



PUBLIC COPY

Business Papers 2022

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 19 OCTOBER 2022

*A prosperous and progressive
community we proudly call home*





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12 October 2022

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
19 OCTOBER 2022
Public Forum at 5.30pm
Council Meeting commencing at conclusion of Public Forum

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

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

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

Yours faithfully

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

BRAD CAM
GENERAL MANAGER

AGENDA

Acknowledgement of Country	7
Item 1: Apologies.....	7
Item 2: Disclosure of Interest.....	7
Item 3: Confirmation of Minutes.....	7
3.1 Minutes of Ordinary Meeting held on 21 September 2022.....	7
Item 4: Matters in Progress	8
Item 5: Mayoral Minute	9
Nil	
Item 6: Notices of Motion or Rescission.....	10
6.1 Retaining Jubilee Oval	10
6.2 Public Toilets in Centrelink/Services Australia Building	11
Item 7: Office of the General Manager	12
Nil	
Item 8: Development	13
8.1 ME0008/2023 - Modification to DA0333/2022 - Torrens Title Subdivision of Land (1 into 41 Lots) at 1-5 Railway Street, Gulgong	13
8.2 Planning Proposal Housekeeping Amendment 2022/23.....	35
8.3 2022-23 Local Heritage Grant Allocation.....	51
8.4 Acceptance of NSW Government Grants	57
8.5 Fire and Rescue NSW Fire Safety Inspection Report.....	61
8.6 Monthly Development Applications Processing and Determined	71
Item 9: Finance	82
9.1 Naming of a new street in a subdivision off Railway Street, Gulgong	82
9.2 Community Grants Program - October 2022	87
9.3 New and Amended Fees and Charges 2022/23.....	94

9.4	Monthly Budget Review - September 2022	104
9.5	Monthly Statement of Investments as at 30 September 2022.....	120
Item 10:	Operations.....	128
10.1	Acceptance of Grant Funding - DRRF Local & Regional Risk Reduction Stream	128
10.2	Rural Customer Water Fill Station - Introductory Period Review.....	131
Item 11:	Community	135
11.1	Public Spaces Vandalism.....	135
11.2	Mudgee Arts Precinct Strategic Plan 2022-2028	138
11.3	Family Day Care Policy.....	140
11.4	Request for Sponsorship - Macquarie Home Stay.....	167
11.5	RFT2022/16 Airport Hangar - Design and Construct.....	184
11.6	Request for Exemption from Tender - Boards for Cabins at Mudgee Valley Park.....	187
Item 12:	Reports from Committees.....	189
12.1	Local Traffic Committee Meeting Minutes - September 2022	189
Item 13:	Urgent Business Without Notice	197
Item 14:	Confidential Session.....	199
14.1	Financial Agreement with Housing Plus	203
Item 15:	Urgent Confidential Business Without Notice	206
Item 16:	Open Council.....	206
Item 17:	Closure.....	206

Acknowledgement of Country

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

Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 21 September 2022

Council Decision:

That the Minutes of the Ordinary Meeting held on 21 September 2022 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are separately attached.

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Indoor Pool Feasibility Study	Res 325/19 Ordinary Meeting 16/10/2019	That Council request that a further report be brought back to Council with an option to develop an indoor swimming facility at a new location in Mudgee.	<u>RECOMMENDED FOR COMPLETION</u>
Banner Poles Gulgong	Res 308/19 Ordinary Meeting 16/10/2019	That Council modify the banner poles on the outskirts of Gulgong so that the banners are more stable and less likely to tear.	<u>RECOMMENDED FOR COMPLETION</u>
Investigation of Garbage collection service at Queen's Pinch Waste Transfer Station	Res. 66/20 Ordinary Meeting 18/03/2020	Staff investigate the feasibility of replacing the Waste Transfer Station on Queen's Pinch Rd with a garbage collection service.	To be reported to Council at a future meeting.
Section of Mebul Road to be Cleaned Up	347/20 Ordinary Meeting 18/11/2020	That a report be brought back to Council on the provision of additional maintenance to the area of road and roadside along the section of Mebul Road along the Cudgegong River at the old crusher site.	To be reported to Council at a future meeting.
Accommodation Investigation within the Local Government Area	101/22 Ordinary Meeting 20/04/2022	That Council investigate considerations within the Local Government Area for accommodation.	<u>RECOMMENDED FOR COMPLETION</u>
Road Maintenance	198/22 Ordinary Meeting 20/07/2022	That Council receive a report for any or all opportunities to improve road network maintenance.	To be reported to Council at a future meeting.
MRI Machine for Mudgee Hospital	268/22 Ordinary Meeting 21/09/2022	That Council write to the Federal MP Andrew Gee and State MP Dugald Saunders seeking MRI Machine and engage with medical community to identify priorities of service needs within the LGA.	To be reported to Council at a future meeting.
Disabled Access and Parking in Gulgong	272/22 Ordinary Council Meeting 21/09/2022	That Council removes Emergency Vehicle Parking Only signage from Herbert Street Gulgong; identify and construct a disabled access ramp at a suitable location between the Gulgong Post Office and Gulgong Medical Centre.	To be reported to Council at a future meeting.
Indoor Pool Business Case	Res 296/22 Ordinary Meeting 21/09/2022	Investigate financing options and grant opportunities for the construction of an indoor swimming pool and that a further report be brought back to Council to deliver a final Business Case document.	To be reported to Council at a future meeting.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Retaining Jubilee Oval

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, A0100035, GOV400022

MOTION

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

Background

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

Officer's comments

Council has not yet made any decisions on Jubilee Oval as the planning proposal has not yet been put forward.

6.2 Public Toilets in Centrelink/Services Australia Building

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, A0100035, GOV400022

MOTION

That Council:

1. **investigate to see if the Centrelink building where they are doing up the building, is still going to have a public toilet for the public to use; and**
2. **contact the appropriate minister to see if it's OK to not have a public toilet if the proposed new fitout of the building is not going to provide public amenities.**

Background

The building has always had facilities and for customers experiencing long waiting times, especially the elderly, having no toilets closeby will be a problem. The few public toilets that Council do provide are too far away from the centre and then the customer is forced to wait in the line again.

Officer's comments

Council recently (27 September 2022) received a Complying Development Certificate issued by a Private Certifier for Internal Configurations to No. 34 Byron Place (Ground Floor Only), known as Centrelink.

The Private Certifier has classified the building as a 'Class 5' pursuant to the Building Code of Australia (BCA), Volume One. In accordance with Table F2.3 of the BCA Volume One, sanitary facilities need only be provided for employees in a 'Class 5' building, and there is no requirement to provide sanitary facilities for patrons (i.e. customers).

Item 7: Office of the General Manager

Nil

Item 8: Development

8.1 ME0008/2023 - Modification to DA0333/2022 - Torrens Title Subdivision of Land (1 into 41 Lots) at 1-5 Railway Street, Gulgong

REPORT BY THE PLANNING COORDINATOR AND MANAGER, PLANNING
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, DA0333/2022

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator and Manager, Planning on ME0008/2023 - Modification to DA0333/2022 - Torrens Title Subdivision of Land (1 into 41 Lots) at 1-5 Railway Street, Gulgong; and
- B. approve ME0008/2023 - Modification to DA0333/2022 - Torrens Title Subdivision of Land (1 into 41 Lots) at 1-5 Railway Street, Gulgong be approved subject to the following amended conditions and Statement of Reasons:

CONDITIONS

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 G	03.03.2022 11.08.2022	Premise

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

AMENDED BY ME0008/2023

GENERAL

2. This consent is for the subdivision of land only. No physical works are approved under this consent. A Subdivision Works Certificate is required to be obtained for all physical works associated with this consent.
3. No structures or earthworks are permitted to encroach within any easements for the purposes of utility infrastructure as specified in Council's Development Control Plan.
4. All road crossings for services and utilities are to cross perpendicular to the road alignment and must be installed prior to the commencement of construction of base course and kerb and channel.
5. The finished surface of all nature strips and verges must be graded to fall toward the kerb and channel and formed with a minimum 100 mm thick layer of clean topsoil free of stones and other impurities. Nature strips and verges are to be seeded or hydro-mulched with an approved grass prior to the issue of a Certificate of Practical Completion.
6. Any fill placed in residential lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.
7. The only waste derived fill material that may be received at the development site must be:
 - a) Virgin excavated natural material, within the meaning of the *Protection of the Environment Operations Act 1997*; and
 - b) Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the *Protection of the Environment Operations (Waste) Regulation 2014* that is permitted to be used as fill material.
8. All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
9. Costs associated with all development works including any necessary alteration, relocation of services, public utility mains or installations must be met by the Developer. The Developer is responsible to accurately locate all existing services before any development works commence to satisfy this condition.
10. All costs associated with preparation of Survey Plan and associated easement documentation are to be borne by the developer.
11. Any damage to Councils infrastructure that occurs as a result of the proposed development must be prepared immediately to Councils satisfaction and at no cost to Council.

ROADS AND FOOTPATHS

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

- The construction of pavement widening, extension of kerb and channel and bitumen sealing of those parts of Railway Street that abut the development; and
- The construction of concrete footpaths 1.35 metres wide for the full abuttal 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; and
- construction of a stormwater drainage system generally in accordance with the Plan Set provided with the application.

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

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

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

WATER AND SEWER SERVICES

18. The applicant is to provide separate water reticulation services to each allotment within the subdivision.
19. The developer is to extend and meet the full cost of water reticulation to service the development plus the cost of connecting to existing services. All water supply work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act

1993) and in accordance with the National Specification – Water Supply Code of Australia (WSAA).

20. The extent of water main extension to provide adequate and satisfactory supply will require a new main constructed from the 100 mm diameter main in Railway Street, along the new internal road and extending through the proposed drainage reserve to connect with other 100 mm diameter main in Homer Street.
21. The developer is to provide a water service and meter for each lot in the subdivision. Where the provision of a service connection for a proposed new lot is undertaken during the installation of new water mains by the Developer, and prior to any 'live' connection, the Developer can achieve this by making a payment to Council by payment for one meter per lot or dwelling as specified in Council's Schedule of Fees and Charges, noting that this amount is indexed to increase each financial year.

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

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

TELECOMMUNICATIONS AND ELECTRICITY SUPPLY

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

CULTURAL HERITAGE

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

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

PRIOR TO ISSUE OF A SUBDIVISION WORKS CERTIFICATE

28. A Subdivision Works Certificate is required for but not limited to the following civil works;

- **Water and sewer main extensions,**
- **Roads, including concrete kerb, pavement and bitumen seal,**
- **Stormwater drainage such as inter-allotment drainage, detention basins, culverts, pits and table drains,**
- **Footpath (concrete paths, 1.35 metres wide and with crossfall and kerb ramps where necessary in accordance with AS 1428 and DDA requirements),**
- **Landscaping of public reserves and nature strips / verges.**

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

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

29. Prior to the issue of a Subdivision Works Certificate a detailed engineering design, specifications, supporting documentation / reports and calculations, and schedules are to be submitted to and approved by Council. The engineering design is to comply with the technical and performance requirements of Council's Development Control Plan and the Standards referenced within Appendix B and D of that document. Detailed documentation including, but not limited to the following matters, must be submitted with the detailed design.

These documents include:

- **Runoff calculations**

30. Prior to issue of a Subdivision Works Certificate, a detailed design is to be submitted and approved by Council which provides information on all proposed playground, landscaping and irrigation works within each Reserve nominated in the development. Where the detention basin is to be located adjacent to playground equipment, suitable fencing / child protection measures are to be included in the design for approval by Council.

31. Prior to issue of a Subdivision Works Certificate, an updated street tree planting plan and schedule is to be provided and approved by Council which is to include at least 2 street tree per lot (excluding the battle axe lot) and is to specify trees of not less than 1.2 metres in height are to be installed. Protection measures and irrigation lines are also to be detailed accordingly. The planting schedule is to ensure allowance is made for future driveways in accordance with Council's Access to Properties Policy.

32. All finished surface levels and contours to Australian Height Datum (AHD) shall be shown on the plans submitted for the Subdivision Works Certificate. Where it is proposed to import fill, the material shall be free of hazardous materials and contamination and be classified as VENM or ENM under the guidelines of the NSW Environmental Protection Authority by a qualified Geotechnical Engineer. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.

33. Prior to the issue of a Subdivision Works Certificate a Traffic Guidance Scheme (TGS) completed by a "Certified Person" for implementation during works is to be submitted

to Mid-Western Regional Council. All requirements of the TGS must be put in place and implemented prior to any work commencing.

34. Prior to the issue of the Subdivision Works Certificate, Council is to be provided with certified copies of the Electrical and Telecommunications Design for the subdivision including a layout design complying with the allocations determined by the Streets Opening Conference Guideline 2009 Section 6.2.
35. An Erosion and Sediment Control Plan (ESCP)/ Soil and Water Management Plan (SWMP) for the development is to be prepared and submitted with the Subdivision Works Certificate. All measures shall be implemented in accordance with Landcom Guidelines and requirements as outlined in the latest edition of "Soils and Construction - Managing Urban Stormwater".

Points to be considered include but are not limited to:

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

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

PRIOR TO COMMENCEMENT OF WORKS

36. Prior to commencement of any works, a Subdivision Works Certificate shall be obtained.
37. The development site is to be managed for the entirety of work in the following manner:
 - a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - b) Appropriate dust control measures;
 - c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
38. Prior to the commencement of subdivision works, the following actions are to be carried out:
 - a) A site supervisor is to be nominated by the applicant;
 - b) Council is to be provided with two (2) days' notice of works commencing; and
 - c) Council is to be notified in writing of any existing damage to Council's infrastructure.

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

39. Prior to the commencement of any works a copy of the Contractor's public liability insurance cover for a minimum of \$20,000,000 (Twenty million dollars) is to be

provided to Mid-Western Regional Council. Mid-Western Regional Council is to be indemnified against any works carried out by the Contractor.

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

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

DURING WORKS

41. Construction work noise that is audible at other premises is to be restricted to the following times:

- Monday to Saturday - 7.00am to 5.00pm

No construction work noise is permitted on Sundays or Public Holidays.

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

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

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

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

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

45. All works are to be constructed at the full cost of the developer, in a manner consistent with relevant parts of AUS-SPEC specifications and Council's standard drawings.
46. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the Developer's / Demolisher's expense.
47. The developer is to grant Council unrestricted access to the site at all times to enable inspections or testing of the subdivision works.
48. Where necessary the adjustment of existing services, infrastructure or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
49. Following the completion of subdivision works, one set of Works As Executed Drawings in PDF format, AutoCAD compatible files in DWG format, MapInfo files (MGA GDA94 Zone 55/56) and completed Asset Data Template spreadsheets in MS Excel format, are to be submitted to Council. All Works As Executed plans shall bear the consulting engineer's or consulting surveyor's certification stating that all information shown in the plans are accurate.

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

50. Prior to issue of a Subdivision Certificate, the creation of Lot 5 approved under DA0154/2022 shall be registered with NSW Land Registry Services.
51. **Prior to issue of a Subdivision Certificate for stages 1 and 2, all works associated the proposed Reserves are to be completed to the satisfaction of Council with a satisfactory completion report issued.**

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

AMENDED BY ME0008/2023

52. Prior to issue of a Subdivision Certificate, two (2) Street Trees per lot released are to be installed.
53. Under the *Environmental Planning & Assessment Act 1979*, a Subdivision Certificate is required before the linen plan of subdivision can be registered with NSW Land Registry Services.

