2 COUNCIL SERVICE DELIVERY BENCHMARKING REPORT -
2019/20 DATA COMPARATIVES
COR400236, COR400236

30/22 MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee:

1. receive the report by the Chief Financial Officer on the Council Service Delivery Benchmarking Report - 2019/20 Data Comparatives; and
2. note the comparative analysis provided in the OLG Mid-Western Regional Council Report.

The motion was carried with the Committee Members voting unanimously.

- 8.3 DELIVERY PROGRAM 2017/22 SIX MONTHLY PROGRESS
REPORT
COR400236, cor400236

31/22 MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee receive the report on the Delivery Program 2017/22 Six Monthly Progress Report

The motion was carried with the Committee Members voting unanimously.

- 8.4 UPDATE ON BUSINESS IMPROVEMENT ACTION ITEMS
COR400236, COR400236

32/22 MOTION: Dicker / Bentley

That the Audit, Risk and Improvement Committee note the progress on the Business Improvement action items for:

- **Fraud Control Improvement;**
- **Probity; and**
- **Bushfire Lessons Learnt**

The motion was carried with the Committee Members voting unanimously.

Item 9: General Business

9.1 NEXT MEETING DATES AND AUDIT PLAN 2022/23
COR400236, COR400236

33/22 MOTION: Bentley / Dicker

That Audit Risk and Improvement Committee:

1. **endorse the forward 12 month meeting plan, including meeting dates as follows:**
 - **12 August 2022**
 - **14 October 2022**
 - **10 February 2023**
 - **26 May 2023**
2. **note the internal audit plan for 22/23 as endorsed on 14 May 2021**

The motion was carried with the Committee Members voting unanimously.

9.2 CENTRAL COAST COUNCIL PUBLIC INQUIRY REPORT
COR400236, COR400236

34/22 MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee note the Central Coast Council Public Inquiry Report.

The motion was carried with the Committee Members voting unanimously.

9.3 BUSINESS WITHOUT NOTICE – INTERNAL AUDIT RFQ
COR400236, COR400236

35/22 MOTION: Bentley / Dicker

That the Audit, Risk and Improvement Committee note the staff recommendation for the Internal Audit RFQ.

The motion was carried with the Committee Members voting unanimously.

Item 10: Closure

There being no further business the meeting concluded at 11.12am.

12.2 Gulgong Memorial Hall Committee Meeting Minutes 11 May 2022

REPORT BY THE ACTING GENERAL MANAGER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, A0100024

RECOMMENDATION

That Council:

1. receive the report by the Acting General Manager on the Gulgong Memorial Hall Committee Meeting Minutes 11 May 2022;
2. endorse the minutes and recommendations of the Gulgong Memorial Hall Committee Meeting 11th May 2022;
3. endorse the Terms of Reference for the Gulgong Memorial Hall Committee;
4. appoint Shane Holz to be a member of the Gulgong Memorial Hall Committee; and
5. write to Pauline and Chris Hannaford thanking them for their work on the Gulgong Memorial Hall Committee.

Executive summary

This report is to advise Council of the matters given consideration at the meeting of the Gulgong Memorial Hall Committee held on 11 May 2022.

Disclosure of Interest

Nil

Detailed report

The Gulgong Memorial Hall Committee report to Council after each meeting held. Attached to this report are the minutes of the meeting held on 11th May 2022 as well as the Terms of Reference endorsed by the committee at this meeting.

It was noted at the meeting that Pauline and Chris Hannaford had declined to continue as members of the Committee. Council may consider it appropriate to write to Pauline and Chris to thank them for the work on the Committee over many years.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Code of Conduct

Legislation

Section 355 of the Local Government Act (1993).

Financial implications

Nil

Associated Risks

Nil

SIMON JONES
ACTING GENERAL MANAGER

13 May 2022

Attachments: 1. Terms of Reference.
2. Minutes - Gulgong Memorial Hall Committee Meeting May 11 2022.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER



TERMS OF REFERENCE Mid-Western Regional Council Gulgong Memorial Hall Committee

*A prosperous
and progressive
community.*

ADOPTED		REFERENCE	2.1
MIN		REVIEW DATE	JANUARY 2025
DATE PREPARED:	11 MAY 2022	FILE NUMBER	AO100024

Preamble

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Community Plan, Operational Plan and Delivery Program and budgetary considerations at an operational and strategic level.

Responsibilities

- Provide advice and recommendations to Council on strategic and long term issues related to the Gulgong Memorial Hall
- Promote use of the Gulgong Memorial Hall and Liaise with groups and hirers who use the Hall as required
- Organise the Gulgong Christmas Celebrations

Composition of Committee

The Committee shall comprise the following members:

- One (1) elected Councillor
- Interested representatives of the Gulgong community and regular Hall users (up to 10)

Meeting Frequency and Quorum

The Committee shall meet twice per year and report the minutes from these meetings back to Council.

The quorum shall be half the current membership plus one.

Sub-Committee

A sub-committee is to be formed to assist in the organisation of the Gulgong Christmas Celebrations. This sub-committee is to report in as a standing item on the Hall Committee agenda

Council Contact and Support

The Director, Community or their delegate is the Council contact officer for the Gulgong Memorial Hall Committee.



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

MINUTES

GULGONG MEMORIAL HALL COMMITTEE

Wednesday 11th May 2022 at the Gulgong Memorial Hall

Meeting opened at 5.06pm

Present: Cr Percy Thompson, Cheryl Vassel, Toni Morrison, Diane Thompson (guest), Simon Jones (staff)

1. Welcome

Cr Thompson opened the meeting and welcomed those present.

2. Apologies

Apologies were noted from Peta Stanford and Charlie Vassel

3. Terms of Reference

The Committee endorsed the proposed Terms of Reference for the Committee to be considered by Council.

4. General Business

4.1 Membership

The Committee noted that Chris and Pauline Hannaford have declined to be involved with the Committee.

The Committee endorsed Shane Holz from the Gulgong Mens Shed to be a member of the Committee.

4.2 Building Works

It was noted that the previously discussed building works required in the Mens Shed area have been included in the budget for the 2022/23 financial year. Council's Building Services team will be in touch with the Mens Shed in the coming weeks to discuss scope and access.

4.3 Meeting location

The location of meetings was discussed. If the Hall or Mens Shed areas are not available then the Committee will be able to use the Gulgong Council Office.

4.4 Code of Conduct

Committee members are covered by the Council Code of Conduct. A brief overview of the Code was provided and a copy of the Code will be emailed to Committee members with the draft minutes.

4.5 Gulgong Christmas Party

Sub-committee meetings can be held as required. The sub-committee will report back at the next Committee meeting.

It is recommended that Community grant funds again be transferred to the Gulgong Mens Shed account to assist in the Christmas Party expenditure and organisation.

