

Minutes of the Ordinary Meeting of Council

Held at the Council Chambers, 86 Market Street, Mudgee
on 15 June 2022, commencing at 5.33pm and concluding at 5.50pm

PRESENT Cr S Paine, Cr P Cavalier, Cr K Dicker, Cr A Karavas, Cr R Palmer, Cr P Shelley, Cr P Stoddart and Cr JP Thompson.

IN ATTENDANCE General Manager (Brad Cam), Director Community (Simon Jones), Director Operations (Julian Geddes), Acting Director Development (Alina Azar), Acting Chief Financial Officer (Neil Bungate), Manager Customer Services & Governance (Richard Cushway) and Executive Assistant (Mette Sutton).

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

An apology was received for Cr D Kennedy.

166/22 MOTION: Cavalier / Palmer

That the apology received for Cr D Kennedy be accepted.

The motion was carried with the Councillors voting unanimously.

Item 2: Disclosure of Interest

There were no disclosures of interest.

Item 3: Confirmation of Minutes

167/22 MOTION: Shelley / Palmer

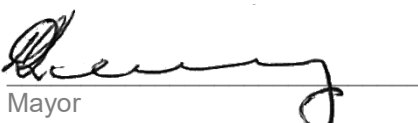
That the Minutes of the Ordinary Meeting held on 25 May 2022 be taken as read and confirmed.

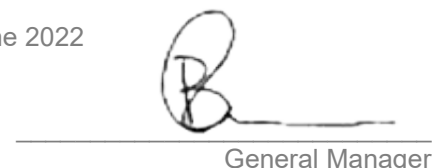
The motion was carried with the Councillors voting unanimously.

Item 4: Matters in Progress

BMX Pump track Investigation

168/22 MOTION: Cavalier / Stoddart


Mayor


General Manager

That Council note Resolution 14/22 from the Ordinary Meeting held on 2 February 2022 in regard to a BMX Pump Track in the Mid-Western Region be noted as complete.

The motion was carried with the Councillors voting unanimously.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

Notice of Motion 6.1 was withdrawn by Cr Thompson.

6.1 UPGRADE TO GARTH AND VIVA FLETCHER MEMORIAL
PARK, GULGONG

GOV400098, A0100035

MOTION

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

6.2 ELECTRIC VEHICLE CHARGING STATIONS

GOV400098, A0100035

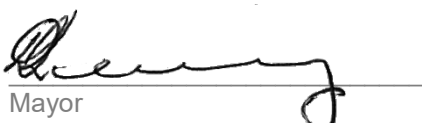
169/22 MOTION: Cavalier / Karavas

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 and appetite of commercial EV companies to provide this infrastructure; and
4. receive a report by the Director Development.

The motion was put and carried with Councillors voting as follows:

| Councillors | Ayes | Nayes |
|-------------|------|-------|
| Cr Paine | ✓ | |
| Cr Cavalier | ✓ | |


Mayor


General Manager

| | | |
|-------------|---|---|
| Cr Dicker | ✓ | |
| Cr Karavas | ✓ | |
| Cr Palmer | ✓ | |
| Cr Shelley | ✓ | |
| Cr Stoddart | ✓ | |
| Cr Thompson | | ✓ |

Item 7: Office of the General Manager

7.1 FIXING OF ANNUAL FEES FOR COUNCILLORS AND THE MAYOR

GOV400098, GOV400010, GOV400088

170/22 MOTION: Shelley / Cavalier

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.

The motion was carried with the Councillors voting unanimously.

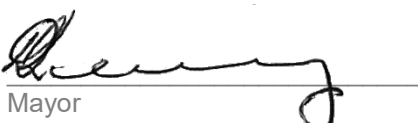
Item 8: Development

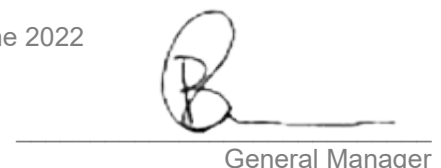
8.1 DA0093/2022 - SUBDIVISION (45 RESIDENTIAL LOTS) STAGE 13 - CAERLEON ESTATE - 26 HONE CREEK DRIVE, CAERLEON

GOV400098, DA0093/2022

171/22 MOTION: Shelley / Cavalier

That Council:


Mayor


General Manager

- 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

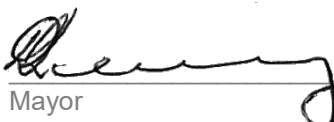
- The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except as varied by the conditions listed herein and/or any plan notations.

| 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_BDA R_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

- 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.
- 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.
- The requirements set out by Transport for NSW in their letter dated 21/12/21 are to be complied with, as applicable, to ensure



Mayor



General Manager

the development does not impact on the railway corridor.