Note: The fee to issue a Subdivision Certificate is set out in Council's Fees and Charges.
54. The linen plan and associated documents are to be submitted to Council for approval via the NSW Planning Portal with the application for a Subdivision Certificate.

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

55. Prior to the issue of a Subdivision Certificate all required infrastructure works are to be constructed at the full cost of the Developer, in a manner consistent with relevant parts of the AUS-SPEC Specification and Council's standard drawings. A final satisfactory inspection report is to be provided with the application for a Subdivision Certificate.
56. Prior to the issue of a Subdivision Certificate and following completion of all engineering works, a Defects Liability bond in a form acceptable to Council to the value of 5% of the value of all works must be lodged with Council to be held for a period of twenty-four (24) months to ensure any defects that become apparent during that time are remedied by the developer.
57. Three metre wide easements, including associated Section 88B instruments, are to be created in favour of Council over any existing or newly constructed water or sewerage reticulation components located within the subject property, or extended through adjoining private properties as a result of this subdivision.
58. To ensure that increased runoff from the future development of dwellings does not adversely affect the flood risk to downstream properties suitably worded Section 88B documentation placing a restrictive covenant on each allotment requiring detention devices to be included for all building works. Detention devices must provide a minimum 2,000 litres detention storage to be discharged to empty after each rain event through an orifice no greater than 19 mm diameter. Detention devices are to be maintained by the owner to the satisfaction of Council at all times.
59. Easements including associated Section 88B instruments, are to be created in favour of:
 - Any upstream lots to drain water (width variable)
 - Any proposed lots to be serviced by water or sewer reticulation components (width of 3m)
60. Prior to issue of the Subdivision Certificate, the developer shall contact Council's Property and Rating Department to ensure that the Street Addressing for each lot is correctly allocated in accordance with AS4819 and the correct addressing is included with the submitted Subdivision Certificate Application documentation.
61. Prior to the issue of a Subdivision Certificate all services must be located as necessary to lie entirely within the proposed new Lot boundaries. Alternatively, appropriate easements may be created.
62. All existing easements and newly created easements are to be shown on the Plan of Subdivision submitted prior to the issue of a Subdivision Certificate.
63. The applicants shall, at their own expense, engage a registered surveyor to relocate any survey mark that may be disturbed by the development or any associated work. Any information regarding relocation should be supplied to the Land Titles Office and Council.
64. At the completion of construction and prior to the issue of a Subdivision Certificate, Council requires lodgement of a Quality Register in electronic format on a CD or Flash Drive with all of the QA documentation in accordance with AusSpec and the requirements outlined below:
 - A) COVERSHEET
 - (i) Project Address

- (ii) Client/Developer
- (iii) DA Number
- (iv) Lot Numbers
- (v) Subdivision Stage Number (If Applicable)

B) INDEX

- i) Section Numbers

C) CONTRACTOR DETAILS

- i) Contractor Representative
- ii) Contractor Contact Details

D) SCOPE OF WORKS

- i) Enter description outlining scope of works completed

Records to be included, as applicable:

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

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

Section 7.11 Contributions			
'Outside Catchment Mudgee'	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 \$2,471.00	\$ 91,162.00	\$93,898.00
Recreation and Open Space	-\$ 997.00 \$1,027.00	\$ 37,886.00	\$39,026.00
Community Facilities	-\$ 630.00 \$649.00	-\$ 23,940.00	\$24,662.00
Stormwater Management	\$ -	\$ -	
Plan Administration	-\$ 1,003.00 \$1,034.00	-\$ 38,114.00	\$39,292.00

Total Payable	\$ 5,029.00 \$5,181.00/ Lot	-\$191,102.00 \$196,878.00
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Note: The contribution amount will be adjusted by the Consumer Price Index, if not paid in the same financial year the development consent was issued.

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

AMENDED BY ME0008/2023

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.

AMENDED BY ME0008/2023

67. The developer must provide Council and land purchasers with a site classification for each vacant lot within the subdivision. The classification is to be carried out at a suitable building site on each lot and is to be carried out by a NATA registered laboratory using method (a) of Clause 2.2.3 of Australian Standard AS 2870 – 2011: Residential Slabs and Footings. Results are to be submitted to Council prior to issue of the Subdivision Certificate.
68. If the Subdivision Certificate is not issued in the financial year that the Development Consent was issued, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.
69. Prior to the issue of a Subdivision Certificate:
- a) all contributions must be paid to Council and all works required by the consent be completed in accordance with the consent, or
 - b) an agreement be made between the developer and Council;
 - i) as to the security to be given to Council that the works will be completed or the contribution paid, and
 - ii) as to when the work will be completed or the contribution paid.
70. Prior to issue of the Subdivision Certificate, Council is to be supplied with:
- a) A certificate of acceptance from the appropriate power authority indicating that satisfactory arrangements have been made for provision of electricity supply to the subdivision; and
 - b) Satisfactory evidence (usually by way of an agreement with a carrier) that arrangements have been made for the provision of fixed-line telecommunications infrastructure in the fibre-ready facilities to all individual lots.
71. Underground electricity, street lighting and telecommunications are to be supplied to the Subdivision in accordance with the relevant authority's standards.

COUNCIL ADVISORY NOTES

1. This development consent requires a Certificate of Compliance under the Water Management Act 2000 to be obtained prior to the issue of a Subdivision Certificate.

A person may apply to Mid-Western Regional Council, as the water supply authority, for a Certificate of Compliance pursuant to section 305 of the Water Management Act 2000.

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

Stage 1

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

Stage 2

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

Stage 3

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

Stage 4

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

Section 64 Contributions	30 Lots @ 1ET and 9 Lots @ 0.75ET less 1 credit for existing large lot (1ET Water / 1.05ET Sewer)
Water Headworks	\$ 318,060.75
Sewer Headworks	\$ 147,048.30
Total Headworks	\$ 465,109.05

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

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.

If you are dissatisfied with this decision section 8.7 of the EP&A Act gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice, pursuant to section 8.10(1)(b).

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

ESSENTIAL ENERGY ADVISORY NOTES

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

electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development generally complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning & Assessment Act 1979.
3. No submissions were received during the public exhibition period.
4. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.55 of the Environmental Planning & Assessment Act 1979.

Executive summary

OWNER/S	GULGONG HOLDINGS
APPLICANT	MR ROY AMERY
PROPERTY DESCRIPTION	LOT 2 DP 613429 1-5 RAILWAY STREET GULGONG
PROPOSED DEVELOPMENT	SUBDIVISION - 1 INTO 41 LOTS
ESTIMATED COST OF DEVELOPMENT	\$2,001,505.00
REASON FOR REPORTING TO COUNCIL	MODIFICATION TO APPLICATION (GREATER THAN 20 LOTS) PREVIOUSLY REPORTED TO COUNCIL

Council granted consent to Development Application DA0333/2022 for the subdivision of 1 lot into 41 lots (including 2 reserves) over 4 stages at the 15 June 2022 Council meeting on land known as 1 – 5 Railway Street, Gulgong. This development is part of the second stage of the subdivision of the land with 4 lots fronting Railway Street approved under DA0154/2022 still to be released.

Council is in receipt of a Section 4.55 (1A) Application ME0008/2023 to modify Development Application DA0333/2022. The modification proposes to remove the staging of the development, delivering all lots and supporting infrastructure at the same time under DA0333/2022.

The application was not required to be notified or advertised in accordance with the Mid-Western Regional Community Participation Plan 2019 as the modification is minor and only alters the staging arrangements. No submissions were received during the assessment period.

The proposed development has been assessed in accordance with Council’s DCP and the LEP. The proposed development remains generally consistent with Council’s planning controls, as previously approved by Council on the 15 June 2022.

The modification application has been referred to Council for consideration as it exceeds staff’s *Delegation of Authority*, in that the original development application was determined by a full meeting of Council as the total lots exceeded 20.

The modification application is recommended for Approval.

Disclosure of Interest

Nil

Detailed report

PRECEDING APPROVED DEVELOPMENT

Council granted consent to Development Application DA0333/2022 for the subdivision of 1 lot into 41 lots (including 2 reserves) at the 15 June 2022 Council meeting. The original DA approval allowed for the subdivision to be released in 4 stages over Lot 2 DP 613429 known as 1 – 5 Railway Street, Gulgong as follows:

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

PROPOSED MODIFICATION

Council is in receipt of a Section 4.55 (1A) Application ME0008/2023 to modify Development Application DA0333/2022.

The modification proposes to remove the staging of the development by modifying the approved subdivision plan, effectively delivering all proposed lots and associated infrastructure at the same time. There are no other changes to the number of lots, size of lots or arrangements to the plan of subdivision approved by Council on the 15 June 2022.

Figures 1 – 3 below, provides the site location, previously approved subdivision layout including staging and the revised subdivision plan, removing the staging.



Figure 1: Site Location Plan

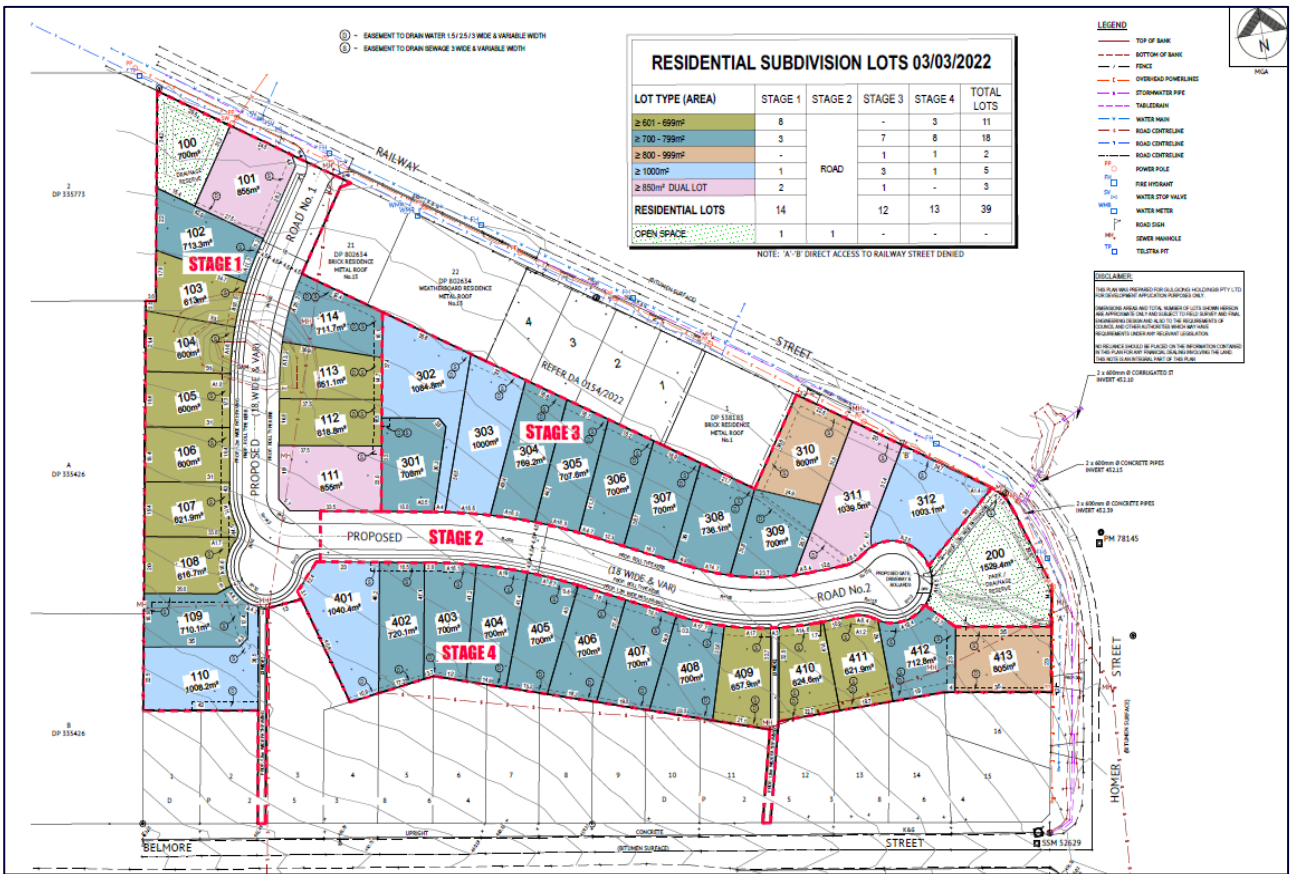


Figure 2: DA0333/2022 Approved Plan of Subdivision

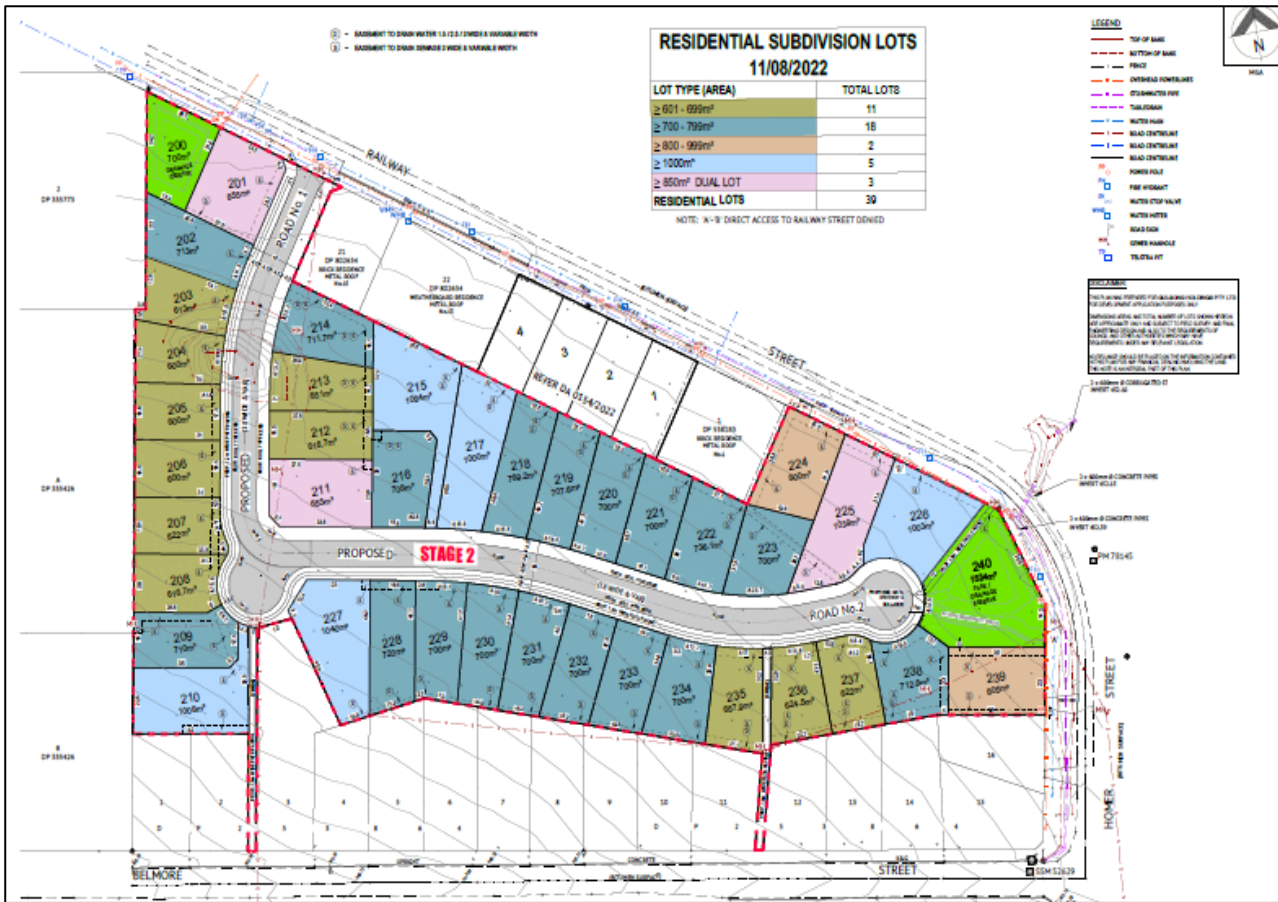


Figure 3: ME0008/2023 Subdivision Plan

LEGISLATIVE REQUIREMENTS

Environmental Planning and Assessment Act 1979

Designated Development

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

Integrated Development

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

ASSESSMENT

The application has been assessed in accordance with **Section 4.55** of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed below as follows.