Meeting Closed at 5.40pm

Next meeting – to be confirmed - tentatively proposed for Wednesday 9 November at 5pm.

12.3 Rail Committee Minutes 12 May 2022

REPORT BY THE DIRECTOR COMMUNITY
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, TRA300009

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Rail Committee Minutes 12 May 2022;**
2. **endorse the minutes of the Rail Committee Meeting 12th May 2022;**
3. **endorse the Terms of Reference for the Rail Committee; and**
4. **seek and facilitate a meeting with the relevant Ministers regarding the future potential for use of the Mudgee and Oberon rail lines.**

Executive summary

This report is to advise Council of the matters given consideration at the meeting of the Rail Committee held on 12 May 2022.

The members of the Rail Committee has a focus of re-instating the 89km rail line between Rylstone and Gulgong for passenger rail, light freight and tourism opportunities.

Disclosure of Interest

Nil

Detailed report

At the meeting on 2 February 2022, Council endorsed the formation of a Rail Committee. The public were invited to be members of the Committee and these members were endorsed at the April Council meeting.

The Committee held its first meeting on 12 May 2022 and this report provides the minutes to Council for their information.

One of the main tasks was to establish a Terms of Reference which needs to be supported by Council. This is provided to Council for endorsement.

The Committee have also recommended two other actions for Council to consider. The first is to seek a meeting with the relevant Ministers regarding the future of the rail line through the region. This is supported by staff with the condition that Council is supportive of the proposed Terms of Reference.

The second action is to seek to establish a multi-Council Committee ("a Tablelands Rail Committee") that would examine potential uses of the line from the Armidale region through to Oberon. This is not supported by staff at this stage as it is felt that further direction would be required from the State

Government and relevant agencies on what is possible or may be possible in the future. However, if Council is of a mind to support this recommendation from the Committee a further part of the resolution could be added such as:

That Council.....engage with all other Councils between Oberon and Armidale regarding the potential future uses of the rail lines for light freight with the aim of establishing a Tablelands Rail Committee

With the Terms of Reference, it is important that Council considers this carefully. By accepting the Terms of Reference, Council is signalling to the community that they are supportive of lobbying actions that would culminate in the reinstatement of passenger and light freight activity on the rail line. While there is some support in the community for a return of passenger rail services, there have been no indications at this stage that this is a likely outcome in the foreseeable future. It is also worth noting the increasing number of residential properties that have been built within close distance of the railway corridor over the past twenty years.

Community Plan implications

Theme	Good Governance
Goal	Good communications and engagement
Strategy	Encourage community access and participation in Council decision making

Strategic implications

Council Strategies

Community Plan

Council Policies

Code of Conduct

Legislation

Section 355 of the Local Government Act (1993)

Financial implications

Nil

Associated Risks

In considering the Terms of Reference for this Committee, Council should determine whether there are any risks associated with accepting this as a course of action for Council, whether further community consultation would be appropriate and whether it fits within the body of work expressed to the community through the Community Plan.

SIMON JONES
DIRECTOR COMMUNITY

30 May 2022

Attachments: 1. Rail Committee Minutes May 12 2022.

2. Mid-Western Regional Council Rail Committee Terms of Reference - May 2022.
3. Mudgee Region Rail Inc Proposal.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MID-WESTERN REGIONAL COUNCIL
PO Box 156, MUDGEES NSW 2850
86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone
T 1300 765 002 or 02 6378 2850 | F 02 6378 2815
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MINUTES

RAIL COMMITTEE

Thursday 12th May 2022 at the Council Chambers Mudgee

Meeting opened at 11.03am

Present: Mike Sweeney, John Bentley, John Wood, Brad Cam (General Manager), Simon Jones (staff)

1. Apologies

Apologies were noted from Cr Peter Shelley and Drew Stein

2. Update from General Manager

Brad Cam provided an overview of recent discussions held with ARTC.

Brad left the meeting at 11.20am

3. Committee Terms of Reference

Discussion was held regarding the Terms of Reference for the Committee. The focus of the Committee was on promoting the use of rail for passenger services and light freight, as well as opportunities for tourist rail in the region.

A draft Terms of Reference is to be presented to Council for endorsement.

4. Request for Meeting with Minister

The Committee suggests that a meeting be arranged with The Hon Sam Farraday, Minister for Regional Transport. Relevant notes from Drew Stein were tabled at the meeting.

Motion: That Council seek and facilitate a meeting with the relevant Ministers regarding the future potential for use of the Mudgee and Oberon rail lines

Supported by all

5. Tablelands Rail Committee

There was discussion regarding the potential for timber freight on the rail lines between Armidale and Oberon. There are many Council areas involved along these lines including Bathurst, Oberon, Lithgow, Mid-Western, Warrumbungle, Walcha, Armidale, Liverpool Plains

Motion: That Council engage with all other Councils between Oberon and Armidale regarding the potential future uses of the rail lines for light freight with the aim of establishing a Tablelands Rail Committee

Supported by all

6. Inclusion of Rail News in Council's Community News publication

There was general discussion regarding the work of the Rail Committee and keeping the community up to date with news on progress of rail projects including passenger rail services and light freight. The inclusion of items in Community News may help to facilitate this communication.

7. Councillor Workshop

Members of the Rail Committee will speak at the Councillor Workshop prior to the Council meeting on 18 May.

Meeting closed 11.40am

Next meeting – to be confirmed



TERMS OF REFERENCE Mid-Western Regional Council Rail Committee

*A prosperous
and progressive
community.*

ADOPTED		REFERENCE	2.1
MIN		REVIEW DATE	JANUARY 2025
DATE PREPARED:	12 MAY 2022	FILE NUMBER	TRA300009

Preamble

Mid-Western Regional Council appreciates the advice, voluntary time, commitment, interest and dedication demonstrated by members of its Advisory Committees. Council will give consideration to recommendations stated in the minutes of Advisory Committees. Such recommendations are considered in the context of Council's Community Plan, Operational Plan and Delivery Program and budgetary considerations at an operational and strategic level.

Responsibilities

- Provide advice and recommendations to Council on strategic and long term issues related to passenger rail services
- Promote the use of passenger rail, light freight and tourist rail opportunities within the Mid-Western region
- Keep Council informed of relevant matters related to rail services in the region

Composition of Committee

The Committee shall comprise the following members:

- One (1) elected Councillor
- Community representatives (up to 10)

Meeting Frequency and Quorum

The Committee shall meet twice per year and report the minutes from these meetings back to Council.

The quorum shall be half the current membership plus one.

Council Contact and Support

The Director, Community or their delegate is the Council contact officer for the Rail Committee.

MUDGEES REGION RAIL Inc.