4. 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.
5. 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

1. 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.

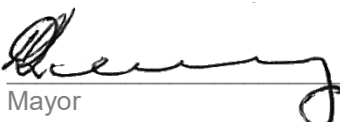
The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator.

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 |

2. 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



Mayor



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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.

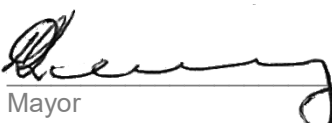
Table: Species credits required to be retired – like for like

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

- 3. 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.**
- 4. 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.**
- 5. A site supervisor is to be nominated by the applicant prior to the issue of the Subdivision Works Certificate.**
- 6. Existing and proposed contours are to be shown on detailed engineering plans.**
- 7. 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

- 8. Prior to the issue of a Subdivision Works Certificate the**



 Mayor



 General Manager

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.

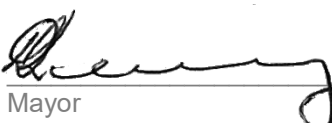
The Drainage Report shall include:

- 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.
- Downstream owners consent to discharge of stormwater.


9. 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



Mayor



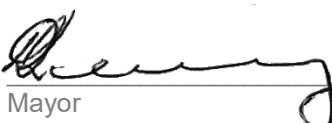
General Manager

supplied with Subdivision Works Certificate Issue plans demonstrating that the design meets the above criteria.


10. 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.
11. 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.
12. 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.
13. 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.
14. 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

15. 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



Mayor



General Manager

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).

16. 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 |

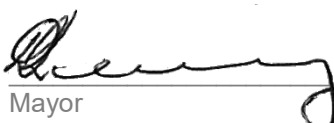
17. The internal road network must be designed with sufficient width to accommodate turning paths for service vehicles, with particular attention to cul-de-sac court bowls that must be provided with a radius suitable for rubbish collection vehicles and that require no reversing movements for collection of rubbish.
18. 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

19. 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


Mayor


General Manager

'live' water mains.

- 20. 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.**
- 21. Water supply for Stage 13 is to be obtained by extension of mains constructed within Stage 9 of Neighbourhood 1.**
- 22. 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

- 23. 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

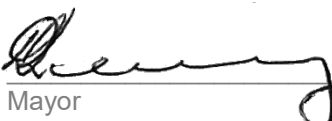
- 24. Prior to issue of subdivision works certificate a landscape plan is to be prepared by a qualified landscape architect and approved by Council. Street trees of a species approved by Council are to be provided to all streets with an average of one tree per lot frontage. Corner lots are to have a 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.**
- 25. Street trees are to be approximately 1.5m - 2m in height when planted.**

PRIOR TO COMMENCEMENT OF WORK


- 26. 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.

- 27. A Traffic Guidance Scheme (TGS) completed by the "Certified**



Mayor



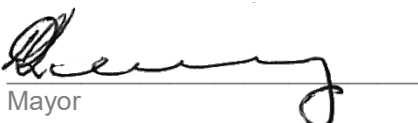
General Manager

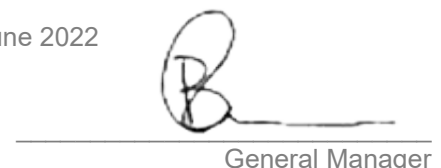
Person” for implementing during works is to be submitted to Mid-Western Regional Council prior to any work commencing.