4.55 (1A) Modifications involving minimal environmental impacts

(1A) **Modifications involving minimal environmental impact** A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

(a) *it is satisfied that the proposed modification is of minimal environmental impact, and*

Comment The proposal to remove the proposed staging of the development is considered to be of minimal environmental impact and does not alter the previous assessment of the application by delivering the overall development at the same time.

(b) *it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all); and*

Comment Council is satisfied that the proposed modification is substantially the same development as the original consent.

(c) *it has notified the application in accordance with:*

Comment The S4.55 Application was not required to be notified to adjoining neighbours as per Council's Community Participation Plan 2019 in that the removal of the staging does not increase any impacts on adjoining lands and no intensification of the total yield sought for the development is proposed.

(d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

Comment No submission was received.

(3) In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.

Comment All matters under Section 4.15(1) of relevance to the modification are addressed below.

4.15(1)(a) Evaluation – Matters for consideration

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

The proposed modification does not alter the proposal's compliance with the relevant State Environmental Planning Policies, considered as part of the original Development Application. No new considerations were required to be addressed as a result of the proposed modification.

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

The original development was considered against the Mid-Western Regional Local Environmental Plan 2012. The proposed modification does not give rise to any issues that need to be reconsidered under the Plan.

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

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

(iii) *Any development control plans*

MID-WESTERN REGIONAL DCP 2013

The original development was considered against the Mid-Western DCP 2013. The proposed modification does not give rise to any new issues that need to be reconsidered under the Plan.

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

The original application was levied with Section 7.11 contributions and each stage was provided with a total contributions payable within the development consent. This has now been amended to reflect the delivery of the overall development at one time and under the one subdivision certificate. CPI has also been added to reflect the updated financial year (1 July 2022) in accordance with the Plan.

Section 64 - Water/Sewer Developer Services Charges

The original application was levied with Section 64 contributions. This has now been updated within the conditions of consent to reflect the delivery of the development as one release and under the one subdivision certificate along with an update to include CPI since the 1 July 2022.

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

No Planning Agreements are applicable.

Regulations – 4.15(1)(a)(iv)

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

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

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

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

The proposed changes associated with the development will cause no additional impacts on the natural and built environments, or the social and economic climate of the locality. The modification reflects the timing and delivery of the development only, with no intensification proposed.

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

(A) DOES THE PROPOSAL FIT IN THE LOCALITY?

Yes. The proposal remains consistent with the existing locality of the area and is a logical extension of the residential area.

(B) ARE THE SITE ATTRIBUTES CONDUCIVE TO DEVELOPMENT?

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

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

(A) PUBLIC SUBMISSIONS

The application was not required to be notified or advertised in accordance with the Mid-Western Regional Community Participation Plan 2019 as the modification only alters the staging arrangements. No submissions were received during the assessment period.

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

No submissions were sought or received from public authorities.

The Public Interest – 4.15(1)(e)

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

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

CONSULTATIONS

(A) HEALTH AND BUILDING

No consultation necessary.

(B) TECHNICAL SERVICES

Council's Development Engineer has not raised any concerns with the proposed modification application.

(C) HERITAGE ADVISOR

No consultation necessary.

(D) ACCESS COMMITTEE

No consultation necessary.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

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

Legislation

Environmental Planning & Assessment Act 1979
Environmental Planning & Assessment Regulation 2000
Mid-Western Regional Local Environmental Plan 2012

Financial implications

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

Associated Risks

Should Council refuse the Development Application, the applicant may seek a further review of this decision or appeal through the Land & Environment Court. It should be noted that the previous Class 1 Proceedings lodged with the Land and Environment Court for DA0333/2022 were discontinued by the applicant.

KAYLA ROBSON
PLANNING COORDINATOR

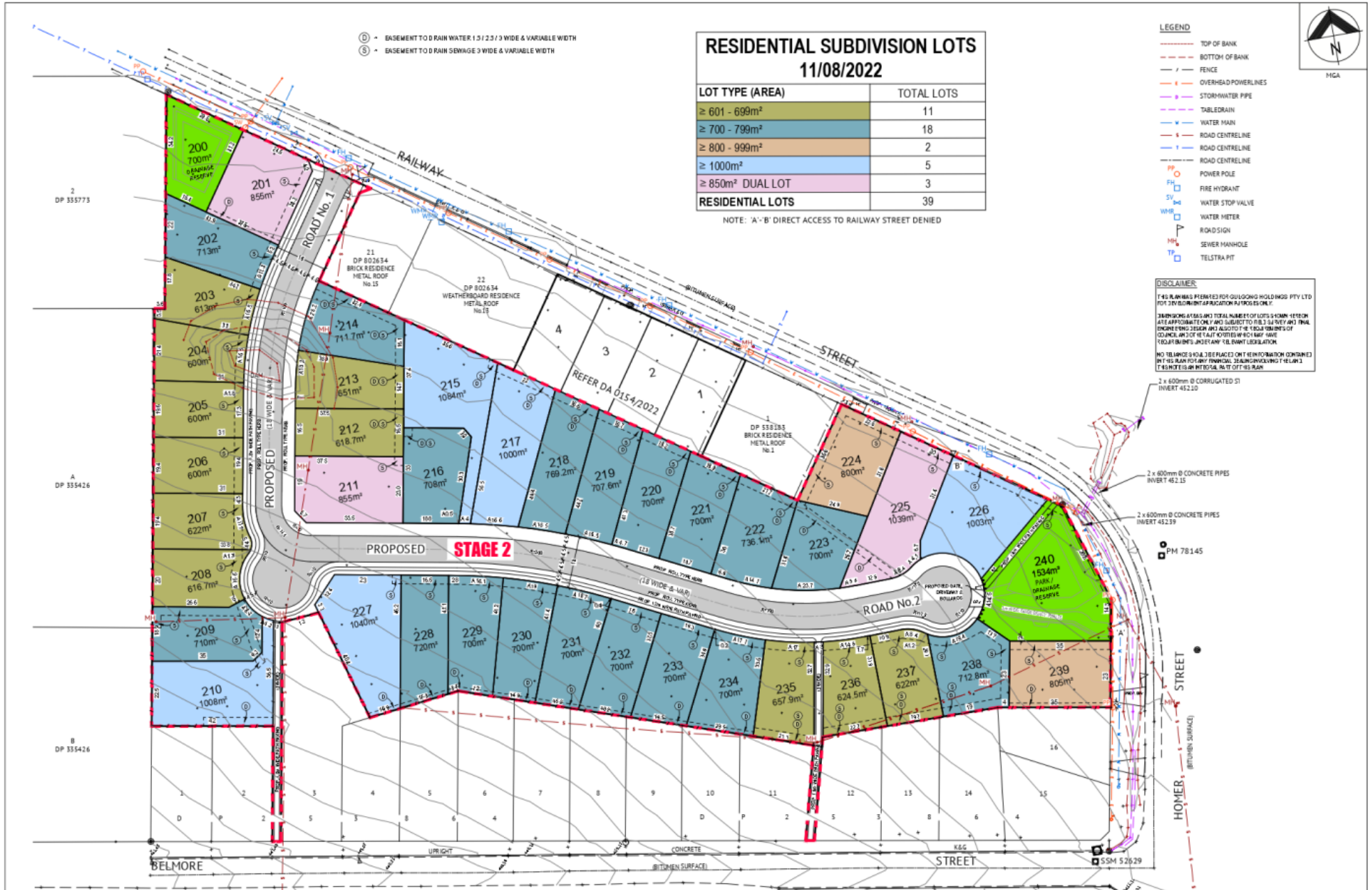
ALINA AZAR
DIRECTOR DEVELOPMENT

22 September 2022

Attachments: 1. Amended Plan of Subdivision Removing Staging Detail.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



ISSUED FOR APPROVAL

DATE	BY	REASON	STATUS
01/01/2022	F	ISSUED FOR APPROVAL - RESIDENTIAL LOTS 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239	ISS
21/01/2021	F	ISSUED FOR APPROVAL - RESIDENTIAL LOTS 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239	ISS
10/01/2021	B	ISSUED FOR APPROVAL - AMENDED AS PER RFS & AMENDED LOTS 207 - 210 & LOTS 200, 211 - 214	ISS
08/01/2021	C	ISSUED FOR APPROVAL - TOTAL LOTS	ISS
18/01/2021	B	ISSUED FOR APPROVAL - RESIDENTIAL LOTS 200 - 210, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239	ISS
11/06/2020	C	ISSUED FOR APPROVAL - RESIDENTIAL LOTS 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239	ISS
09/11	REV	ISSUED FOR APPROVAL - RESIDENTIAL LOTS 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239	ISS

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 1ST FLOOR
 62 WINGEHARRA STREET
 DUBBO, NSW 2830
 PH: (02) 6887 4500
 WEB: www.premise.com.au

CLIENT
 P. SITHIRAVONGSA
 ARCHITECT
 W. SAUNDERS
 PROJECT ARCHITECT
 W. SAUNDERS
 REGISTERED ARCHITECT

SCALE
 SCALE 1:600 (A1)
 SCALE 1:1200 (A3)

CLIENT
GULGONG HOLDINGS PTY LTD

PROJECT
SUBDIVISION OF LOT 5 BEING SUB. OF LOT 2 IN DP 613429

LOCATION
1 RAILWAY STREET, GULGONG

SHEET/TITLE
PROPOSED SUBDIVISION PLAN - OVERALL PLAN

PROJECT CODE
322037_02

SHEET NUMBER
TP01

REV
G

8.2 Planning Proposal Housekeeping Amendment 2022/23

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400089, LAN900146

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the Planning Proposal Housekeeping Amendment 2022/23 to map Lot 1 and Lot 2 DP 1278320 AB4 40 hectares of the *Mid-Western Regional Local Environmental Plan 2012*;**
2. **provide initial support for a Planning Proposal to amend the mapping of the *Mid-Western Regional Local Environmental Plan 2012* to the NSW Department of Planning and Environment seeking a Gateway Determination, in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*; and**
3. **undertake community consultation as outlined within any approved Gateway Determination.**

Executive summary

Council has prepared a Planning Proposal seeking an amendment to the mapping of the *Mid-Western Regional Local Environmental Plan 2012* (LEP). It is proposed to map Lot 1 and Lot 2 DP 1278320 to AB4, 40 hectares to facilitate the erection of a dwelling on each of the lots.

Lots 1 and 2 DP 1278320 were created by a Council approved subdivision, Development Consent DA0351/2012. The lots were created in accordance with the previous environmental planning instrument, where 40 hectare lots were permissible.

The current LEP clause however, does not make provision for the erection of dwellings on the subject lots. This is due to the current LEP not providing an allowance to consider a development application lodged for subdivision under a previous LEP, but was not yet determined until after commencement of the current LEP. Accordingly, Council is amending the LEP to allow landowners to erect dwellings on lots created for that purpose and as previously approved by Council under DA0351/2012.

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

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

Disclosure of Interest

Nil

Detailed report

Planning Proposals

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

The Gateway Process

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

Gateway Timeline

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

Stage	Completed	Comment
Preparation of a Planning Proposal		
Staff Prepare the Planning Proposal	✓	September 2022
Council Decision to Support Proposal	✓	19 October 2022
Issue of Gateway Determination		
Council Requests Gateway Determination		
DP&E Issues Gateway Determination		
Gateway Conditions Satisfied		
Consultation		
Consultation with Relevant Agencies		
Public Exhibition		
Post-Exhibition Report to Council		
Finalisation of the Planning Proposal		
Council Exercises Delegation to Prepare LEP		
Draft LEP by Parliamentary Council		
Opinion Issued and LEP Made		

INTENDED OUTCOMES

The Planning Proposal will facilitate the development of dwellings on Lot 1 and Lot 2 DP 1278320. Once the mapping is amended and reduced to 40 hectares, a dwelling can be considered in accordance with the below existing clause:

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

(3) Development consent must not be granted for the erection of a dwelling house or dual occupancy on land in a zone to which this clause applies, and on which no dwelling house or dual occupancy has been erected, unless the land—

(a) is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to that land

EXPLANATION OF PROVISIONS

Lot 1 and Lot 2 DP 1278320 are currently mapped AD with a minimum lot size of 100 hectares, the Lot Size Map will be updated and map Lot 1 and Lot 2 DP 1278320 as AB4 with a minimum lot size for 40 hectares.

JUSTIFICATION

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

NEXT STEP

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

Community Plan implications

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

Strategic implications

Council Strategies

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

Council Policies

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

Legislation

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

Financial implications

Nil

Associated Risks

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

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

28 September 2022

Attachments: 1. Planning Proposal.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Looking After
our Community*

PLANNING PROPOSAL
HOUSEKEEPING
AMENDMENT 2022/23

20 SEPTEMBER 2022

MID-WESTERN REGIONAL COUNCIL
STRATEGIC PLANNING

■ ■ ■ ■ ■ TOWARDS 2030



STRATEGIC PLANNING | PLANNING PROPOSAL HOUSEKEEPING AMENDMENT 2022/23

Version	Date	Notes
V001	September 2022	PP reported to Oct Council

Table of Contents

Overview	4
Introduction	4
Background	4
Part 1 – Objectives or Intended Outcome	5
Part 2 – Explanation of Provisions	6
Part 3 – Justification	7
Section A - Need for the Planning Proposal	7
Section B - Relationship to Strategic Framework	7
Section C - Environmental, Social and Economic Impact	9
Section D - State and Commonwealth Interests	10
Part 4 – Mapping	11
Part 5 – Community Consultation	12
Part 6 – Project Timeline	13
Proposed Timeline	13

Overview

Introduction

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

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

Facilitate the erection of dwellings on lots Lot 1 and Lot 2 DP 1278320.