Our Aim: To reintroduce a rail passenger service, re-establish general freight and boost tourism and enterprise business opportunities and across and beyond the Mudgee Region

Our Proposal: Re-instate the 89km rail line between Rylstone and Gulgong. This will complete the connection of New South Wales' active and crucial rail lines (see attached map).

Benefits:

1. Providing Passenger Rail to and from Mudgee Station

A general twice daily service both ways will connect with Interurban trains at Lithgow.

Bus services to towns will continue to operate from Mudgee station to connecting villages rather than from Lithgow.

2. Enhancing Movement of General Freight

As well as serving passengers, enhanced supply, business and employment opportunities would be provided to the region.

Currently, businesses and people working and living within this proposed rail corridor beyond Lithgow are not given any commercial and commuting or recreational alternative to road transport.

Further, a few major freight opportunities already exist should the Gulgong-Rylstone rail link be in operation. For example:

NSW Forestry Corporation's major logging business from the Armidale State Forest, currently moves by road through Mudgee's streets annually 100,000 tonnes of log timber.

Graymont's Charbon Lime plant and Excelsior Lime quarry south of Kandos, whose product if transferred by rail would significantly boost Graymont's operation both economically and environmentally.

The transportation of heavy coal rail freight is not possible on this line.

3. Boosting Mid-Western Regional Tourism

There is a vibrant heritage rail movement in NSW. With restoration of the 'missing link' on the Mudgee branch, there would be enormous potential in this space for the Mudgee region.

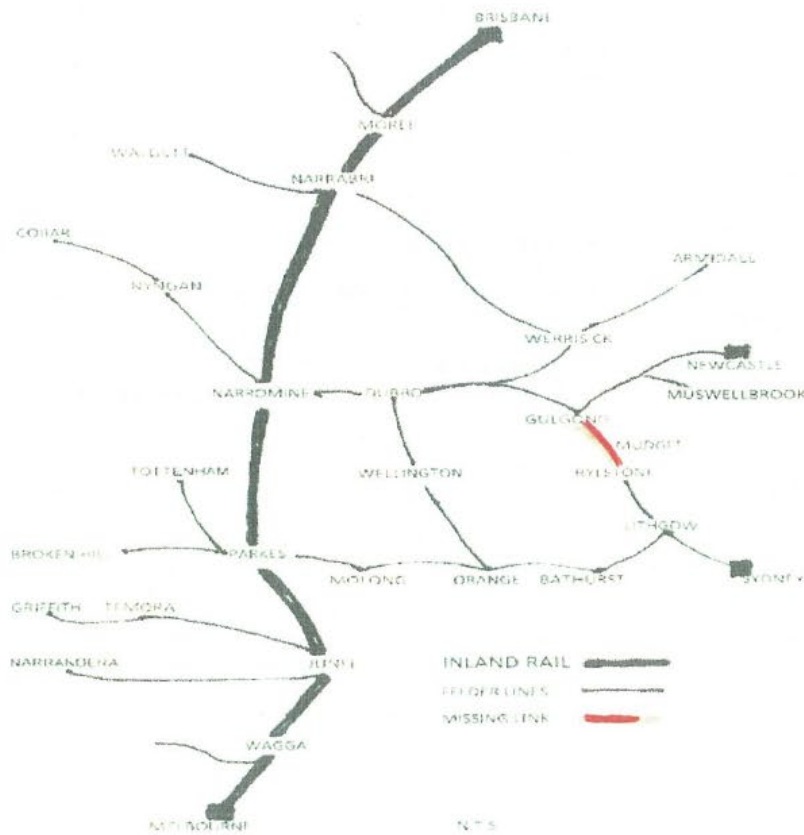
Flow on benefits to the broader community would see facilities, currently underutilised all along the line, given a new lease of life to our other centres at Gulgong, Rylstone, Lue and Kandos.

Reinstating the line will provide an attractive, safer alternative to travel by car to the Region as visitors from Sydney face increased congestion and travel times particularly at times of peak tourism.

4. Improving Sustainability

Increased noise polluting road traffic is only accelerating the very emissions governments are trying to control.

The power of rail is its capacity to move freight and people with enormous efficiency compared with road transport.



As the map shows, the “missing link” (seen in red) if connected would mean a complete rail network would be in place, opening possibilities for unbroken rail transportation to and from our region, across our State, and beyond.

May 2022

12.4 Local Traffic Committee Meeting Minutes - May 2022

REPORT BY THE EXECUTIVE ASSISTANT, OPERATIONS
TO 15 JUNE 2022 ORDINARY MEETING
GOV400088, A0100009, GOV400098

RECOMMENDATION

That Council receive the report by the Executive Assistant, Operations on the Local Traffic Committee Meeting Minutes - May 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 20 May 2022.

No traffic reports were considered.

Four events reports were considered:

- Gulgong Henry Lawson Heritage Festival 2022
- Mudgee Running Festival
- Mudgeeque 2022
- Kandos Street Machine and Hot Rod Festival- approved by LTC prior to event due to event being held before Council Meeting

Four General Business items included:

- Mears Street parking issues
- Change of speed from AREC on Ulan Road into town
- Parking hours in Mudgee CBD
- Review of heavy vehicle route

Two Correspondence item included:

- Request for accessible parking in Cudgegong Street Rylstone
- Complaint – Henry Lawson Drive being used for cycling events

Full discussion notes are included in the attached report.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

Not applicable

MICHELLE NEILSEN
EXECUTIVE ASSISTANT, OPERATIONS

JULIAN GEDDES
DIRECTOR OPERATIONS

31 May 2022

Attachments: 1. Local Traffic Committee Minutes May 2022.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER

Mid-Western Regional Council

Date: 20 May 2022

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road Mudgee
on 20 May 2022.

Present	Community Member Philip Blackman, Andrew Cutt (Transport for NSW Representative), Transport for NSW Wayde Hazelton, MWRC Ray Kearns, Chair Julian Geddes (Director Operations).
Apologies	Alex Karavas, Samantha Cecchini, Garry McGovern (NSW Police), Simon Fogarty (NSW Police), NSW Police Mark Fehon,
Secretary	Michelle Neilsen (MWRC)

The LTC meeting commenced at 9:30am.

MINUTES OF PREVIOUS MEETING

MOTION: Transport for NSW Wayde Hazelton / Phillip Blackman

That the Minutes of the previous Local Traffic Committee held on 8 April 2022 be taken as read and confirmed.