- 28. 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

- 29. 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.**
- 30. 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).**
- 31. 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.**
- 32. All utility crossings are to be perpendicular to the road centreline and performed prior to the addition of the base-course.**
- 33. Street signs necessitated by the subdivision are to be installed in accordance with AUS-SPEC Specification and Council’s requirements.**
- 34. 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;**


Mayor


General Manager

- road pavement surfacing;
 - practical completion
35. 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.
36. 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.
37. 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

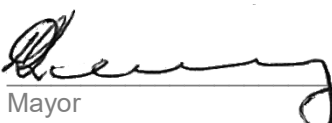
- Contractor Representative
- Contractor Contact Details

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**



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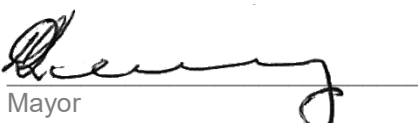
- course, Water, Sewer, Stormwater, Bitumen etc. for supplied materials)
- Concrete mix Details (Concrete Register/ Concrete Test Results required)
 - Bitumen Sealing Reports/Records
 - Earthworks/Civil Test Reports e.g. compaction tests - (Coordinates and RL required for each test required to be shown 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

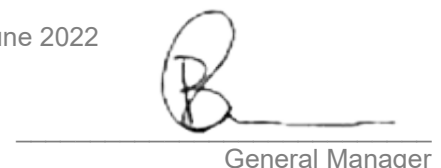
PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

38. 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.

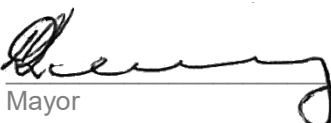
39. This development consent requires a Certificate of Compliance under the Water Management Act 2000 to be obtained prior to the issue of a Subdivision Certificate. Please refer to the Advisory Notes for the contribution to be made to Council in accordance with the Voluntary Planning Agreement for Caerleon.


Mayor


General Manager

40. 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.
41. 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.
42. 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.
43. 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.
44. 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.
45. 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



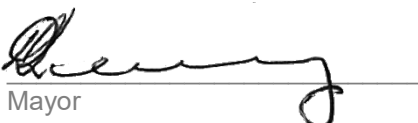
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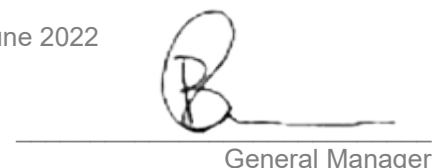


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developer at the end of the twelve (12) months period, less the estimated cost of any outstanding works.

46. 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.
47. 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.
48. 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.
49. 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


Mayor


General Manager

as required by Council's policies.

50. 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.

51. 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:

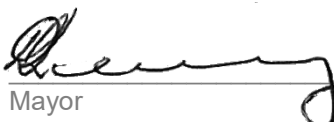
| Section 64 Contributions | | | | | |
|---|---|---------|-----------|------------|--------------|
| Total of 45 residential lots (16 small and 29 medium) | | | | | |
| | | ET/Unit | Per Lot | No. of lot | Total |
| Water Headworks | Residential allotment (small) <650m ² | 0.75 | \$6411.8 | 16 | \$102,589.59 |
| | Residential allotment (medium) 650m ² - 1200m ² | 1 | \$8549.1 | 29 | \$247,924.77 |
| Sewer Headworks | Residential allotment (small) <650m ² | 0.75 | \$2,910.9 | 16 | \$46,575.68 |
| | Residential allotment (medium) 650m ² - 1200m ² | 1 | \$3,881.3 | 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


Mayor


General Manager

Planning & Assessment Act 1979.

- 3) **No submissions were received during the public notification period.**

The motion was put and carried with Councillors voting as follows:

| Councillors | Ayes | Nayes |
|-------------|------|-------|
| Cr Paine | ✓ | |
| Cr Cavalier | ✓ | |
| Cr Dicker | ✓ | |
| Cr Karavas | ✓ | |
| Cr Palmer | ✓ | |
| Cr Shelley | ✓ | |
| Cr Stoddart | ✓ | |
| Cr Thompson | ✓ | |

8.2 DA0333/2022 - SUBDIVISION OF LAND - 1 INTO 41 LOTS - 1-5 RAILWAY STREET, GULGONG

GOV400098, DA0333/2022

172/22

MOTION: Shelley / Cavalier

That Council:

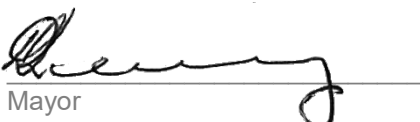
- A. receive the report by the Planning Coordinator and Manager, Planning on the DA0333/2022 - Subdivision of Land - 1 into 41 Lots - 1-5 Railway Street, Gulgong; and**
- B. approve DA0333/2022 - Subdivision of Land - 1 into 41 Lots - 1-5 Railway Street, Gulgong subject to the following Conditions and 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 | 03.0 3.20 22 | Premise |

Any minor modification to the approved plans other than as

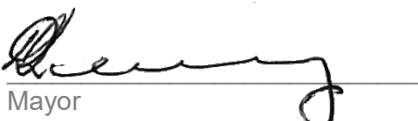

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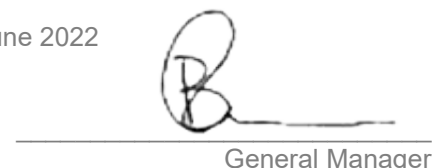

General Manager

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


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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

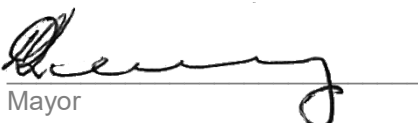
12. The Developer is required to provide for the construction of new road and road upgrades that includes, but may not be limited to:
 - Construction of kerb and channel for the full road abutments of all Lots created by this Subdivision,
 - The construction of pavement widening, extension of kerb and 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.

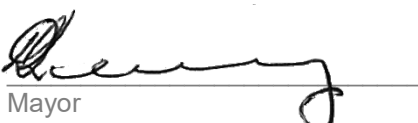

Mayor


General Manager

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


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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.

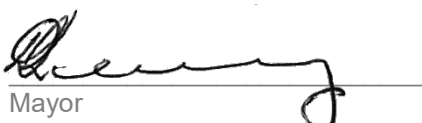
TELECOMMUNICATIONS AND ELECTRICITY SUPPLY

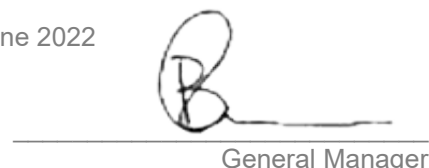
26. Underground electricity, street lighting and telecommunications are to be supplied to the Subdivision in accordance with the relevant authorities' standards. Each allotment is to be provided with a service point / connection to an underground electricity supply. Prior to the issue of the Subdivision 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


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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.

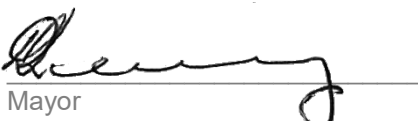
29. Prior to the issue of a Subdivision Works Certificate a detailed engineering design, specifications, supporting documentation / reports and calculations, and schedules are to be submitted to and approved by Council. The engineering design is to comply with the technical and performance requirements 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


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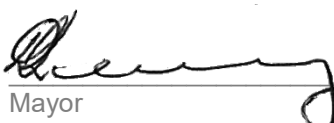
not less than 1.2 metres in height are to be installed. Protection measures and irrigation lines are also to be detailed accordingly. The planting schedule is to ensure allowance is made for future driveways in accordance with Council's Access to Properties Policy.

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.



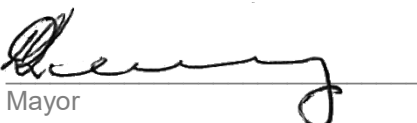
Mayor



General Manager

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 upslope 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.**



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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.

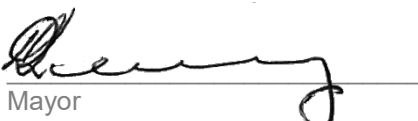
42. The subdivision works are to be inspected by the Council (or an Accredited Certifier on behalf of Council) to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:

- **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.



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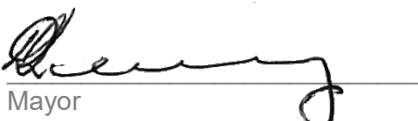
General Manager

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.


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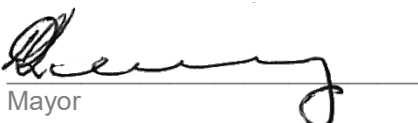

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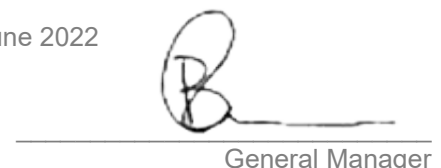
Note: The fee to issue a Subdivision Certificate is set out in Council's Fees and Charges.