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

Background

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

The following clause was drafted for the MWRLEP 2012:

4.2A Erection of dwelling houses and dual occupancies on land in certain zones, specifically subclause (3) (c) is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house or dual occupancy would have been permissible if the plan of subdivision had been registered before that commencement.

The above MWRLEP 2012 clause did not account for the situation where a development application for subdivision was lodged under the previous LEP but not determined and lots registered until after commencement of the current LEP.

A search of Council's subdivision development approvals has established Lot 1 and Lot 2 DP 1278320 are the only lots that the erection of a dwelling can't be achieved under the MWRLEP 2012.

Lots 1 and 2 DP 1278320 were created by a Council approved subdivision, Development Consent DA0351/2012. The lots were created in accordance with the previous environmental planning instrument, 40 hectare lots were permissible. The subdivision and lots were approved and created with the intention that they would have a dwelling entitlement to facilitate the future erection of a dwelling.

Part 1 – Objectives or Intended Outcome

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

PROPOSED AMENDMENT	LAND TO WHICH IT APPLIES	OBJECTIVE/OUTCOME
1. Reduce the minimum lot size to 40 hectares.	Lot 1 and Lot 2 DP 1278320.	Facilitate the development of dwelling houses on subject lots.

Part 2 – Explanation of Provisions

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

PROPOSED AMENDMENT	EXPLANATION OF PROVISIONS
1. Reduce the minimum lot size to 40 hectares.	Map Lot 1 and Lot 2 DP 1278320 as AB4 40 hectares on Lot Size Map – Sheet LSZ_007

Part 3 – Justification

Section A - Need for the Planning Proposal

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

The Planning Proposal is not a direct result of any specific strategic study or report. The Planning Proposal is to correct a minor oversight in the drafting of the MWRLEP 2012.

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

The proposed mapping amendment outlined in this Planning Proposal is the best means of achieving the Objectives and Intended Outcomes outlined above.

Section B - Relationship to Strategic Framework

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

The Planning Proposal is of such a minor nature; this question is not relevant.

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

The Planning Proposal is of such a minor nature; this question is not relevant.

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

The Planning Proposal is of such a minor nature; this question is not relevant.

Q6: Is the planning proposal consistent with applicable SEPPs?

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

SEPP TITLE	PLANNING PROPOSAL CONSISTENCY
SEPP (Biodiversity and Conservation) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP Building Sustainability Index (BASIX) 2004	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP. Future dwelling development applications would be required to determine at development application whether the BASIX is applicable.
SEPP (Exempt & Complying Development Codes) 2008	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Housing) 2021	Yes – The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Industry and Employment) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.

STRATEGIC PLANNING | PLANNING PROPOSAL HOUSEKEEPING AMENDMENT 2022/23

SEPP No 65 – Design and Quality of Residential Apartment Development	Not applicable.
SEPP (Planning Systems) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Precincts – Central River City) 2021	Not applicable.
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable.
SEPP (Precincts – Regional) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Precincts – Western Parkland City) 2021	Not applicable.
SEPP (Primary Production) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Resilience and Hazards) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Resources and Energy) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.
SEPP (Transport and Infrastructure) 2021	Yes - The Planning Proposal will not impede the ongoing implementation of the provisions of the SEPP.

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

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

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

DIRECTION	PLANNING PROPOSAL CONSISTENCY
Focus area: Planning Systems	
1.1 – Implementation of Regional Plan	Not applicable.
1.2 - Development of Aboriginal Land Council land	Not applicable
1.3 - Approval and Referral Requirements	The proposed amendment does not include the requirements for approvals or referrals.
1.4 - Site Specific Provisions	Not applicable, as the proposed amendments are not site specific.
1.5 - Parramatta Road Corridor Urban Transformation Strategy	Not applicable.
1.6 - Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable.
1.7 - Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
1.8 - Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable.
1.9 - Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable.
1.10 - Implementation of the Western Sydney Aerotropolis Plan	Not applicable.
1.11 - Implementation of Bayside West Precincts 2036 Plan	Not applicable.
1.12 - Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable.
1.13 - Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable.
1.14 - Implementation of Greater Macarthur 2040	Not applicable.
1.15 - Implementation of the Pyrmont Peninsula Place Strategy	Not applicable.
1.16 - North West Rail Link Corridor Strategy	Not applicable.
1.17 - Implementation of the Bays West Place Strategy	Not applicable.
Focus area 2: Design and Place	

STRATEGIC PLANNING | PLANNING PROPOSAL HOUSEKEEPING AMENDMENT 2022/23

-	
Focus area 3: Biodiversity and Conservation	
3.1 - Conservation Zones	Consistent.
3.2 - Heritage Conservation	Consistent.
3.3 - Sydney Drinking Water Catchments	Not applicable.
3.4 - Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable.
3.5 - Recreation Vehicle Areas	Consistent.
3.6 - Strategic Conservation Planning	Not applicable.
Focus area 4: Resilience and Hazards	
4.1 - Flooding	Not applicable.
4.2 - Coastal Management	Not applicable.
4.3 - Planning for Bushfire Protection	Consistent, the Planning Proposal is not site specific.
4.4 - Remediation of Contaminated Land	Consistent, the Planning Proposal is not site specific.
4.5 - Acid Sulfate Soils	Consistent, the Planning Proposal is not site specific.
4.6 - Mine Subsidence and Unstable Land	Consistent, the Planning Proposal is not site specific.
Focus area 5: Transport and Infrastructure	
5.1 - Integrating Land Use and Transport	Not applicable.
5.2 - Reserving Land for Public Purposes	Not applicable.
5.3 - Development Near Regulated Airports and Defence Airfields	Consistent, the Planning Proposal is not site specific.
5.4 - Shooting Ranges	Consistent, the Planning Proposal is not site specific.
Focus area 6: Housing	
6.1 - Residential Zones	Not applicable.
6.2 - Caravan Parks and Manufactured Home Estates	Not applicable.
Focus area 7: Industry and Employment	
7.1 - Business and Industrial Zones	Not applicable.
7.2 - Reduction in non-hosted short-term rental accommodation period	Not applicable.
7.3 - Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
Focus area 8: Resources and Energy	
8.1 - Mining, Petroleum Production and Extractive Industries	Consistent, the Planning Proposal is not site specific.
Focus area 9: Primary Production	
9.1 - Rural Zones	The zoning of the land is not proposed to change, only the minimum lot size.
9.2 - Rural Lands	Consistent – The minimum lot size is changing, however, the Planning Proposal is making provision
9.3 - Oyster Aquaculture	Not applicable.
9.4 - Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.

Section C - Environmental, Social and Economic Impact

STRATEGIC PLANNING | PLANNING PROPOSAL HOUSEKEEPING AMENDMENT 2022/23

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

The site specific constraints were considered in the assessment of the previous development application for subdivision.

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

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

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

Not applicable.

Section D - State and Commonwealth Interests

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

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

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

Not applicable due to the nature of the Planning Proposal.

Part 4 – Mapping

Lot Size Map – Sheet LSZ_007, Map Identification Number:
5270_COM_SLZ_007_160_20120619 will be updated to map Lot 1 and 2 DP 1278320 as
AB4 40ha.

STRATEGIC PLANNING | PLANNING PROPOSAL HOUSEKEEPING AMENDMENT 2022/23

Part 5 – Community Consultation

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

The Planning Proposal is considered 'basic' in accordance with the Local Environmental Plan Making Guideline and requires a public exhibition period of 10 days.

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

Part 6 – Project Timeline

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

Proposed Timeline

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

8.3 2022-23 Local Heritage Grant Allocation

REPORT BY THE MANAGER, STRATEGIC PLANNING
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, GOV400087, GRA600055

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the 2022-23 Local Heritage Grant Allocation; and**
2. **provide a Local Heritage Grant to the following projects:**
 - a) **\$3,500 for repainting of façade at 19-41 Church Street, Mudgee;**
 - b) **\$4,000 for conservations works at 105 Mortimer Street, Mudgee; and**
 - c) **\$3,500 for the reproduction of period specific tiles at 61 and 65 Church Street, Mudgee.**

Executive summary

NSW Councils enter into the Local Heritage Grants program with Heritage NSW of the Department of Planning and Environment. This year's total budget for local heritage grants is \$11,000. Eleven (11) applications were received and Three (3) are recommended for funding.

Council's Local Heritage Grants Policy provides criteria and funding priorities for consideration in the allocation of the grant funding.

This report details a recommended allocation of the 2022-23 Local Heritage Grants.

Disclosure of Interest

Nil

Detailed report

Applications for funding under the Local Heritage Grants Program closed in September 2022. Eleven applications were received. Three of the applications failed to provide the required information.

Reasons other complete applications are not recommended for funding;

- An application was received by the owners of 56 Horatio Street, Mudgee. Although the dwelling is located within the Mudgee Heritage Conservation Area, it is not an individually listed item. Due to the number of heritage listed properties applying for grants and taking priority, funding is not recommended this round.
- An application was received by the owners of 7 Lawson Street, Mudgee. Funding is not recommended this round as a priority has to be given to applications of public significance.
- An application was received by the owners of 103 Herbert Street, Gulgong. However, Council's Local Heritage Grants Policy states funding will only be provided to a property

every five years. 103 Herbert Street received funding within the last five years, accordingly it does not meet the criteria for a grant this round.

- An application was received by the owners of 105 Herbert Street, Gulgong. Funding is not recommended this round as a priority has to be given to applications of public significance.
- An application was received by the owners of 2 Canadian Street, Gulgong. However, Council's Local Heritage Grants Policy states funding will only be provided to a property every five years. 2 Canadian Street received funding within the last five years, accordingly it does not meet the criteria for a grant this round.

The applications have been summarised in the table provided as Attachment 1.

Council's Local Heritage Grants Policy identifies the following funding priorities:

- Heritage item(s) in a well maintained heritage streetscape or landscape setting.
- Heritage item(s) with public access and visibility (note: all projects are visible from the public domain).
- Urgent maintenance works to avert management risks e.g. severe deterioration, demolition or demolition by neglect.
- Item(s) that are part of a heritage group or precinct (Heritage Conservation Area).
- Upgrades to fire, service and access to achieve compliance with the Building Code of Australia.
- Ongoing or adaptive reuse of heritage item(s).
- Items that have not received Council funding support in the last five years.

The three (3) projects recommended for funding meet this criteria. Two (2) are allocated \$3,500 and one (1) is recommended to receive \$4,000. The details on the projects recommended are:

- 19-41 Church Street, Mudgee includes preparing and repainting front façade and windows of Town Centre Building. This involves sanding, re-puttying, priming, patching and sealing.
- 105 Mortimer Street, Mudgee includes conservation works involving the repointing of the plinth sand stone blocks to manage the transfer of moisture into the fabric of the wall to prevent deterioration.
- 61 and 65 Church Street, Mudgee includes replacing broken and missing tiles on the front shop façade and the reproduction of the period specific tiles.

Taking into account the \$11,000 budget available, Council's Local Heritage Grants Policy, and project costs, Attachment 1 provides the recommended amount to be allocated to each project.

Community Plan implications

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

Strategic implications

Council Strategies

The provision of Local Heritage Grants is consistent with the Mid-Western Regional Local Strategic Planning Statement, Our Place 2040 and Planning Priority 1 to respect and enhance the historic character of our Region and heritage value of our towns.

Council Policies

The recommended allocation of funding is consistent with Council's Local Heritage Grants Policy

Legislation

Any building works associated with a local heritage grant will need to consider and satisfy permissibility under the *Mid-Western Regional Local Environmental Plan 2012* and ensure the required approvals are in place.

Financial implications

The 2022/23 Operational Plan has an approved budget of \$11,000 for Local Heritage Grants. If Council adopts the recommendations for funding as outlined in this report, the total budget of \$11,000 for this financial year will be allocated.

Associated Risks

No known risk.

SARAH ARMSTRONG
MANAGER, STRATEGIC PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT




29 September 2022



Attachments: 1. Summary of applications.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

AMOUNT RECOMMENDED	TOTAL PROJECT COST	PROJECT ADDRESS	LEGAL DESCRIPTION	PROPOSED WORKS	HERITAGE ITEMS	WITHIN A HCA	ACCESSIBLE BY THE PUBLIC	FUNDING REC IN LAST 5 YRS	PHOTO OF SUBJECT SITE
\$3,500.00	\$50,600	19-41 Church Street Mudgee	Lot 11 DP 719577	Repainting of façade	Y	Y	Y	No	
\$0	\$10,120	56 Horatio Street Mudgee	Lot 1 DP 714532	Paint exterior woodwork	N	Y	N	No	
\$0	\$247,000	7 Lawson Street Mudgee	Lot A DP 153641	Restoration	Y	Y	N	NO	
\$0 (seeking funding for works already undertaken, not considered emergency conservation works)	\$2,480	68 Belmore Street Gulgong	Lot 4 Sec 41 DP758482	Replacement of existing fence	Y	Y	N	No	
\$0	\$12,000	103 Herbert Street Gulgong	Lot 4 Sec 27 DP758482	Restoration/repainting of exterior walls	Y	Y	N	Yes 2021/22	

AMOUNT RECOMMENDED	TOTAL PROJECT COST	PROJECT ADDRESS	LEGAL DESCRIPTION	PROPOSED WORKS	HERITAGE ITEMS	WITHIN A HCA	ACCESSIBLE BY THE PUBLIC	FUNDING REC IN LAST 5 YRS	PHOTO OF SUBJECT SITE
\$0	\$16,016	105 Herbert Street Gulgong	Lot 6 Sec 27 DP758482	Painting	Y	Y	N	No	
\$0	\$20,000	2 Canadian Street Gulgong	Lot 1 Sec 87 DP 758482	Painting	Y	Y	N	Yes 2021/22	
\$4,000.00	\$8,420	105 Mortimer Street, Mudgee	Lot 1 DP 589892	Conservation works	Y	Y	Y	No	
\$0 (incomplete application, not restoration works)	\$5,000	45 Mudgee Street, Rylstone	Lot 9 & 10 Sec 6 DP 758891 Lot 1 & 2 DP 1097481	Improve gravel driveway	Y	Y	Y	No	

AMOUNT RECOMMENDED	TOTAL PROJECT COST	PROJECT ADDRESS	LEGAL DESCRIPTION	PROPOSED WORKS	HERITAGE ITEMS	WITHIN A HCA	ACCESSIBLE BY THE PUBLIC	FUNDING REC IN LAST 5 YRS	PHOTO OF SUBJECT SITE
\$0 (incomplete application)	\$5,000	10B Jaques Street, Kandos	Part Lot 11 & 12 Sec 9 DP 8161	Repainting/ restoration of garden bed	Y	Y	Y	No	
\$3,500	\$8,200	61 and 65 Church Street, Mudgee	Lot 151 & 152 DP 1124238 Lot 15 DP 1174291 Lot 4 DP 828162	Reproduction of period specific tiles	Y	Y	Y	No	

8.4 Acceptance of NSW Government Grants

REPORT BY THE DIRECTOR DEVELOPMENT
 TO 19 OCTOBER 2022 ORDINARY MEETING
 GOV400098, GRA600058

RECOMMENDATION

That Council:

1. **receive the report by the Director Development on the Acceptance of NSW Government Grants;**
2. **if successful, accept the following grant funding from the below NSW Government grant funding bodies:**

Grant Fund	Project Applied For	Grant Amount Requested
Fixing Local Roads Program Round 4	Coricudgy Rd seal extension 4.65km	\$1,890,900
Fixing Local Roads Program Round 4	Bocoble Rd seal extension 6.4km	\$2,213,200
Stronger Country Communities Fund (SCCF) - Round 5	Kandos Inclusive Adventure Playspace	\$450,000
Stronger Country Communities Fund (SCCF) - Round 5	Victoria Park Gulgong Amenities Upgrade	\$446,599
Stronger Country Communities Fund (SCCF) - Round 5	Glen Willow Netball Precinct Upgrade	\$280,000
Regional Tourism Activation Fund - Round 2	Glen Willow Stadium lighting upgrade	\$2,257,500
Regional Tourism Activation Fund - Round 2	Gulgong Natural History Museum	\$3,000,000
Regional Housing Strategic Planning Fund	Master Planning of Urban Release Areas	\$80,000
Resources For Regions - Round 9	MWRC Solar Array	\$4,500,000
Resources For Regions - Round 9	Glen Willow Centre of Excellence	\$5,500,000
Resources For Regions - Round 9	Glen Willow Stadium lighting upgrade	\$3,010,000

3. **amend the 2023/24 and 2024/25 Budgets in accordance with the adjustments listed in the Financial Implications section of this report; and**
4. **if successful, authorise the General Manager to finalise and sign the funding agreements with the NSW Government.**

Executive summary

Council has applied to a number of funding bodies for a range of projects identified in the Operational Plan and those that will support the overall goals of the Community Plan.