2

MATTERS IN PROGRESS

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
Perry Street Parking Issues	15 June 2018	To monitor the parking issues that surround Mudgee High School	18/3/2022 – this will be included as part of the audit. 23/5/2022 – brief with Ray Kearns for approval.
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.
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.
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.
Mudgee Preschool assessable parking location	February 2022 LTC		Council to speak with Mudgee Preschool to discuss the possibility of assessable parking from Kauri Lane. 23/11/2022 – awaiting response from pre-school.
Oporto Road Line marking	February 2022		Council to investigate line marking options on Oporto Road to cease parking issues.
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.
Barigan Street	April 2022		To investigate parking concerns in the street in the afternoon when students from Cudgegong Public School leave for the day

PAST EVENT DEBRIEF

EVENT	

CALENDAR OF EVENTS

2022		
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 th & 15 th May 2022	LTC approval not required.
Kandos Street Machine and Hot Rod Show	2 May 2022	
JUNE	DATE	COMMENTS
Mudgeeque Henry Lawson Festival	4 June 2022 11 June 2022	
JULY	DATE	COMMENTS
Small Farm Field Days	8 th & 9 th July 2022	
AUGUST	DATE	COMMENTS
SEPTEMBER	DATE	COMMENTS
OCTOBER	DATE	COMMENTS
NOVEMBER	DATE	COMMENTS
DECEMBER	DATE	COMMENTS

Red = Unapproved
 Green = Approved

4

22/018 GULGONG HENRY LAWSON HERITAGE FESTIVAL 2022

RECOMMENDATION

That Council approve the event – *Henry Lawson Heritage Festival, Saturday 11 June 2022* – classified as a Class 2 Event under the *Guide to Traffic and Transport Management for Special Events Version 3.4* and proceeds with the following conditions:

- a. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.4* and submitted to and approved by Council prior to the event;
- b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- c. Controlling noise as required by the Protection of The Environment Operations (Noise Control) Regulation 2000;
- d. Reimbursing Council for the cost of damage repairs;
- e. Complying with Council's Law Enforcement Officers' reasonable directives;
- f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- g. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- h. The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
- i. Maintain a four-metre wide emergency vehicle lane;
- j. Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
- k. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and
- 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, TRANSPORT FOR NSW and NSW Police are indemnified against any possible action as the result of the event;

Committee Comments

The TGS needs to be updated. Patrick from the Roads team is currently working on it.

MOTION: Community Member Phillip Blackman / Wayde Hazelton

That the above recommendation be accepted and approved.

22/023 MUDGEES RUNNING FESTIVAL

RECOMMENDATION

That the event – “Mudgee Running Festival 2022 (Marathon Weekend)” Sunday 21 August 2022 – be classified as a Class 2 event under the “Guide to Traffic and Transport

Management for Special Events Version 3.5” and proceed with the following conditions:

- a. **Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event;**
- b. **Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;**
- c. **Controlling noise as required by the *Protection Of The Environment Operations (Noise Control) Regulation 2000*;**
- d. **Reimbursing Council for the cost of damage repairs;**
- e. **Complying with Council's Law Enforcement Officers' reasonable directives;**
- f. **Maintain and return areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;**
- g. **A Traffic Guidance Scheme (TGS) certified by a person with a ‘Select & Modify’ or a ‘Design & Audit’ certificate be included in the TMP;**
- h. **Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;**
- i. **Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police and the Transport for NSW are indemnified against any possible action as the result of the event;**
- j. **The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;**
- k. **Maintain a four-metre wide emergency vehicle lane;**
- l. **Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date; and**
- m. **Traffic Guidance Schemes to be in accordance with Roads and Maritime Services Traffic Control at Worksites Manual**
- n. **The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.**

Committee Comments

- Update the conditions of the event.

MOTION: Transport for NSW Wayde Hazelton / Phillip Blackman

That the above recommendation be accepted and approved.

22/021 MUDGEEQUE 2022

RECOMMENDATION

That Council approve this event “MudgeeQue” on 4 June 2022 as a Class 2 event.

- a. **A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.4* and submitted to and approved by Council prior to the event;**
- b. **Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for**

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- notation;
- c. **Controlling noise as required by the Protection of The Environment Operations (Noise Control) Regulation 2000;**
 - d. **Reimbursing Council for the cost of damage repairs;**
 - e. **Complying with Council's Law Enforcement Officers' reasonable directives;**
 - f. **Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;**
 - g. **Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;**
 - h. **The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;**
 - i. **Maintain a four-metre wide emergency vehicle lane;**
 - j. **Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;**
 - k. **The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and**
 - 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, TRANSPORT FOR NSW and NSW Police Force are indemnified against any possible action as the result of the event

Committee Comments

- Committee were a bit concerned of the bus locations at Market Street Mudgee, in front of the Cudgegong Motel.
- Committee would like for the pickup and drop off to be on the same side of the road for pedestrian safety.
- Approved pick up areas were, Market Street Mudgee (opposite Robinson Park), St Matthews Catholic School, Parklands Resort, Horatio Motel, Big 4 Holiday Park.
- Committee would like Police feedback in relation to Cudgegong Motel (Market Street) pickup/drop off area
- Garry McGovern - I've read the minutes Michelle & I agree with the other Committee members. The idea of using public transport is to reduce the chance of congestion on the roads, near the event. I think crossing the roadway near the Cudgegong Motel is fraught with danger. Best to keep pedestrians off the roadway, to promote the free flow of vehicular and pedestrian movement. It is a busy enough intersection near Bell Street & on the bend, pedestrians crossing there would increase the risk of a pedestrian being struck, especially elderly or intoxicated persons.

MOTION: NSW Police Garry McGovern (via email) / Phillip Blackman

That the above recommendation be accepted and approved.

RECOMMENDATION

That Council

That Council approve the event – Rylstone Street Machine and Hot Rod Show Saturday 14 May 2022 classified as a Class 2 Event under the *Guide to Traffic and Transport Management for Special Events Version 3.4* and proceeds with the following conditions:

- a. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.4* and submitted to and approved by Council prior to the event;
- b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- c. Controlling noise as required by the Protection of The Environment Operations (Noise Control) Regulation 2000;
- d. Reimbursing Council for the cost of damage repairs;
- e. Complying with Council's Law Enforcement Officers' reasonable directives;
- f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- g. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- h. The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
- i. Maintain a four-metre wide emergency vehicle lane;
- j. Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
- k. The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review; and
- 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, TRANSPORT FOR NSW and NSW Police Force are indemnified against any possible action as the result of the event;

Committee Comments

Wayde of TfNSW questioned by the TMP/TGS weren't as extensive as per previous years. This year's events was a scaled down event compared to previous years.

MOTION: Councillor Alex Karavas / Garry McGovern

That the above recommendation be accepted and approved.

22/020 CORRESPONDENCE

RECOMMENDATION

That Council receive the Correspondence as noted and any actions from the correspondence be investigated by the Committee further.

8

Request for accessible parking in Cudgegong Street Rylstone.

Council to further investigate if it is needed.

Complaint – Henry Lawson Drive being used for cycling events.

Resident has been responded to. No further action.

MOTION:

That the above recommendation be accepted and approved.