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


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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

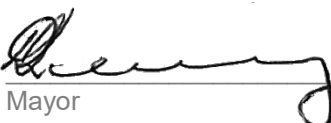
- i) Contractor Representative
- ii) Contractor Contact Details

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 -



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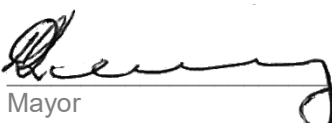
(Coordinates and RL required for each test required to be shown on a .dwg)

- 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.



 Mayor



 General Manager

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.**

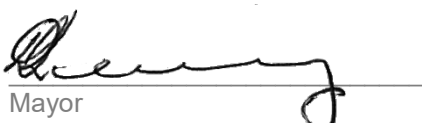
- 68. If the Subdivision Certificate is not issued in the financial year that the Development Consent was issued, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.**


- 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**


Mayor


General Manager

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

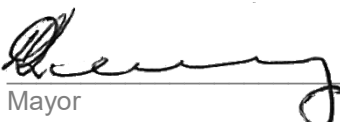
| | |
|--------------------------|----------------------------|
| Section 64 Contributions | Road and Drainage Lot only |
| Water Headworks | Nil |
| Sewer Headworks | Nil |
| Total Headworks | Nil |


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 |


Mayor


General Manager

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".

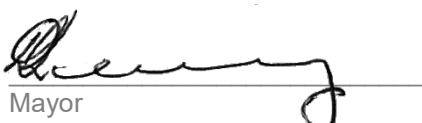
The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.

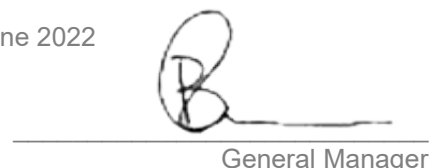
Division 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 12 months after the date on which you receive this notice. The request must be made in writing and lodged 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


Mayor


General Manager

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.

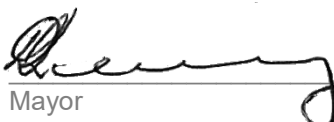
STATEMENT OF REASONS

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.

The motion was put and carried with Councillors voting as follows:

| Councillors | Ayes | Nayes |
|-------------|------|-------|
| Cr Paine | ✓ | |
| Cr Cavalier | ✓ | |
| Cr Dicker | ✓ | |
| Cr Karavas | ✓ | |
| Cr Palmer | ✓ | |
| Cr Shelley | ✓ | |



 Mayor



 General Manager

| | |
|-------------|---|
| Cr Stoddart | ✓ |
| Cr Thompson | ✓ |

8.3 PLANNING PROPOSAL 58 PITTS LANE, PUTTA BUCCA, LOT 2 DP 1252505 AND PART OF LOT 1 DP 125505 - POST EXHIBITION

GOV400098, LAN900139, GOV400098

173/22

MOTION: Shelley / Stoddart

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.**

The motion was put and carried with Councillors voting as follows:

| Councillors | Ayes | Nayes |
|-------------|------|-------|
| Cr Paine | ✓ | |
| Cr Cavalier | ✓ | |
| Cr Dicker | ✓ | |
| Cr Karavas | ✓ | |
| Cr Palmer | ✓ | |
| Cr Shelley | ✓ | |
| Cr Stoddart | ✓ | |
| Cr Thompson | ✓ | |

8.4 MONTHLY DEVELOPMENT APPLICATIONS PROCESSING AND DETERMINED

GOV400098, GOV400088, A0420109

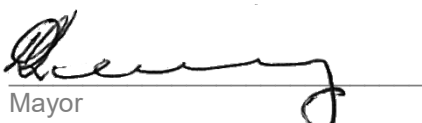
174/22

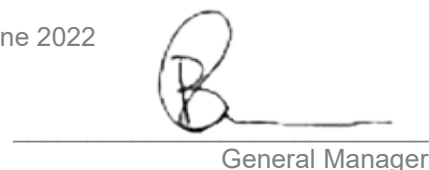
MOTION: Shelley / Cavalier

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

The motion was carried with the Councillors voting unanimously.