The NSW Government funding bodies identified in this report are:

- Fixing Local Roads Program – Round 4
- Stronger Country Communities – Round 5
- Regional Tourism Activation Fund – Round 2

- Resources for Regions – Round 9
- Regional Housing Strategic Planning

It is recommended, if successful in any of the above applications for funding, that Council accepts the grant funding, and authorises the General Manager to sign the funding agreements and amend Council's Budget for 2023/24 and 2024/25.

Disclosure of Interest

Nil

Detailed report

Stronger Country Communities

The total funding available for projects allocated to Mid-Western Regional Council is \$1,176,599. Funding will be allocated to projects that meet the program assessment criteria which includes community support, and viability and alignment to the program objectives. The following projects were identified as relevant and meeting the criteria of the grant fund:

- | | |
|---|-----------|
| • Kandos Inclusive Adventure Playspace | \$450,000 |
| • Victoria Park Gulgong Amenities Upgrade | \$446,599 |
| • Glen Willow Netball Precinct Upgrade | \$280,000 |

Resources for Regions (Round 9)

The total funding available for projects in the Mid-Western Regional Local Government Area (LGA) is \$6,824,206. The Resources for Regions program has run since 2012, providing support to communities across regional NSW impacted by mining. The program will fund infrastructure projects and community programs that help address unique and diverse needs. Projects must be for infrastructure or community programs that support the ongoing prosperity of mining communities by providing economic opportunities, improved amenity and positive social outcomes. The following projects were identified as relevant and meeting the criteria of the grant fund:

- | | |
|--|-------------|
| • MWRC Solar Array | \$4,500,000 |
| • Glen Willow Centre of Excellence | \$5,500,000 |
| • Glen Willow Stadium lighting upgrade | \$3,010,000 |

The value of the identified projects are above the allocated funding to ensure Council receives full amount of funding should any projects be declined.

Regional Tourism Activation Fund (Round 2)

The total funding available for projects in NSW is \$150,000,000. Funding will be allocated to projects that meet the program assessment criteria and viability, accelerate the development of unique and high impact tourism and events infrastructure, boost the visitor economy in regional NSW by creating desirable experiences that encourage people to plan and book holidays to regional areas, improve the visitor experience and accessibility and inclusion for people with disability and accessibility requirements, and increase expenditure and create new jobs in the tourism sector across regional NSW. The following projects were identified as relevant and meeting the criteria of the grant fund:

- | | |
|--|-------------|
| • Glen Willow Stadium lighting upgrade | \$2,257,500 |
| • Gulgong Natural History Museum | \$3,000,000 |

Fixing Local Roads Program

The Fixing Local Roads Program aims to fund improvements to local roads that will deliver smoother, safer and more reliable journeys. Councils were invited to submit applications for the next round of

the Program to further support investment in local road improvements. The following projects were identified as relevant and meeting the criteria of the grant fund:

- Coricudgy Rd seal extension 4.65km \$1,890,900
- Bocoble Rd seal extension 6.4km \$2,213,200

Regional Housing Strategic Planning Fund

The Regional Housing Strategic Planning Fund aims to support regional councils plan for the delivery of new housing to meet community needs. The following project was applied for as it met the relevant criteria of the grant fund and will assist Council in providing masterplans for Urban Release areas:

- Master Planning of Urban Release Areas \$80,000

Community Plan implications

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

Strategic implications

Council Strategies

The identified projects support a number of Council strategies as identified in the Community Plan including the effective and efficient delivery of infrastructure. Further, projects above support Council's strategy to enhance walking and cycling networks across the Region. In receiving grant funding for these projects, the goal of an effective and efficient organisation is also supported.

Council Policies

Nil

Legislation

Nil

Financial implications

Coricudgy Rd Seal Extension 4.65km In 23/24, set an expenditure budget of \$2,363,625 with \$1,890,900 to be funded by grants and \$472,725 to be funded from the Seal Extension Reserve.

Bocoble Rd Seal Extension 6.4km In 23/24, set an expenditure budget of \$2,766,500 with \$2,213,200 to be funded by grants and \$553,300 to be funded from the Seal Extension Reserve.

Kandos Inclusive Adventure Playspace In 23/24 set an expenditure budget of \$450,000 to be fully funded by grants.

Victoria Park Gulgong Amenities Upgrade In 23/24 set an expenditure budget of \$446,599 to be fully funded by grants.

Glen Willow Netball Precinct Upgrade In 23/24 set an expenditure budget of \$280,000 to be fully funded by grants.

Glen Willow Stadium Lighting Upgrade In 23/24 set an expenditure budget of \$3,010,000 to be fully funded by grants.

Gulgong Natural History Museum In 23/24 set an expenditure budget of \$500,000 to be fully funded

by grants. In 24/25 set an expenditure budget of \$3,500,000 with \$2,500,000 to be funded by grants and \$1,000,000 to be funded from the Capital Program Reserve.

Master Planning of Urban Release Areas In 23/24 set an expenditure budget of \$80,000 to be fully funded by grants.

MWRC Solar Array The project is currently funded approximately 50% from proposed loan borrowings and 50% from the Capital Reserve. It is not recommended to amend the budget until we are successful in securing the grant funding, at which point the recommended funding mix would be reviewed and amended.

Glen Willow Centre of Excellence In 23/24 increase expenditure by \$7,257,848 with \$5,500,000 to be funded by grants and \$1,757,848 to be funded from the Capital Program Reserve.

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

Operating Performance Ratio

Increased expenditure on new capital infrastructure does not impact operating performance ratios in the current budget year, but will increase depreciation expenditure in future years, which has a negative impact on the Operating Performance Ratio. Any anticipated income will offset this impact, but at this stage, no income budget variations are recommended.

Own Source Revenue

Acceptance of external funding such as grants will cause this ratio to decline

Building and Infrastructure Renewals

Introducing new budgets to construct new infrastructure will increase asset depreciation in future years causing this ratio to decline

Associated Risks

Should Council not accept the grant funding (if successful) then the above mentioned projects may not be able to proceed or may be delayed as Council will require to source appropriate funding. Project delivery risks exist for each of the identified projects, however these will be managed through the implementation of Council’s policies, procedures and project management processes.

ALINA AZAR
DIRECTOR DEVELOPMENT
 11 October 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.5 Fire and Rescue NSW Fire Safety Inspection Report

REPORT BY THE MANAGER BUILDING AND DEVELOPMENT
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, P0020611

RECOMMENDATION

That Council:

- A. **table the report by the Manager Building and Development on the Fire and Rescue NSW Fire Safety Inspection Report of 49-51 Church Street, Mudgee;**
- B. **proceed to exercise Councils powers to give Order No 1 in Schedule 5, Part 2 of the *Environmental Planning and Assessment Act 1979*; and**
- C. **give notice of Council's determination under Schedule 5, Part 8, Section 17(4), of the *Environmental Planning and Assessment Act 1979* to the Commissioner of Fire and Rescue NSW.**

Executive summary

Council has received a report from Fire and Rescue NSW (dated 6 October 2022). The findings of this report states that Fire and Rescue NSW believes that there are inadequate provisions for fire safety within the noted building.

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

Disclosure of Interest

Nil

Detailed report

Background

Council has received a report from Fire and Rescue NSW (dated 6 October 2022) following an inspection conducted on the 16 September 2022 of 'Kelly's Irish Pub' located at 49-51 Church Street, Mudgee.

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

- (a) *adequate provision for fire safety has been made in or in connection with the building,*
or
- (b) *the fire safety provisions prescribed for the purposes of this section by the regulations have been complied with.*

A copy of the inspection report is provided in **Attachment 1** of this report.

Findings

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

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

Part 2 Fire safety orders

To do what?	In what circumstances?	To whom?
1 To do or stop doing things for the purposes of ensuring or promoting adequate fire safety or fire safety awareness	<ul style="list-style-type: none"> • When provision for fire safety or fire safety awareness is inadequate to— <ul style="list-style-type: none"> ○ prevent fire, or ○ suppress fire, or ○ prevent the spread of fire. • To ensure or promote the safety of persons in the event of fire. • When lack of maintenance of the premises or the use of the premises constitutes a significant fire hazard. 	The owner of the premises or, in the case of a place of shared accommodation, the owner or manager
2 To stop doing an activity on premises, including on premises used for the purposes of shared accommodation	The activity is or is likely to be— life threatening hazard, or threat to public health or public safety, and the activity is not regulated or controlled under any other Act by a public authority.	Any person apparently engaged in promoting, conducting or carrying out the activity
3 To stop the use of premises or to evacuate premises, or not to enter the premises	When an order under item 1 or 2 above has already been served and has not been complied with.	Any person

Recommendation

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

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

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Environmental Planning and Assessment Act 1979

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

Local Government Act 1993

Financial implications

Nil

Associated Risks

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

TY ROBSON
MANAGER BUILDING AND DEVELOPMENT

ALINA AZAR
DIRECTOR DEVELOPMENT

7 October 2022

Attachments: 1. FRNSW Inspection Report - Kelly's Irish Pub.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Unclassified



File Ref. No: BFS22/4877 (23869)
TRIM Ref. No: D22/86147
Contact: Edren Ravino

6 October 2022

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

E-mail: council@midwestern.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT
'KELLY'S IRISH PUB'
49-51 CHURCH STREET, MUDGEES ("the premises")**

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

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

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

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

Unclassified

Unclassified

COMMENTS

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

The following items were identified during the inspection:

1. Essential Fire Safety Measures
 - 1A. Regular Maintenance – Section 81 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021) requires maintenance of the Essential Fire Safety Measure to a standard no less than when it was first installed. Australian Standard AS1851-2012 (amendment 1) - "Service of fire protection systems and equipment" details how essential service measures are regularly tested and maintained. Having regard to Section 81 of EPAR2021 and the Australian Standard AS1851, authorised fire officers observed the following at the time of the inspection:
 - A. Log Books – Clause 1.16.2 requires service logbooks to be left on site. At the time of the inspection, copies of previous service records were unavailable for the Fire Indicator Panel (FIP). As a result, it is unclear whether the FIP is regularly maintained.
 - B. Exit signs – Many exit signs either were not illuminated or did not operate when the test button was pressed.
 - C. Portable Fire Extinguishers (PFE) – Table 10.4.1 of AS1851 requires PFE to remain conspicuous, readily accessible and in its assigned location. At the time of the inspection, items were restricting access to many PFE.
 - D. Fire Hose Reels (FHR) – Table 9.4.1 of AS1851 requires FHR to be accessible with no obstacles restricting its access. At the time of the inspection, items were limiting access to many FHR at "the premises".
 - E. Smoke Alarms and Heat Alarms – Table 6.4.2.2 and Table 6.4.2.3 of Clause 6.4.2 of AS1851 requires Smoke Alarms and Heat Alarms to be inspected and cleaned regularly. At the time of the inspection, excessive dust covered many detectors.

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- 1B. Smoke Detection and Alarm System – Table E2.2a and Specification E2.2a of the NCC detail the type of smoke detection and alarm system in Class 2-9 buildings. It is the Council's discretion to conduct an inspection and review the development approval to confirm the following:
- A. The building appears to be three storeys, and typically, a Class 3 part of a building consisting of a rise in more than two storeys would require the installation of a Clause 8 Fire alarm monitoring system (alarm signalling equipment - ASE). An ASE could not be located.
 - B. The building appears to contain a Clause 4 system which requires a Clause 7 Building Occupant Warning System (BOWS). A BOWS could not be located.
- 1C. Smoke Detection – For buildings with an installed Clause 4 system, of Specification E2.2a of the NCC, Australian Standard AS1670.1:2015 – “Fire detection, warning, control and intercom systems—System design, installation and commissioning” applies. Having regard to the Australian Standard, the following comments are provided:
- A. Signage – Clause 3.9.2 requires doors obscured from view and containing a Fire Indicator Panel (FIP) to be marked in a contrasting colour scheme with the words 'FIRE PANEL' in letters not less than 50 mm high. At the time of the inspection, signage on the door to the FIP was missing.
 - B. Zone Block Plan – Clause 3.10 of the Australian Standard 1670.1 -2015 requires a Zone Block Plan to be securely mounted and located adjacent to the FIP. At the time of the inspection, a Zone Block Plan was not displayed.
 - C. Smoke Detectors – Clause 3.27 of the Australian Standard 1670.1 -2015 outlines smoke detector locations. The location of the smoke detectors appears intermittent and haphazardly installed around the building. There were heat detectors in areas that would typically require smoke detectors
- 1D. Portable Fire Extinguishers (PFE) – Table E1.6 of the NCC details the risk class (as defined in AS 2444) for the selection of PFEs in specific areas of a building. It is the Council's discretion to conduct an inspection and review the development approval to confirm whether the following applies:
- A. A Class F (wet chemical) PFE could not be located within the kitchen.
 - B. There was no PFE in the bar for the “balcony bar” area.
- 1E. Hydrant System – Clause E1.3 of the NCC requires a fire hydrant system for buildings with a total floor area greater than 500m² and installed to Australian Standard AS2419.1. The total floor area of the building appears to be greater than 500m², and a review may be required.