22/019 GENERAL BUSINESS

RECOMMENDATION

That Council receive the general business as noted and any actions from the general business to be investigated by the Committee further.

- a) Meares Street Parking issue - the hospital has again raised issues with regards to the site issues when exiting the car parking driveway on the Meares Street exit. Council will barricade off four parking places to the right and left hand side of the drive way. This will be trial for a period of 6 weeks to gauge how many parking places need to be removed. Works request to be placed in system for these barricades to be placed in the area.
- b) Committee member would like considered the speed of Ulan Road Mudgee to be reduce to 60km from AREC into town. – forward to Transport for NSW.
- c) Director of Operations raised the request of Council to gauge the views of the Traffic Committee on reducing 2hr parking in the CBD to 1hr after it was raised by a business owner to the General Manager. A brief general discussion revealed a general lack of support for this concept however, further investigation would be required if seriously considering change.
- d) Committee Member also raised the possibility of using Lawson Street as a Bypass rather than Lewis Street. Director of Operations advised a review of the heavy vehicle route through Mudgee would be first step.

MOTION:

That the above recommendation be accepted and approved.

CLOSURE

There being no further business the meeting concluded at 10.52AM.

12.5 Sports Advisory Groups Update

REPORT BY THE SPORT AND RECREATION LIAISON OFFICER
TO 15 JUNE 2022 ORDINARY MEETING
GOV400098, A0360013

RECOMMENDATION

That Council:

1. receive the report by the Sport and Recreation Liaison Officer on the Sports Advisory Groups Update;
2. note the meeting notes from the Gulgong Sports Advisory Group meeting held on 26 April 2022;
3. note the meeting notes from the Mudgee Sports Advisory Group meeting held on 22 March 2022 and 11 April 2022; and
4. adopt the Terms of Reference for the Gulgong, Kandos and Rylstone and Mudgee Sports Advisory Groups.

Executive summary

In February 2022 Council resolved to operate Sports Councils as Advisory Groups rather than Section 355 Committees. This report provides an update following consultation with each group.

Disclosure of Interest

Nil

Detailed report

Advisory Committees play an important role in the way that Council communicates with the community. Following the decision in February 2022 to operate Section 355 Committees as Advisory Groups, Council staff have met with the Mudgee and Gulgong Sports Advisory Groups (a meeting with Kandos and Rylstone Sports Advisory Group is scheduled in early June). Meeting notes from these meetings are attached.

As part of the consultation with the Sports Advisory Groups, the key items to be addressed include:

Terms of Reference: with the change in structure a review of the Terms of Reference has been undertaken with each group. Updated Terms of Reference are attached for adoption by Council.

Meeting frequency: Sports Advisory Groups will meet twice a year with additional meetings being scheduled as required.

Remaining Sports Council Funds: Each advisory group is in the process of determining how their remaining funds will be spent. A report will be brought back to Council once each Advisory committee determines their proposed items.

Financial Assistance for Clubs and Individuals: A recommendation will be made for Councils Community Grants Policy to be updated to incarnate financial assistance for sporting Clubs and individuals. This initiative was previously managed through each Sports Council with applications being lodged and assessed direct through the relevant Sports Council. When incorporated into the

community grants program it is thought that this financial assistance could be funded through fees collected from the sports fees and charges.

Strategic improvements to facilities and infrastructure: the key focus of each Sports Advisory Group will be to work with Council staff on identifying priority projects to improve sporting facilities and infrastructure.

Sports Awards: Council staff are working with each group to restructure the Sports Awards program ran by each Sports Council. A Report will be brought back to Council with recommendations for funding.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Not applicable

Legislation

Not applicable

Financial implications

Not applicable

Associated Risks

Not applicable

ALAYNA GLEESON
SPORT AND RECREATION LIAISON OFFICER
17 May 2022

- Attachments:*
1. DRAFT Terms of Reference - Mudgee Sports Advisory Group.
 2. DRAFT Terms of Reference - Gulgong Sports Advisory Group.
 3. DRAFT Terms of Reference - Kandos and Rylstone Sports Advisory Group.
 4. Gulgong Sports Advisory Group Meeting Notes 260422.
 5. Mudgee Sports Advisory Group Meeting Notes 220322.
 6. Mudgee Sports Advisory Group Meeting Notes 110422.

APPROVED FOR SUBMISSION:

SIMON JONES
ACTING GENERAL MANAGER



TERMS OF REFERENCE Mudgee Sports Advisory Group

*A prosperous
and progressive
community.*

DATE ADOPTED: xx	REVIEW DATE	XX
MINUTE NUMBER: XX	FILE NUMBER	A0360013

Preamble

Mid-Western Regional Council encourages and recognises the value of community participation in guiding the strategic development of both sport facilities and sport participation (both playing members and volunteer positions). As such the Mudgee Sports Advisory Group is to provide advocacy for the sporting community on policy, direction and strategic planning related to Council's sport and recreation objectives. Such recommendations are considered in the context of Council's Operational and Delivery Plan and strategic planning processes.

Responsibilities

- a) The Mudgee Sports Advisory Group will:
- Provide advice to Council on priorities for capital works on sporting grounds and facilities.
 - Promote participation in sport to the widest possible cross section of the community,
 - Submit proposals for minor ground improvements to the Council for its consideration. Urgent ground improvement works (including building issues) shall be submitted via Council's Works Request System.
 - Facilitate liaison between different sporting groups.
- b) Mid-Western Regional Council will be responsible for:
- Act as the key interface and provide support to all sporting clubs in the use, management and programming of Council's sport and recreation facilities
 - Managing the bookings and collecting fees and hire charges from Sports Advisory Group members and other users of sporting grounds.
 - Ensuring that the Mudgee Sports Advisory Group is informed of all major events and scheduled maintenance
 - Overseeing the interaction between grass roots sports and elite/national sporting events, facilitating grass root sport club requirements and elite training/event opportunities
 - Regular mowing and watering of the fields. Line marking completed as per bookings.
 - Building maintenance on Council-owned buildings.
 - Any major maintenance or works in respect of the sporting grounds.
 - Maintenance of a key register (for keys supplied by Council).
 - Cleaning and stocking of public amenities.
 - Provide assistance (where possible) with identifying and preparation of funding submissions

POLICY: MUDGEES SPORTS ADVISORY GROUP TERMS OF REFERENCE

- c) Affiliated Mudgee Sports Advisory Group members will be responsible for:
- Cleaning and maintaining change rooms and canteens and other Council facilities used.
 - Ensuring the security of keys provided to them.
 - The appropriate use of the grounds and associated facilities, ensuring they are not abused in any way and that grounds are left in a clean and tidy state.
 - Provision of toilet paper and paper towels (hand wash) in change rooms.