The following recommendations (item 9.1 to item 10.1) were adopted as a whole, being moved by Cr Shelley seconded by Cr Cavalier and carried with Councillors voting unanimously. Each


Mayor


General Manager

recommendation is recorded with separate resolution numbers commencing at Resolution No. 174/22 and concluding at Resolution No. 183/22.

Item 9: Finance

9.1 APPLICATION FOR CLOSURE OF PART WHITE STREET
ROAD RESERVE IN GULGONG

GOV400098, GOV400088, DA0159/2021

175/22 MOTION: Shelley / Cavalier

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.

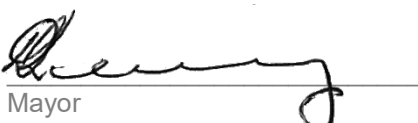
The motion was carried with the Councillors voting unanimously.

9.2 NAMING OF NEW STREETS IN A SUBDIVISION OFF KNOX
CRESCENT, CAERLEON

GOV400098, P26609, R0790141, DA0003/2021, DA0006/2021,
DA0015/2021

176/22 MOTION: Shelley / Cavalier

That Council:


Mayor


General Manager

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.

The motion was carried with the Councillors voting unanimously.

9.3 NAMING OF A BRIDGE ON SPRING RIDGE ROAD OVER
GOODIMAN CREEK BERYL

GOV400098, ROA100071

177/22

MOTION: Shelley / Cavalier

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 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.

The motion was carried with the Councillors voting unanimously.

9.4 BUILDING UPGRADE FINANCE (USING ENVIRONMENTAL
UPGRADE AGREEMENTS) POLICY

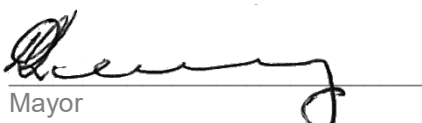
GOV400098, EN200067

178/22

MOTION: Shelley / Cavalier

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


Mayor


General Manager

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.**

The motion was carried with the Councillors voting unanimously.

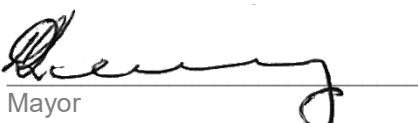
9.5 FINANCIAL ASSISTANCE - GP RESPIRATORY AND VACCINE CLINIC

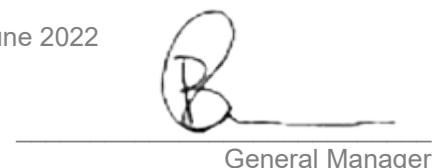
GOV400098, PUB600025

179/22

MOTION: Shelley / Cavalier

That Council:


Mayor


General Manager

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

The motion was carried with the Councillors voting unanimously.

9.6 WRITE-OFF OF DEBTS - PERIOD 26/5/2021 TO 27/5/2022
GOV400098, GOV400088, GOV400087, GOV400067, A0140197

180/22 MOTION: Shelley / Cavalier

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.

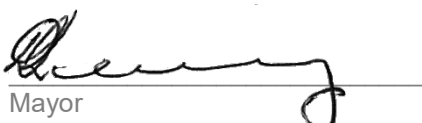
The motion was carried with the Councillors voting unanimously.

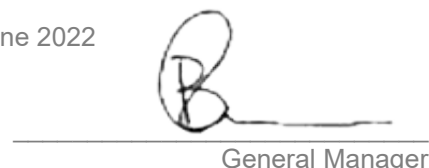
9.7 MONTHLY BUDGET REVIEW - MAY 2022
GOV400098, FIN300315, GOV400098

181/22 MOTION: Shelley / Cavalier

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.


Mayor


General Manager

The motion was carried with the Councillors voting unanimously.

9.8 MONTHLY STATEMENT OF INVESTMENTS AS AT 31 MAY
2022

GOV400098, FIN300053, GOV400098

182/22

MOTION: Shelley / Cavalier

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.

The motion was carried with the Councillors voting unanimously.