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- 1F. Annual Fire Safety Statements (AFSS) and Fire Safety Schedule (FSS) – Section 89(4)(b) of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (EPAR 2021) requires the building owner prominently display a copy of the AFSS and FSS.
 - A. Displaying an AFSS and FSS means:
 - i. That each essential fire safety measure specified in the AFSS has been assessed by an accredited practitioner (fire safety) as capable of performing to a standard no less than that specified in the FSS;
 - ii. An original measure, as defined under Section 81 of EPAR 2021 — is maintained to a standard no less than when the measure was initially designed and implemented, AND
 - iii. The building had been inspected by an accredited practitioner (fire safety). When it was inspected, it was found to be in a condition that did not disclose grounds for prosecution.
 - B. The AFSS and FSS could not be located during the inspection.
2. Access and Egress
 - 2A. Fire Exits and Fire Exit Doors – Section 109 of EPAR 2021 requires that nothing must obstruct the free passage of persons in using a fire exit or a path of travel leading to a fire exit for the building. At the time of the inspection:
 - A. Tables and chairs obstructed many exit doors in and around the ground and first floor.
 - B. Many signposted exit doors included barrel bolts.
 - 2B. Exit Signs – Performance Requirement EP4.2 of the NCC requires the installation of suitable signs to identify the location of exits. At first sight, there are insufficient cues to determine the location of exits, particularly on the first floor of the building from the balcony. The Council may require a review of the exit strategy.
3. Compartmentation
 - 3A. Type of Construction – Clause C1.1 of the NCC requires a building with a specific building class to achieve the minimum fire-resisting construction. It is the Council's discretion to conduct an inspection and review the development approval to confirm the type of construction and whether the different uses require compartmentation.

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4. Generally

4A. Investigation Outcomes – The following items are provided to Council as part of the investigation on Friday, 16 September 2022:

A. The licensee provided details in writing of defects to the essential fire safety measures installed in the building. As part of the defects list, the FIP was identified as one of the items requiring replacement but remains online and operational despite faults.

i. At the time of inspection, the FIP appeared to flutter between fault and normal operation.

ii. FRNSW took no enforcement action for the FIP based on observations that concur with the written evidence in the defects list from the service provider.

B. The old “manager's flat” on the first floor appears to have been converted into additional individual hotel rooms and currently accommodates guests.

C. Discussions with the licensee indicated that events and dances occur at the “balcony bar”.

4B. Items for Further Investigation –

A. The change in “use” for the manager's flat may require the Council to conduct an inspection and review for the following reasons:

i. If a change in use had been submitted to the Council before the change had been conducted, Section 64 of the Environmental Planning and Assessment Regulation 2021 would have considered an upgrade to the essential fire safety measures.

ii. The use potentially changes the type of construction.

iii. The rise in storeys changes from two to three, requiring an ASE and smoke detectors (instead of the smoke alarms that are haphazardly installed).

B. Smoke Hazard Management – Performance Requirement EP2.2 of the NCC requires that in the event of a fire, the conditions of a building in any evacuation route be maintained for a time to allow evacuation. The Council may need to review the following items to determine whether the intent of EP2.2 of the NCC is satisfied:

i. Assembly Buildings – The building appears to contain a mix of uses. It may require confirming which part of the building is considered an ‘Assembly Building’. A review of the development consent may be necessary to verify whether

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the “balcony bar” area is a Class 6 building or a Class 9b bar area containing a dance floor.

- ii. Smoke Hazard Management – Table E2.2a and NSW Table E2.2b of the NCC outline requirements to manage smoke in a building that is not more than 25 metres in effective height and of a specific “Class” of a building which includes an “assembly building”. Subject to the Council’s review, consideration may consist of an “automatic smoke detection and alarm system” that complies with Clause 6 of Specification E2.2a, Table E2.2b – an automatic shutdown of any air-handling system and Specification E2.2b - smoke exhaust system.
- C. Review of Fire Safety Requirements – It is the Council’s discretion to confirm that the maintenance of the essential fire safety systems meets its obligations to enforce the Annual Fire Safety Statement and development approval. Specifically, the Council’s policy and procedures meet the commitments to maintain essential fire safety measures to a standard no less than initially designed and implemented.
- D. Smoke and Heat Detectors – The Council may need to review its records to confirm whether the circumstances surrounding the installation of the smoke and heat detectors are approved. Clause 3.27 of Australian Standard AS1670.1:2015 outlines:
 - i. The circumstances where smoke detectors can be replaced with heat detectors – A review may be required as there were heat detectors where smoke detectors are typically located.
 - ii. The minimum spacing between detectors for level and uneven surfaces – A review of the detector types and spacings may be required, particularly as the observed spacings were intermittent or were lacking where detectors are needed.
- E. Evacuation Plan – Owners and managers of hospitality facilities should provide oversight to fire safety training for the staff and ensure that adequate plans and procedures are ready to be executed in the event of a fire or emergency. A fire prevention plan should be developed under the Australian Standard, AS 3745 - 2010 Planning for Emergencies in Facilities, which outlines the minimum requirements for developing the emergency plan. The Council could consider including this as part of an approved management plan for “the premises”, particularly for the hotel.

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

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RECOMMENDATIONS

FRNSW recommends that Council:

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

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

Please do not hesitate to contact Edren Ravino of FRNSW’s Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call on (02) 9742 7434 if there are any questions or concerns about the above matters. Please ensure that you refer to file reference BFS22/4877 (23869) regarding any correspondence concerning this matter.

Yours faithfully



Edren Ravino
Senior Building Surveyor
Fire Safety Compliance Unit

Unclassified

8.6 Monthly Development Applications Processing and Determined

REPORT BY THE MANAGER, PLANNING
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, A0420109

RECOMMENDATION

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

Executive summary

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

Disclosure of Interest

Nil

Detailed report

Included in this report is an update for the month of September 2022 Development Applications determined and Development Applications processing.

The report will detail:

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

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

LINDSAY DUNSTAN
MANAGER, PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

4 October 2022

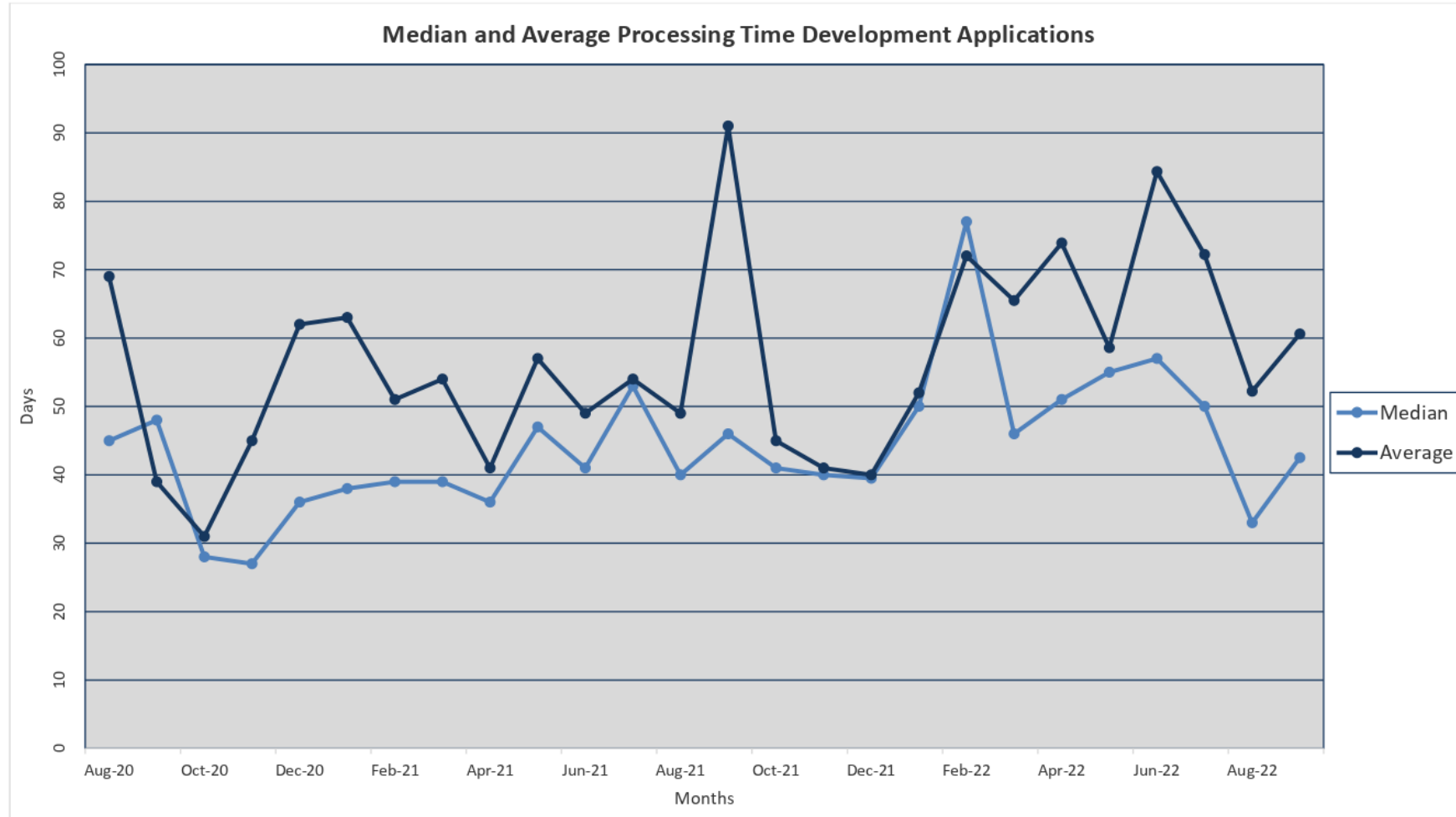
Attachments: 1. DA applications processing and determined September 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

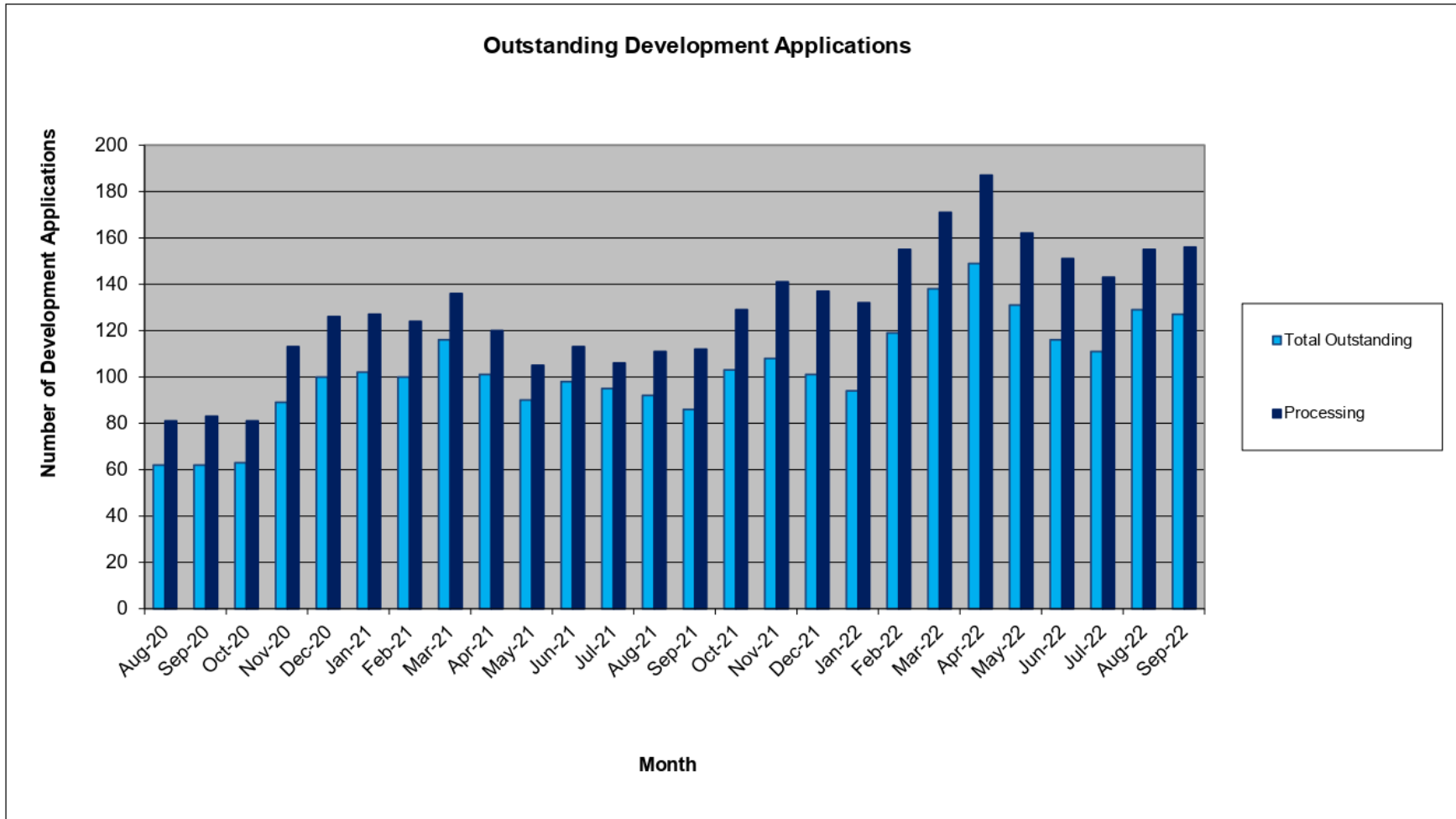
Monthly Development Application Processing Report – September 2022

This report covers the period for the month of September 2022. Graph 1 indicates the processing times up to 30 September 2022 with the month of September having an average of 60.59 days and a median time of 42.5 days.



Monthly Development Application Processing Report – September 2022

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



Monthly Development Application Processing Report – September 2022

The Planning and Development Department determined 34 Development Applications either by Council or under delegation during September 2022.

Development Applications Determined – September 2022

Appl/Proc ID	Description	House No	Street Name	Locality
DA0412/2021	Other (DA)	38	Lions Drive	SPRING FLAT
DA0429/2021	Dual Occupancy	182	Cudgegong Road	RYLSTONE
DA0288/2022	Shed >150m2	10	Robert Jones Street	MUDGEE
DA0302/2022	Shed >150m2	6	Worobil Street	GULGONG
DA0335/2022	Garage	163	Narrango Road	DABEE
DA0344/2022	Subdivision - Torrens Title	49	White Street	GULGONG
DA0361/2022	Other (DA)	131	Buckaroo Road	BUCKAROO
DA0390/2022	Subdivision - Torrens Title	7	Lovett Court	SPRING FLAT
DA0391/2022	secondary dwelling	7	McLachlan Street	KANDOS
DA0403/2022	Subdivision - Torrens Title	7	Madeira Road	MUDGEE
DA0409/2022	Dual Occupancy	151	Madeira Road	LINBURN
DA0411/2022	Other (DA)	28	Market Street	MUDGEE
DA0416/2022	Garage	15	Mudgee Street	RYLSTONE
DA0434/2022	Dwelling House	685	Coxs Creek Road	RYLSTONE
DA0437/2022	Dwelling House	233	Upper Botobolar Road	BOTOBOLAR
DA0448/2022	Subdivision - Torrens Title	151	Robertson Street	MUDGEE
DA0007/2023	Dwelling House	24	Peru Lane	GULGONG
DA0013/2023	bed and breakfast accommodation	81	Market Street	MUDGEE
DA0019/2023	Dwelling House	13	Goodlet Lane	MUDGEE
DA0021/2023	Dwelling House	35	Wurth Drive	BOMBIRA
DA0022/2023	Shed >150m2	1	Mountain View Road	MUDGEE
DA0030/2023	Dwelling House	14	Zimmler Lane	GULGONG
DA0031/2023	Alterations & Additions	800	Castlereagh Highway	MENAH
DA0047/2023	farm building	592	Black Springs Road	BUDGEE BUDGEE
DA0049/2023	Swimming Pool	126	Mortimer Street	MUDGEE
DA0051/2023	Other (DA)	90	Market Street	MUDGEE
DA0053/2023	farm building	488	Ginghi Road	GINGHI
DA0055/2023	Dwelling House	39	Webster Street	BOMBIRA
DA0059/2023	Dwelling House	45	Webster Street	BOMBIRA
DA0065/2023	Shed >150m2	3	Florence Close	MUDGEE

Monthly Development Application Processing Report – September 2022

DA0067/2023	Shed >150m2	129	Herbert Street	GULGONG
DA0069/2023	Dwelling House	71	Guntawang Road	GALAMBINE
DA0076/2023	Dwelling House	435	Kaludabah Road	PIAMBONG
DA0077/2023	Dwelling House	38	Meramie Street	CAERLEON

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

DA number	Number of DCP variation(s)	Level of variation
DA0403/2022	1	>10% (access handle width)

Monthly Development Application Processing Report – September 2022

Development Applications currently being processed – September 2022.