Composition of Committee

The Committee shall comprise one (1) delegate from each affiliated incorporated sporting group association in Mudgee and one (1) Councillor delegate from Mid-Western Regional Council. Relevant Council staff, such as the Manager Recreation Services and Sport and Recreation Liaison Officer, are also required to attend meetings.

Council will provide secretarial support to arrange meetings, take minutes and provide professional administration support where required.

Affiliation Membership

Membership of Mudgee Sports Advisory Group includes the requirement to pay the affiliation fee as set out in Councils Schedule of Fees and Charges. These fees are to be reviewed annually and amended at Councils discretion. Where relevant, the Mudgee Sports Advisory Group is to be consulted prior to any major changes to sport fees and charges framework.

Meeting Frequency, Quorum and Practices

- The Committee shall be scheduled to meet as a minimum 2 times in a calendar year. Suggested months being February and August. The meetings will be held on the last Monday of the nominated month, subject to change as agreed by the Mudgee Sports Advisory Group.
- There is no quorum for the committee meeting however attendees should be financial members.
- Agendas are to be circulated to nominated Club representatives at least 7 days prior to the meeting.
- Meeting minutes are to be circulated to nominated Club representatives within at least 7 days from the meeting date.
- Committee recommendations which are determined to be purely and substantially 'operational' in nature, shall be dealt with the relevant Council officer with any subsequent lack of action be reported to the nominated Councillor delegate
- All attending members are required to adhere to Councils Code of Conduct

POLICY: MUDGEES SPORTS ADVISORY GROUP TERMS OF REFERENCE

Grant Applications for Financial Contributions to Clubs, Individuals and Teams

Financial assistance from Council is available to Mudgee Sports Advisory Group member clubs, individuals and teams through Council's Community Grants Policy.

To be eligible for financial assistance, members must be represented at the two scheduled meetings per year.

Council Contact and Support

The Manager Recreation Services or delegate is the Council contact officer for the Mudgee Sports Advisory Group.



TERMS OF REFERENCE Gulgong Sports Advisory Group

*A prosperous
and progressive
community.*

DATE ADOPTED: xx	REVIEW DATE	XX
MINUTE NUMBER: XX	FILE NUMBER	A0360013

Preamble

Mid-Western Regional Council encourages and recognises the value of community participation in guiding the strategic development of both sport facilities and sport participation (both playing members and volunteer positions). As such the Gulgong Sports Advisory Group is to provide advocacy for the sporting community on policy, direction and strategic planning related to Council's sport and recreation objectives. Such recommendations are considered in the context of Council's Operational and Delivery Plan and strategic planning processes.

Responsibilities

- a) The Gulgong Sports Advisory Group will:
- Provide advice to Council on priorities for capital works on sporting grounds and facilities.
 - Promote participation in sport to the widest possible cross section of the community,
 - Submit proposals for minor ground improvements to the Council for its consideration. Urgent ground improvement works (including building issues) shall be submitted via Council's Works Request System.
 - Facilitate liaison between different sporting groups.
- b) Mid-Western Regional Council will be responsible for:
- Act as the key interface and provide support to all sporting clubs in the use, management and programming of Council's sport and recreation facilities
 - Managing the bookings and collecting fees and hire charges from Sports Advisory Group members and other users of sporting grounds.
 - Ensuring that the Gulgong Sports Advisory Group is informed of all major events and scheduled maintenance
 - Overseeing the interaction between grass roots sports and elite/national sporting events, facilitating grass root sport club requirements and elite training/event opportunities
 - Regular mowing and watering of the fields.
 - Building maintenance on Council-owned buildings.
 - Any major maintenance or works in respect of the sporting grounds.
 - Maintenance of a key register (for keys supplied by Council).
 - Cleaning and stocking of public amenities.
 - Provide assistance (where possible) with identifying and preparation of funding submissions

POLICY: GULGONG SPORTS ADVISORY GROUP TERMS OF REFERENCE

- c) Affiliated Gulgong Sports Advisory Group members will be responsible for:
- Cleaning and maintaining Council facilities used.
 - Line marking as per bookings.
 - Ensuring the security of keys provided to them.
 - The appropriate use of the grounds and associated facilities, ensuring they are not abused in any way and that grounds are left in a clean and tidy state.
 - Provision of toilet paper and paper towels (hand wash) in change rooms.
 - Attending the two (2) scheduled meeting per calendar year. No attendance will result in casual hire fees being charged for season bookings and members will be ineligible to receive financial assistance.

Composition of Committee

The Committee shall comprise one (1) delegate from each affiliated incorporated sporting group association in Gulgong and one (1) Councillor delegate from Mid-Western Regional Council. Relevant Council staff, such as the Manager Recreation Services and Sport and Recreation Liaison Officer, are also required to attend meetings. Additional community members may be invited to attend.

Council will provide secretarial support to arrange meetings, take minutes and provide professional administration support where required.

Affiliation Membership

Membership of Gulgong Sports Advisory Group includes the requirement to pay the affiliation fee as set out in Councils Schedule of Fees and Charges. These fees are to be reviewed annually and amended at Councils discretion. Where relevant, the Gulgong Sports Advisory Group is to be consulted prior to any major changes to sport fees and charges framework.

Meeting Frequency, Quorum and Practices

- The Committee shall be scheduled to meet as a minimum two (2) times in a calendar year. Suggested months being February and August. The meetings will be held on the second Tuesday of the nominated month, subject to change as agreed by the Gulgong Sports Advisory Group.
- Additional meetings may be held at the discretion of the Advisory Group without Council representation. These meetings will not be mandatory. Meeting notes will be provided to the Sport and Recreation Liaison Officer.
- There is no quorum for the committee meeting however attendees should be financial members.
- Agendas are to be circulated to nominated Club representatives at least 7 days prior to the meeting.
- Meeting minutes are to be circulated to nominated Club representatives within at least 7 days from the meeting date.

POLICY: GULGONG SPORTS ADVISORY GROUP TERMS OF REFERENCE

- Committee recommendations which are determined to be purely and substantially 'operational' in nature, shall be dealt with the relevant Council officer with any subsequent lack of action be reported to the nominated Councillor delegate.
- All attending members are required to adhere to Councils Code of Conduct.

Grant Applications for Financial Contributions to Clubs, Individuals and Teams

Financial assistance will be linked to Council's Community Grants Policy.

To be eligible for financial assistance, members must be represented at the two scheduled meetings per year.

Council Contact and Support

The Manager Recreation Services or delegate is the Council contact officer for the Gulgong Sports Advisory Group.