9.9 2022/23 OPERATIONAL PLAN AND 2022/26 DELIVERY
PROGRAM

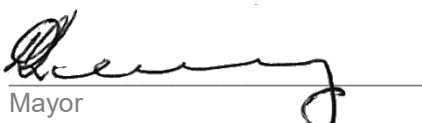
GOV400098, A0000000, FIN300201, GOV400098

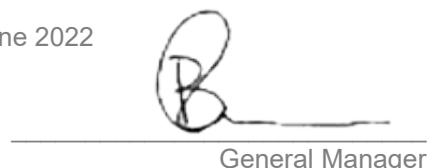
183/22

MOTION: Shelley / Cavalier

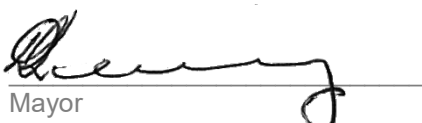
That Council:

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


Mayor


General Manager

- 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



Mayor



General Manager

more than one service the annual charge will be multiplied by the number of services;

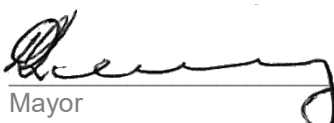
3.12 Water charges for rateable and non-rateable properties within the water supply area of:


| 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 |


Mayor


General Manager

| | | |
|--|---------------|---------|
| Liquid Trade Waste - Category 2 with appropriate equipment | Per kilolitre | \$1.91 |
| Liquid Trade Waste - Category 2 without appropriate equipment | Per kilolitre | \$17.50 |

The motion was carried with the Councillors voting unanimously.

Item 10: Operations

10.1 ASSET MANAGEMENT STRATEGY

GOV400098, COU500082

184/22 MOTION: Shelley / Cavalier

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.

The motion was carried with the Councillors voting unanimously.

10.2 UNMAINTAINED UNNAMED LANE OFF DABEE STREET RYLSTONE (BETWEEN LOUEE AND MUDGEES STREETS) - REQUEST TO BE MAINTAINED

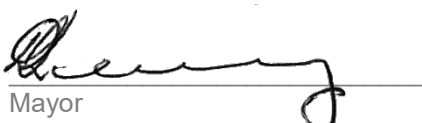
GOV400098, R0790192

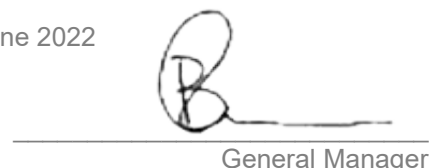
185/22 MOTION: Shelley / Cavalier

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.

The motion was carried with the Councillors voting unanimously.


Mayor


General Manager

10.3 UNMAINTAINED ZIMMLER LANE GULGONG - REQUEST TO BE MAINTAINED

GOV400098, ROA100489

186/22 MOTION: Thompson / Cavalier**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.

The motion was carried with the Councillors voting unanimously.

10.4 UNMAINTAINED BADGERS LANE COOYAL - REQUEST TO BE MAINTAINED

GOV400098, ROA100329

187/22 MOTION: Shelley / Cavalier**That Council:**

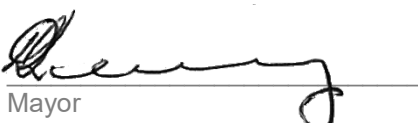
1. receive the report by the Works Technical Officer on the Unmaintained Badgers Lane Cooyal - Request to be maintained; and
2. add the 1.6km Badgers Lane to the Roads Asset Management Plan as a maintained road.

The motion was carried with the Councillors voting unanimously.

The following recommendations (item 11.1 to item 12.2) were adopted as a whole, being moved by Cr Shelley seconded by Cr Karavas and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No. 187/22 and concluding at Resolution No. 191/22.

Item 11: Community

11.1 ACCESS TO INFORMATION POLICY & AGENCY



Mayor

General Manager

INFORMATION GUIDE

GOV400098, GOV400047

188/22 MOTION: Shelley / Karavas**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.

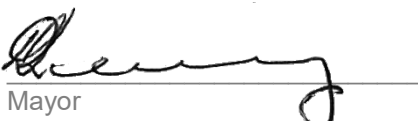
The motion was carried with the Councillors voting unanimously.