App/Proc ID	Description	House No	Street Name	Locality
DA0343/2016	Commercial Alterations/Additions	17	Ulan Road	PUTTA BUCCA
DA0266/2017	Residential Shed	3	Cudgegong Street	RYLSTONE
DA0089/2019	Change of use	2037	Coxs Creek Road	RYLSTONE
DA0024/2021	Subdivision - Community Title	20	Sydney Road	MUDGEE
DA0166/2021	Water storage facility	51	Oaklands Road	MOUNT FROME
DA0164/2022	Change of use - Retail premises	9	Sydney Road	MUDGEE
DA0216/2022	Dwelling House	1858	Cudgegong Road	CUDGEGONG
DA0218/2022	Demolition	1858	Cudgegong Road	CUDGEGONG
DA0226/2022	Garage	12	Wandoona Court	MUDGEE
DA0243/2022	Emergency Services/Bushfire Hazard Reduction	3	Garner Street	LUE
DA0247/2022	Ancillary Residential Development	25	Burrundulla Avenue	MUDGEE
DA0270/2022	Dual Occupancy	64	Inglis Street	MUDGEE
DA0301/2022	Dual Occupancy	25	Fairydale Lane	MUDGEE
DA0311/2022	Dwelling House	31	McLachlan Street	KANDOS
DA0312/2022	Subdivision - Torrens Title	55	Ilford Road	KANDOS
DA0313/2022	Subdivision - Torrens Title	194	Hill End Road	CAERLEON
DA0338/2022	Dual Occupancy	9	Goodlet Lane	MUDGEE
DA0380/2022	secondary dwelling	62	Rodgers Street	KANDOS
DA0388/2022	Subdivision - Torrens Title	52	Nicholson Street	MUDGEE
DA0396/2022	Subdivision - Torrens Title	227	Melrose Road	MOUNT FROME
DA0401/2022	Dual Occupancy	41	Suttor Avenue	CAERLEON
DA0406/2022	Subdivision - Torrens Title	36	Tinja Lane	PUTTA BUCCA
DA0413/2022	Subdivision - Torrens Title	900	Castlereagh Highway	BERYL
DA0414/2022	Subdivision - Torrens Title	5056	Hill End Road	HARGRAVES
DA0419/2022	Subdivision - Torrens Title	53	Cox Street	MUDGEE
DA0423/2022	Dual Occupancy	155	Suzanne Road	TALLAWANG
DA0425/2022	Shed >150m2	56	Rocky Waterhole Road	MOUNT FROME
DA0426/2022	Dual Occupancy	49	Suttor Avenue	CAERLEON
DA0427/2022	Subdivision - Torrens Title	161	Gladstone Street	MUDGEE
DA0432/2022	Secondary dwelling	17	Buckaroo Road	BUCKAROO

Monthly Development Application Processing Report – September 2022

DA0439/2022	Subdivision - Torrens Title	1329	Pyramul Road	PYRAMUL
DA0445/2022	Dwelling House	320	Beechworth Road	HARGRAVES
DA0451/2022	Other (DA)	1403	Blue Springs Road	BUNGABA
DA0453/2022	Secondary dwelling	209	Mortimer Street	MUDGEE
DA0456/2022	Dwelling House	111	Adams Lead Road	GULGONG
DA0001/2023	Other (DA)	42	Angus Avenue	KANDOS
DA0002/2023	Other (DA)	1062	Blue Springs Road	COPE
DA0009/2023	Secondary dwelling	14	Baskerville Drive	MUDGEE
DA0016/2023	Dwelling House	1368	Castlereagh Highway	CULLENBONE
DA0018/2023	Shed >150m2	18	Bumberra Place	BOMBIRA
DA0023/2023	Dwelling House	38	Rifle Range Road	MUDGEE
DA0032/2023	Shed >150m2	19	Spring Creek Road	GULGONG
DA0033/2023	Shed >150m2	3	Saleyards Lane	GULGONG
DA0034/2023	Subdivision - Torrens Title	845	Henry Lawson Drive	EURUNDEREE
DA0036/2023	Dwelling House	235	Gladstone Street	MUDGEE
DA0038/2023	Dwelling House	1930	Bylong Valley Way	KANDOS
DA0042/2023	Other (DA)	5964	Castlereagh Highway	STREAM
DA0044/2023	Dwelling House	157	Melrose Road	MOUNT FROME
DA0050/2023	Subdivision - Torrens Title	5	Xavier Court	MUDGEE
DA0057/2023	Ancillary Residential Development	17	Florence Close	MUDGEE
DA0058/2023	Alterations & Additions	1476	Henry Lawson Drive	ST FILLANS
DA0060/2023	Farm building	687	Springfield Lane	GULGONG
DA0066/2023	Dwelling House	26	Hone Creek Drive	CAERLEON
DA0068/2023	Shed >150m2	688	Queens Pinch Road	MULLAMUDDY
DA0070/2023	Shed >150m2	11	McLachlan Street	KANDOS
DA0071/2023	Subdivision - Torrens Title	2	Banjo Paterson Avenue	MUDGEE
DA0078/2023	Multi dwelling housing	232	Mortimer Street	MUDGEE
DA0086/2023	Garage	4	Worobil Street	GULGONG
DA0087/2023	Swimming Pool	158	Bruce Road	MUDGEE
DA0090/2023	Dwelling House	1121	Ulan Road	BUDGEE
DA0092/2023	Secondary dwelling	156	Gladstone Street	MUDGEE
DA0093/2023	Dwelling House	19	Dunnachie Street	MUDGEE
DA0094/2023	Swimming Pool	78	Crossings Road	MENAH

Monthly Development Application Processing Report – September 2022

DA0095/2023	Dwelling House	24	Dunnachie Street	MUDGEE
DA0097/2023	Dwelling House	22	Webster Street	BOMBIRA
DA0098/2023	Ancillary Residential Development	1244	Spring Creek Road	YARRAWONGA
DA0105/2023	Dwelling House	18	Dunnachie Street	MUDGEE
DA0392/2022	secondary dwelling	31	Gladstone Street	MUDGEE
DA0393/2022	Educational Establishment	70	Court Street	MUDGEE
DA0455/2022	Ancillary Residential Development	48	Court Street	MUDGEE
DA0006/2023	Alterations & Additions	53	Denison Street	MUDGEE
DA0041/2023	Secondary dwelling	16	Bumberra Place	BOMBIRA
DA0043/2023	Ancillary Residential Development	61	Court Street	MUDGEE
DA0079/2023	Alterations & Additions	17	Belmore Street	MUDGEE
DA0096/2023	Shed >150m2	155	Bruce Road	MUDGEE
DA0109/2023	Garage	79	Lawson Street	MUDGEE
DA0011/2023	Farm building	200	Lesters Lane	PIAMBONG
DA0039/2023	Alterations & Additions	74	Gladstone Street	MUDGEE
DA0083/2023	Dwelling House	45	Callaghan Street	CLANDULLA
DA0091/2023	Dwelling House	4	Eleanor Dark Court	MUDGEE
DA0099/2023	Garage	180	Broadhead Road	SPRING FLAT
DA0100/2023	Shed >150m2	44	Winter Street	MUDGEE
DA0101/2023	Other (DA)	21	Shepherds Lane	GULGONG
DA0102/2023	Dwelling House	661	Black Springs Road	BUDGEE BUDGEE
DA0104/2023	Dwelling House	13	Dunnachie Street	MUDGEE
DA0106/2023	Other (DA)	2358	Henry Lawson Drive	LEAD
DA0107/2023	Subdivision - Torrens Title	28	Melton Road	MUDGEE
DA0108/2023	Dwelling House	36	Meramie Street	CAERLEON
DA0110/2023	Other (DA)	269	Henry Lawson Drive	EURUNDEREE
DA0111/2023	Other (DA)	58	Pitts Lane	PUTTA BUCCA
DA0113/2023	Dwelling House	14	Market Street	MUDGEE
DA0114/2023	Shed >150m2	36	Sydney Road	MUDGEE
DA0115/2023	Dwelling House	45	Suttor Avenue	CAERLEON
DA0116/2023	Dwelling House	39	Suttor Avenue	CAERLEON
DA0117/2023	Farm building	300	Coxs Creek Road	RYLSTONE
DA0118/2023	Alterations & Additions	804	Castlereagh Highway	MENAH

Monthly Development Application Processing Report – September 2022

DA0119/2023	Dwelling House	2191	Hill End Road	GRATTAI
DA0120/2023	Dual Occupancy	3	Suttor Avenue	CAERLEON
DA0121/2023	Signage	36	Church Street	MUDGEE
DA0122/2023	Dwelling House	42	Wurth Drive	BOMBIRA
DA0046/2023	Demolition	13	Horatio Street	MUDGEE
DA0046/2023	Demolition	11	Horatio Street	MUDGEE
DA0085/2023	Secondary dwelling	183	Church Street	MUDGEE
DA0103/2023	Subdivision - Torrens Title	1	Sydney Road	MUDGEE
DA0112/2023	Other (DA)	19	Church Street	MUDGEE
DA0433/2022	Earthworks	16	Robert Jones Street	MUDGEE
DA0094/2022	Dwelling House	96	Madeira Road	MUDGEE
DA0336/2022	Shed >150m2	44	Burrundulla Road	BURRUNDULLA
DA0450/2022	Swimming Pool	344	Castlereagh Hwy	BURRUNDULLA
DA0008/2023	Secondary dwelling	604	Wallawaugh Road	HARGRAVES
DA0024/2023	Other (DA)	209	Pipeclay Lane	BUDGEE BUDGE
DA0040/2023	Subdivision - Torrens Title	194	Hill End Road	CAERLEON
DA0045/2023	Other (DA)	21	Robertson Street	MUDGEE
DA0054/2023	Demolition	844	Castlereagh Highway	MENAH
DA0063/2023	Dwelling House	3	Mustang Road	RYLSTONE
DA0073/2023	Other (DA)	99	Mount Pleasant Lane	BUCKAROO
DA0074/2023	Industrial Building	38	Hill End Road	CAERLEON
DA0075/2023	Subdivision - Torrens Title	6	Flirtation Hill Lane	GULGONG
DA0082/2023	Residential Shed	164	Denison Street	MUDGEE
DA0089/2023	Dual Occupancy	6	Queen Street	GULGONG
DA0201/2022	Garage	74	Gladstone Street	MUDGEE
DA0234/2022	Dwelling House	64	Lawson Street	MUDGEE
DA0440/2022	Demolition	70	Court Street	MUDGEE
DA0005/2023	Demolition	127	Gladstone Street	MUDGEE
DA0052/2023	Dwelling House	15	Loy Avenue	MUDGEE
DA0072/2023	Signage	62	Church Street	MUDGEE
DA0080/2023	Pub	49	Church Street	MUDGEE

Monthly Development Application Processing Report – September 2022

Heritage Development Applications currently being processed – September 2022.

App/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE
DA0198/2021	Change of use - Serviced apartments	110	Church Street	MUDGEE
DA0224/2021	Commercial Alterations/Additions	23	Louee Street	MUDGEE
DA0087/2022	Demolition	33	Horatio Street	MUDGEE
DA0201/2022	Garage	74	Gladstone Street	MUDGEE
DA0234/2022	Dwelling House	64	Lawson Street	MUDGEE
DA0303/2022	Other (DA)	103	Lawson Street	MUDGEE
DA0392/2022	secondary dwelling	31	Gladstone Street	MUDGEE
DA0393/2022	Educational Establishment	70	Court Street	MUDGEE
DA0398/2022	Secondary dwelling	15	Mudgee Street	RYLSTONE
DA0418/2022	Dual Occupancy	12	Little Bayly Street	GULGONG
DA0440/2022	Demolition	70	Court Street	MUDGEE
DA0455/2022	Ancillary Residential Development	48	Court Street	MUDGEE
DA0005/2023	Demolition	127	Gladstone Street	MUDGEE
DA0006/2023	Alterations & Additions	53	Denison Street	MUDGEE
DA0025/2023	Dwelling House	82	Belmore Street	GULGONG
DA0041/2023	Secondary dwelling	16	Bumberra Place	BOMBIRA
DA0043/2023	Ancillary Residential Development	61	Court Street	MUDGEE
DA0046/2023	Demolition	13	Horatio Street	MUDGEE
DA0046/2023	Demolition	11	Horatio Street	MUDGEE
DA0052/2023	Dwelling House	15	Loy Avenue	MUDGEE
DA0072/2023	Signage	62	Church Street	MUDGEE
DA0079/2023	Alterations & Additions	17	Belmore Street	MUDGEE
DA0080/2023	Pub	49	Church Street	MUDGEE
DA0085/2023	Secondary dwelling	183	Church Street	MUDGEE
DA0096/2023	Shed >150m2	155	Bruce Road	MUDGEE
DA0103/2023	Subdivision - Torrens Title	1	Sydney Road	MUDGEE
DA0109/2023	Garage	79	Lawson Street	MUDGEE
DA0112/2023	Other (DA)	19	Church Street	MUDGEE

Item 9: Finance

9.1 Naming of a new street in a subdivision off Railway Street, Gulgong

REPORT BY THE REVENUE OFFICER
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, R0790141, P04862

RECOMMENDATION

That Council:

1. **receive the report by the Revenue Officer on the naming of a new street in a subdivision off Railway Street, Gulgong;**
2. **formally approve the name of Millennium Court; and**
3. **advertise the approved name and submit the name to the Government Gazette.**

Executive summary

Formal approval is requested to name the new street in a subdivision off Railway Street in the town of Gulgong, Millennium Court.

Disclosure of Interest

Nil

Detailed report

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

Following the approval of a new subdivision off Railway Street in the town of Gulgong, Council wrote to the neighbours of the subdivision on 15th June 2022 requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 17th June 2022 Mudgee Guardian and on Council's website.