TERMS OF REFERENCE

Kandos and Rylstone Sports Advisory Group

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community.*

DATE ADOPTED: xx	REVIEW DATE	XX
MINUTE NUMBER: XX	FILE NUMBER	A0360013

Preamble

Mid-Western Regional Council encourages and recognises the value of community participation in guiding the strategic development of both sport facilities and sport participation (both playing members and volunteer positions). As such the Rylstone Sports Advisory Group is to provide advocacy for the sporting community on policy, direction and strategic planning related to Council's sport and recreation objectives. Such recommendations are considered in the context of Council's Operational and Delivery Plan and strategic planning processes.

Responsibilities

- a) The Rylstone Sports Advisory Group will:
- Provide advice to Council on priorities for capital works on sporting grounds and facilities.
 - Promote participation in sport to the widest possible cross section of the community,
 - Submit proposals for minor ground improvements to the Council for its consideration. Urgent ground improvement works (including building issues) shall be submitted via Council's Works Request System.
 - Facilitate liaison between different sporting groups.
- b) Mid-Western Regional Council will be responsible for:
- Act as the key interface and provide support to all sporting clubs in the use, management and programming of Council's sport and recreation facilities
 - Managing the bookings and collecting fees and hire charges from Sports Advisory Group members and other users of sporting grounds.
 - Ensuring that the Rylstone Sports Advisory Group is informed of all major events and scheduled maintenance.
 - Overseeing the interaction between grass roots sports and elite/national sporting events, facilitating grass root sport club requirements and elite training/event opportunities.
 - Regular mowing and watering of the fields.
 - Building maintenance on Council-owned buildings.
 - Any major maintenance or works in respect of the sporting grounds.
 - Maintenance of a key register (for keys supplied by Council).
 - Cleaning and stocking of public amenities.
 - Provide assistance (where possible) with identifying and preparation of funding submissions.

POLICY: RYLSTONE SPORTS ADVISORY GROUP TERMS OF REFERENCE

- c) Affiliated Rylstone Sports Advisory Group members will be responsible for:
- Cleaning and maintaining Council facilities used.
 - Line marking as per bookings.
 - Ensuring the security of keys provided to them.
 - The appropriate use of the grounds and associated facilities, ensuring they are not abused in any way and that grounds are left in a clean and tidy state.
 - Provision of toilet paper and paper towels (hand wash) in change rooms.
 - Attending the two (2) scheduled meeting per calendar year. No attendance will result in casual hire fees being charged for season bookings and members will be ineligible to receive financial assistance.

Composition of Committee

The Committee shall comprise one (1) delegate from each affiliated incorporated sporting group association in Rylstone and one (1) Councillor delegate from Mid-Western Regional Council. Relevant Council staff, such as the Manager Recreation Services and Sport and Recreation Liaison Officer, are also required to attend meetings. Additional community members may be invited to attend.

Council will provide secretarial support to arrange meetings, take minutes and provide professional administration support where required.

Affiliation Membership

Membership of Rylstone Sports Advisory Group includes the requirement to pay the affiliation fee as set out in Councils Schedule of Fees and Charges. These fees are to be reviewed annually and amended at Councils discretion. Where relevant, the Rylstone Sports Advisory Group is to be consulted prior to any major changes to sport fees and charges framework.

Meeting Frequency, Quorum and Practices

- The Committee shall be scheduled to meet as a minimum two (2) times in a calendar year. Suggested months being February and August.
- There is no quorum for the committee meeting however attendees should be financial members.
- Agendas are to be circulated to nominated Club representatives at least 7 days prior to the meeting.
- Meeting minutes are to be circulated to nominated Club representatives within at least 7 days from the meeting date.
- Committee recommendations which are determined to be purely and substantially 'operational' in nature, shall be dealt with the relevant Council officer with any subsequent lack of action be reported to the nominated Councillor delegate.
- All attending members are required to adhere to Councils Code of Conduct.

POLICY: RYLSTONE SPORTS ADVISORY GROUP TERMS OF REFERENCE

Grant Applications for Financial Contributions to Clubs, Individuals and Teams

Financial assistance will be linked to Council's Community Grants Policy.

To be eligible for financial assistance, members must be represented at the two scheduled meetings per year.

Council Contact and Support

The Manager Recreation Services or delegate is the Council contact officer for the Rylstone Sports Advisory Group.



MID-WESTERN REGIONAL COUNCIL
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GULGONG SPORTS ADVISORY GROUP MEETING NOTES TUESDAY 26 APRIL 2022 GULGONG BOWLING AND SPORTING CLUB

In attendance: P. Raines (MWRC), A. Gleeson (MWRC), C. Holden, B. Gudgeon, M. Freestone, C. Forrester, G. Germon, P. Doran, A. Doran

Meeting commenced: 6.05pm

1. Terms of Reference
 - a. Draft Terms of Reference were presented with feedback provided. An updated draft will be distributed with meeting notes.
 - b. Meetings will be held on the 2nd Tuesday of the month in February and August. The August meeting will be used as the Strategic Planning meeting to time with Council's budgeting timelines. These meetings are mandatory.
 - c. Additional meetings will be held at the discretion of Advisory Group without Council representation. These meeting will not be mandatory.
 - d. There is no limit to the number of representative from each member that can attend meetings.
 - e. Terms of Reference and Code of Conduct to be distributed with request for club information annually.
2. Funding
 - a. Sports Council fees will continue to be collected from members with funds directed to operational budgets.
 - b. Craig Holden to send through quote information for Victoria Park re-fit project. Approximately \$6,000.
3. Financial Assistance
 - a. Recommendation to be put forward to Council for Financial assistance to be linked to Council's Community Grants Program (<https://www.midwestern.nsw.gov.au/Council/Grants-and-funding/Community-Grants>). If the recommendation is endorsed by Council, the Policy will be updated.
 - b. It was noted that funding has been provided in the past in circumstances of financial hardship. This will be taken in to account in the recommendation to Council
4. Sports Awards
 - a. Awards have not been presented since around 2012.
 - b. Alayna Gleeson to circulate draft criteria and eligibility for new Sports Awards structure for feedback.
5. Incident Reporting
 - a. Infrastructure issues are to be reported to Council:
 - Business hours – SRLO (0439 824 831)
 - Out of hours – Building Services on call number (0417 630 624)
 - b. Incident reporting – all clubs have responsibility for this via their own reporting mechanisms

- c. Public incidents can be report via form on Council's website: <https://www.midwestern.nsw.gov.au/Council/Forms/Public-Incident-Form>
- d. Works Requests should be submitted to the Sport and Recreation Liaison Officer or via Council's online system: <https://www.midwestern.nsw.gov.au/Services/Report-a-problem>

6. Facility allocations

7. Facility improvements and Works Requests

- a. Management Plan to be developed which will include strategic project information.
- b. Craig Holden to put together a list of past projects which have been delivered in the last 10 years.
- c. Victoria Park
 - i. Council staff are investigating sleeves for combo posts.
 - ii. Preliminary work underway on grandstand
 - iii. Synthetic installed at cricket nets
 - iv. Shot put and discus mounds awaiting contractor
 - v. Gates to be installed before next summer sports season
 - vi. Sealing of road will be completed in the 2022/23 Financial Year
- d. Tennis Courts - \$130K allocated to improvements 2022/23 Financial Year.
- e. Billy Dunn
 - i. Change rooms complete
 - ii. Road realignment and fencing works will commence following completion of pool car park works.
- f. Vandalism is an issue. Council staff are investigation camera locations and costs with Report to go to Council.
- g. Billy Dunn oversow in progress and will continue in future years

8. General Business

- a. There is a new Parks and Gardens supervisor based in Gulgong.