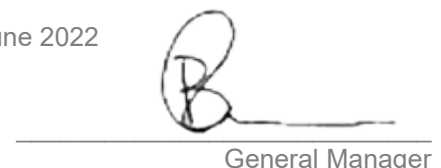
**11.2 EXEMPTION FROM TENDER - TRAINING CAMP FACILITY
RETAINING WALL**

GOV400098, FIN300368

189/22 MOTION: Shelley / Karavas**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



Mayor

General Manager

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.

The motion was carried with the Councillors voting unanimously.

11.3 HARGRAVES AND DISTRICT PROGRESS ASSOCIATION
INC. FINANCIAL ASSISTANCE

GOV400098, A0060040

190/22 MOTION: Shelley / Karavas

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.

The motion was carried with the Councillors voting unanimously.

Item 12: Reports from Committees

12.1 AUDIT RISK AND IMPROVEMENT COMMITTEE MINUTES 20
MAY 2022

GOV400098, COR400236, GOV400098

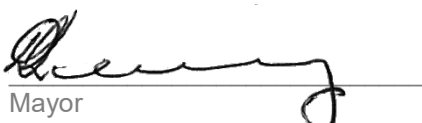
191/22 MOTION: Shelley / Karavas

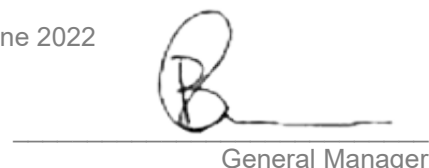
That Council:

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.

The motion was carried with the Councillors voting unanimously.

12.2 GULGONG MEMORIAL HALL COMMITTEE MEETING


Mayor


General Manager

MINUTES 11 MAY 2022

GOV400098, A0100024

192/22 MOTION: Shelley / Karavas**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.**

The motion was carried with the Councillors voting unanimously.

12.3 RAIL COMMITTEE MINUTES 12 MAY 2022

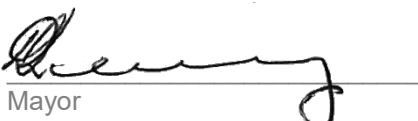
GOV400098, TRA300009

193/22 MOTION: Palmer / Shelley**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; and**
3. **endorse the Terms of Reference with amendments for the Rail Committee.**

The motion was carried with the Councillors voting unanimously.

The following recommendations (item 12.4 to item 12.5) were adopted as a whole, being moved by Cr Cavalier seconded by Cr Stoddart and carried with Councillors voting unanimously. Each recommendation is recorded with separate resolution numbers commencing at Resolution No. 193/22 and concluding at Resolution No. 194/22.



Mayor

General Manager

12.4 LOCAL TRAFFIC COMMITTEE MEETING MINUTES - MAY
2022

GOV400098, A0100009, GOV400098

194/22 MOTION: Cavalier / Stoddart

That Council receive the report by the Executive Assistant, Operations on the Local Traffic Committee Meeting Minutes - May 2022.

The motion was carried with the Councillors voting unanimously.

12.5 SPORTS ADVISORY GROUPS UPDATE

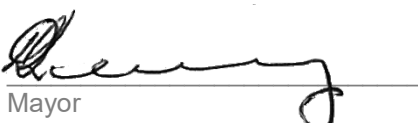
GOV400098, A0360013

195/22 MOTION: Cavalier / Stoddart

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;**
- 4. note the meeting notes from the Kandos and Rylstone Sports Advisory Group meeting held on 7 June 2022;**
- 5. adopt the Terms of Reference with minor amendments for the Gulgong, Kandos and Rylstone and Mudgee Sports Advisory Groups.**

The motion was carried with the Councillors voting unanimously.


Mayor


General Manager

Item 13: Urgent Business Without Notice

Nil

Item 14: Confidential Session

Nil

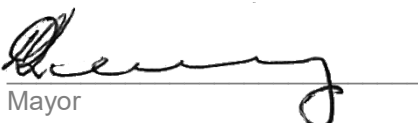
Item 15: Urgent Confidential Business Without Notice

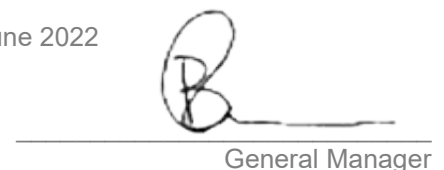
Nil

Item 16: Open Council

Item 17: Closure

There being no further business the meeting concluded at 5.50pm.


Mayor


General Manager