Next meeting: Tuesday 14 June, 6pm.

Meeting ended: 7.45pm



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**MUDGEE SPORTS ADVISORY GROUP MEETING
MONDAY 21 MARCH 2022, NETBALL AMENITIES BUILDING**

In attendance: Cr P. Stoddart (MWRC), P. Raines (MWRC), A. Gleeson (MWRC), G. Robinson, P. Mitchell, K. Lang (touch football), R. Clayton (Junior League), A. Comincioli (Junior League), K. Marshall (netball).

Apologies: N. Cavanagh (junior cricket), K. Bennetts (Little Athletics), J. Johnson, L. Humphries (rugby union), J. Fleming (Mudgee Lions Football), J. Martin (MWRC)

Meeting commenced: 6.02pm

Introductions

Cr Phil Stoddart was introduced as the Council representative on the Mudgee Sports Advisory Group.

Previous meeting notes

Those in attendance agreed that the previous meeting notes provided a general consensus of the meeting but some details were not accurate.

Remaining Funding

The group was asked to put forward ideas to expend the remaining Sports Council funds (approximately \$70,000 as at March 2022). Proposed ideas below:

Project	Approximate Costs
Permanent frost resistant water bubblers x 7 (GW netball, rugby union, junior league, stadium, soccer/touch, Victoria Park, Walkers Oval)	\$9,000 each installed
Portable water stations x 4	\$8,000 each
Seating (netball and junior league)	Dependant on style (propose \$3,000 allocated to netball and junior league)
Security cameras x 7 (GW netball, rugby union, junior league, stadium, soccer/touch, Victoria Park, Walkers Oval)	\$3,500 per location plus \$600 for each additional camera.
Fencing between soccer/touch/junior league and private property (approximately 500m)	\$145/m

ACTION: A. Gleeson to seek further input on ideas from those not in attendance at the meeting before all sports/members are given the opportunity to prioritise options.

Sports Awards

Working Group to be established (A. Gleeson, G. Robinson, K. Marshall) to review award categories and eligibility criteria and develop request to Council to consider \$10,000 annual budget to cover Awards Dinner.

ACTION: A. Gleeson to coordinate working group and prepare Council Report (May 2022 TBC)

Sports Council Records

G. Robinson to bring Sport Council records to The Stables building for Council to catalogue and record in records management system.

Future Meetings and Correspondence

Next Meeting: 11 April

Agenda items: Glen Willow Stage 2 and Traffic update, Terms of Reference

Moving forward, there will be meetings scheduled twice yearly (February and August). Additional meetings may be scheduled if consultation is required.

Clubs will be emailed to provide updated contact details for Advisory Group matters.

Meeting ended: 7.00pm



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**MUDGEES SPORTS ADVISORY GROUP MEETING
MONDAY 11 APRIL 2022
NETBALL AMENITIES BUILDING**

In attendance: A. Gleeson, P. Raines, P. Scotti (Wolves), K. Bennetts (Little Athletics), L. Humphreys (Wombats), E. Turnbull (hockey), P. Mitchell

Apologies: Cr Stoddart, D. Lewis (junior cricket), K. Marshall (netball), G. Robinson.

Meeting commenced: 6.03pm

1. Glen Willow Stage 2 Update
 - a. Junior league and multipurpose at Glen Willow open 26 April.
 - b. Rugby union building nearing completion
 - c. Stormwater catchment tank behind netball to be installed and feed to water storage area.
 - d. Spare bins will be stored at water storage area
 - e. Car park works and landscaping in progress
 - f. A park area will be located in north west corner
2. Glen Willow Traffic Management – Peak Usage Times
 - a. Traffic consultant engaged with report nearing completion. Report to include recommendations for nominating roads speed limits, shared zones and regulatory signage requirements
 - b. Closure of Pitts Lane (between loop rds.) on weekends in winter and Tuesday/Thursday evenings in summer
 - c. Presentation of traffic maps – will be distributed to sports
3. Funding – projects
 - a. List to be sent to sports who will be asked to prioritise projects
 - b. Security strategy to be developed for complex
 - c. Proposal to install bubblers at netball, junior league and Walkers Oval
 - d. Current funding applications (Little Athletics) will be taken out of current funds
4. Sports Awards Working Group (including Community Grants)
 - a. Take draft awards criteria and eligibility to committees for feedback
 - b. Report to Council Meeting – recommendation to include Community Grants Policy amended to include Sports Advisory Group funding applications.
5. Terms of Reference
 - a. Draft Terms of Reference was provided to attendees with changes explained/discussed
 - b. Send amended draft to all members for final feedback (following addressing initial feedback received at 11 April meeting)
6. Roads Safety Week (15 to 22 May)
 - a. Key message – its everyone's right to get home safely.
 - b. Sporting teams have been identified as a target audience
 - c. Banners will be put up around complex and club may be asked to be involved in PR activities.
7. Incident Reporting
 - a. Infrastructure issues are to be reports to Council:
 - Business hours – SRLO (0439 824 831)

- Out of hours – Building Services on call number (0417 630 624)
 - b. Incident reporting – all clubs have responsibility for this via their own reporting mechanisms
 - c. Public incidents can be report via form on Council's website: <https://www.midwestern.nsw.gov.au/Council/Forms/Public-Incident-Form>
 - d. Works Requests should be submitted to the Sport and Recreation Liaison Officer or via Council's online system: <https://www.midwestern.nsw.gov.au/Services/Report-a-problem>
8. General Business
- a. Carts usage – policy to be developed with conditions of use
 - b. Emergency procedures
 - i. Site-wide emergency plans being finalised
 - ii. LEMC to be engaged on emergency plans
 - c. Defibrillators
 - i. SRLO to get update on grant
 - ii. Locations to be identified – not just buildings, easily accessible points.

Next meeting: 9 May

Meeting ended: 7.30pm

Item 13: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

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

GIVING NOTICE OF BUSINESS

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

BUSINESS WITHOUT NOTICE

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

Item 14: Confidential Session

Nil

CONFIDENTIAL
SESSION

Item 15: Urgent Confidential Business Without Notice

Item 16: Open Council

Item 17: Closure