From submissions received, Council provisionally approved the name of Millennium Court at their 17th August 2022 meeting.

Millennium relates to a time when one period ends and another begins. A new beginning for residential development within Gulgong.

The Geographical Names Board has been advised of this street name and has no objection.

The new street name was advertised in the 26th August 2022 issue of the Mudgee Guardian and on Council's website with no additional submissions or objections received.

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

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

In accordance with Council’s Road, Bridge & Place Naming Policy, should Council formally endorse the naming of this new street, notice of the approved name will be:

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

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Road, Bridge and Place Naming Policy

Legislation

Roads Act 1993

Road Regulation 2008

Geographical Names Act, 1996

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

Financial implications

The cost and installation of a street sign located at the intersection of Railway Street and the street being named. The costs of which will be met by the developer.

Associated Risks

Nil

SARAH PRINGLE
REVENUE OFFICER

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

20 September 2022

Attachments: 1. Submission.
2. Map.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

From: Morgan Blamey
Sent: Friday, 10 June 2022 12:42 PM
To: Carolyn Atkins
Cc: Daniel McNamara; Kayla Robson
Subject: Railway Street, GULGONG

Re: Railway Street, GULGONG - DA0333/2022

Hi Caroyln,

Thank you for following up, we would like to commence the road naming process with Council.

Proceeding with a single street for road naming purposes, the name we would like to put forward is 'Millennium Court'. The reason for selecting this name is personal preference amongst the development team. Please see below definitions of the word 'Millennium' for reference:

the millennium the time when one period of 1,000 years ends and another begins

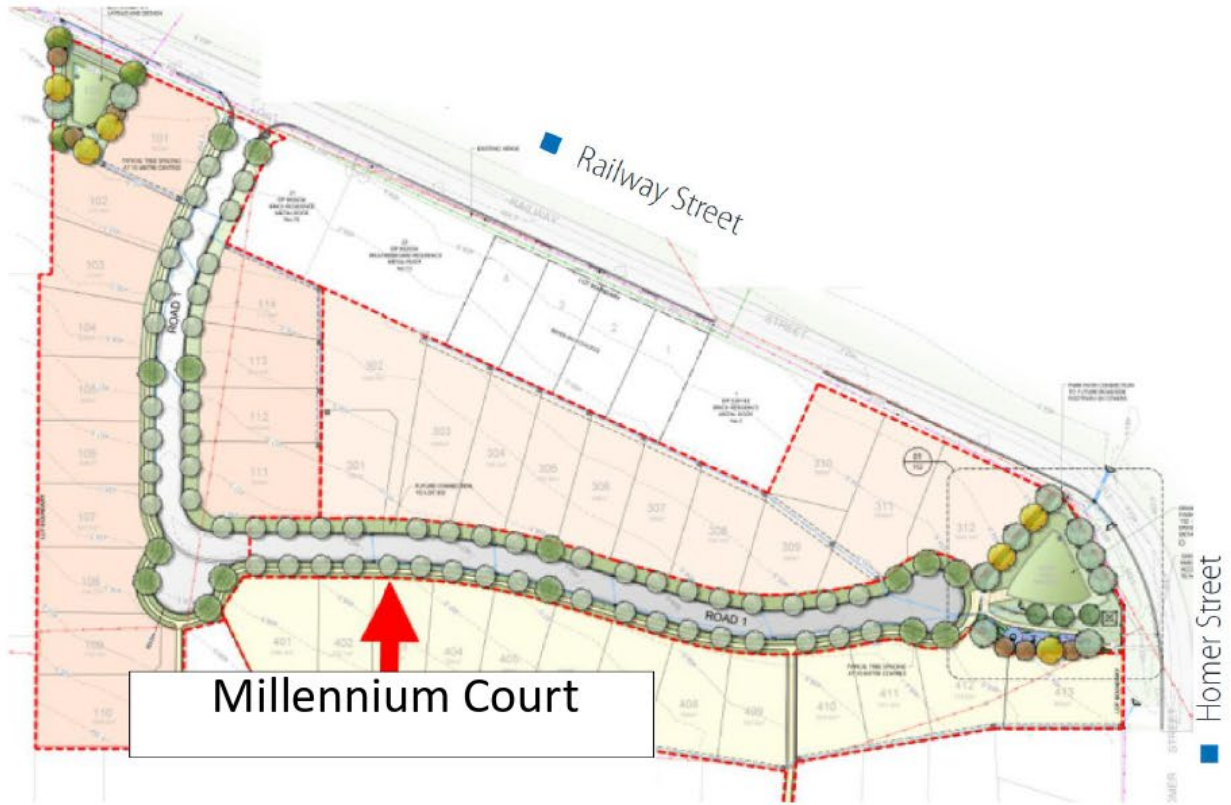
i.e. a new beginning for residential development within Gulgong.

Happy to discuss further.

Morgan Blamey | **Development Planner**

dmps

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9.2 Community Grants Program - October 2022

REPORT BY THE ACCOUNTANT REPORTING & ANALYSIS
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, FIN3000159

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the Community Grants Program - October 2022; and
2. provide financial assistance to the following applications in accordance with the criteria and guidelines of the Community Grants Policy:

Mudgee Lions Club	2,500
Running Stream Recreation Reserve Trust	1,459
Mudgee Fine Foods Incorporated	5,000
Mudgee Region MTB Incorporated (MRMTB)	1,500
Gulgong Memorial Hall Committee	3,000
Kandos Rylstone Men's Shed Inc	1,182
Rotary Club of Mudgee Sunrise Inc	410
Business Mudgee	1,500
Country Women's Association Kandos Branch	1,700

3. decline to provide financial assistance to the following Mudgee Sports Advisory Group applicant, for the reasons provided in the report:
 - Molly Hensley
 - Sophie Perini

Executive summary

This report considers requests for financial assistance under Council's Community Grants Program Policy.

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

All applications except for those under the Youth Representative Grants and the Mudgee Sports Advisory categories were first reviewed for eligibility and then assessed by a panel of three staff against the following criteria relative to the amount of funding requested:

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

Even though an application meets the criteria it may be judged that there is not a significant enough benefit to the community in order to fund or fully fund the request. A summary of each application is shown below, together with panel recommendations.

Applicant	Project/Activity	Funding Request \$	Total Score out of 9	Recommended Amount \$
Mudgee Lions Club	Mudgee Lions Community Twilight Market and festival 2022	2,500	8	2,500
Running Stream Recreation Reserve Trust	Replacement of existing BBQ and Installation of level concrete slab	1,459	8	1,459
Mudgee Fine Foods Incorporated	Farmers and Makers Markets	6,050	7	5,000
Mudgee Region MTB Incorporated (MRMTB)	Mudgee Common Flood Damage Trail Changes	1,500	8	1,500
Gulgong Memorial Hall Committee	Gulgong Christmas Celebration	3,000	8	3,000
Kandos Rylstone Men's Shed Inc	MWRC Rate relief	1,182	6	1,182
Rotary Club of Mudgee Sunrise Inc	Cultural Exchange Visit	410	7	410
Business Mudgee	Mind Body and Soul for Men	3,000	8	1,500
Country Women's Association Kandos Branch	Purchase and Instal Heating /Cooling System	3,400	6	1,700
Molly Hensley	Pacific Student Leaders Program	3,650	N/A	0
Sophie Perini	Natonal Youth League Hornets Touch Football	1,669.50	N/A	0
Total				18,251

Disclosure of Interest

Nil

Detailed report

The information provided below gives more detail on each application and the scoring against the policy criteria. Copies of all applications are provided as attachments to the report.

Mudgee Lions Club

Mudgee Lions Club requests \$2,500 for Mudgee Lions Community Twilight Market and festival 2022. Combined market and fun festival for the whole community with a festive, Christmas theme. Held each year since 2014 (the 2020 and 2021 event was held in April due to COVID restrictions), the principal focus is on fun and activities for all of the family while keeping costs as low as possible and also to get the involvement of as many community groups as possible.

Link to Community Plan: 1.4.1 Support programs which strengthen the relationships between the range of community groups 1.1.4 Work with key partners and the community to reduce crime, anti-social behaviour and improve community health and safety

COMMUNITY GRANT CATEGORY

Community Grants Category - Community Events: Cap \$ 5,000

RECOMMENDATION:

\$ 2,500

The Panel scored the application as 8 and there appear to be significant benefits linked with the objectives of Councils Community Plan so the full amount requested was recommended.

Running Stream Recreation Reserve Trust

Running Stream Recreation Reserve Trust requests \$1,459 for Replacement of existing BBQ and Installation of level concrete slab. The existing BBQ is in decrepid condition and the current site is sloping. The Hall has been nominated by the RFS as a safer place and this additional cooking venue will assist in feeding those who may seek shelter there and thereby increasing our communities resilience following the disastrous bushfire of 2019/20 which greatly impacted Running Stream. The purchase will be undertaken by the Reserve Land Managers as will the installation of the concrete slab.

Link to Community Plan: 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles

COMMUNITY GRANT CATEGORY

Community Grants Category - Specific Program/ Project: Cap \$10,000

RECOMMENDATION:

\$ 1,459

The Panel scored the application as 8 and there appear to be significant benefits linked with the objectives of Councils Community Plan so the full amount requested was recommended.

Mudgee Fine Foods Incorporated

Mudgee Fine Foods Incorporated requests \$6,050 for Farmers and Makers Markets. Request for fee waiver of 12 Month ground hire fees or payment of \$ 6,050 to cover the fees.

Link to Community Plan: 3.1.1 Support the attraction and retention of a diverse range of businesses and industries 3.2.1 Promote the Region as a great place to live, work, invest and visit

COMMUNITY GRANT CATEGORY

Community Grants Category - Community Events: Cap \$ 5,000

RECOMMENDATION:

\$ 5,000

The Panel scored the application as 7 and there appear to be clear benefits linked with the objectives of Councils Community Plan so partial funding was recommended. Based on a previous support of Mudgee Farmers Markets it is recommended that the funding be \$5,000.

Mudgee Region MTB Incorporated (MRMTB)

Mudgee Region MTB Incorporated (MRMTB) requests \$1,500 for Mudgee Common Flood Damage Trail Changes. The funding would be used to purchase materials for timber bridges and structures to prevent soil erosion in sensitive area.

Link to Community Plan: 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles 1.4.1 Support programs which strengthen the relationships between the range of community groups, 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community

COMMUNITY GRANT CATEGORY

Community Grants Category - Specific Program/ Project: Cap \$10,000

RECOMMENDATION:

\$ 1,500

The Panel scored the application as 8 and there appear to be significant benefits linked with the objectives of Councils Community Plan so the full amount requested was recommended.

Gulgong Memorial Hall Committee

Gulgong Memorial Hall Committee requests \$3,000 for Gulgong Christmas Celebration. This is a community family event to celebrate Christmas for the residents of gulgong and surrounding areas.

Link to Community Plan: 1.1.4 Work with key partners and the community to reduce crime, anti-social behaviour and improve community health and safety 1.4.1 Support programs which strengthen the relationships between the range of community groups, 3.2.1 Promote the Region as a great place to live, work, invest and visit

COMMUNITY GRANT CATEGORY

Community Grants Category - Community Events: Cap \$ 5,000

RECOMMENDATION:

\$ 3,000

The Panel scored the application as 8 and there appear to be significant benefits linked with the objectives of Councils Community Plan so the full amount requested was recommended.

Kandos Rylstone Men's Shed Inc

Kandos Rylstone Men's Shed Inc requests \$1,182 for MWRC Rate relief. By obtaining this rate relief will free up funds that can be used for day to day expenses related to the shed.

Link to Community Plan: 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community

COMMUNITY GRANT CATEGORY

Community Grants Category - Inkind Grant: Cap \$ 5,000

RECOMMENDATION:

\$ 1,182

The Panel scored the application as 6 and there appear to be satisfactory benefits linked with the objectives of Councils Community Plan so the amount requested was recommended.

Rotary Club of Mudgee Sunrise Inc

Rotary Club of Mudgee Sunrise Inc requests \$410 for Cultural Exchange Visit. They have booked the conference/Seminar Room at Mudgee Arts Precinct for a Meet and Greet Session of visiting Migrant & Refugee Women visiting Mudgee for the weekend of 10-11 Septmeber. Women are hosted by Rotarians and friends in their own homes. Various activities around Mudgee over the weekend.

Link to Community Plan: 3.2.1 Promote the Region as a great place to live, work, invest and visit 1.4.1 Support programs which strengthen the relationships between the range of community groups

COMMUNITY GRANT CATEGORY

Community Grants Category - Specific Program/ Project: Cap \$10,000

RECOMMENDATION:

\$410

The Panel scored the application as 7 and there appear to be clear benefits linked with the objectives of Councils Community Plan so the requested amount was recommended.

Business Mudgee

Business Mudgee requests \$3,000 for Mind Body and Soul for Men. They are planning a Men's Wellness event in November 2022 as part of Movember and an opportunity for businessmen to network. The event will be held at Kelly's Hotel, a Business Mudgee Member. Guest speaker will include a local real estate agent who is a great supporter of Movember and happy to speak about the mental health issues that he faces; a local male head nurse who is very involved in mental health.

Link to Community Plan: 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles 1.4.1 Support programs which strengthen the relationships between the range of community groups

COMMUNITY GRANT CATEGORY

Community Grants Category - Community Events: Cap \$ 5,000

RECOMMENDATION:

\$ 1,500

The Panel scored the application as 8 and there appear to be satisfactory benefits linked with the objectives of Councils Community Plan so 50% of the requested amount was recommended.

Country Women's Association Kandos Branch

Country Women's Association Kandos Branch requests \$3,400 for Purchase and Instal Heating /Cooling System. At CWA Kandos room to assist looking after the community of Kandos and Surrounding areas.

Link to Community Plan: 1.3.1 Provide infrastructure and services to cater for the current and future needs of our community 1.1.3 Support networks, program and facilities which promote health and wellbeing and encourage healthy lifestyles, 1.1.1 Maintain the provision of high quality, accessible community services that meet the needs of our community

COMMUNITY GRANT CATEGORY

Capital Grants Category: Cap \$

RECOMMENDATION:

\$ 1,700

The Panel scored the application as 6 and there appear to be satisfactory benefits linked with the objectives of Councils Community Plan so 50% of requested amount was recommended.

Molly Hensley

Molly Hensley requests \$3,650 for Pacific Student Leaders Program. This is a week long advanced leadership course for young leaders in the Cook Islands. A project that includes enduring activities and leadership roles to learn how to positively influence and lead in the community and on a wider scale.

Link to Community Plan: Not applicable for Youth Representative Grants Category applicants

COMMUNITY GRANT CATEGORY

Youth Representative Grants Category: Cap \$ 1,000

RECOMMENDATION:

\$ 0

This application does not meet the Youth Representative Grants Category criteria of being selected to represent Australia at an international competition so the applicant is not eligible for a grant.

Sophie Perini

Sophie Perini requests \$1,669.50 for the National Youth League Hornets Touch Football. This is an opportunity for Sophie to participate at a national level. The competition is for 4 days and a day of training.

Link to Community Plan: Not applicable for Mudgee Sports Advisory Group applicants

COMMUNITY GRANT CATEGORY

Mudgee Sports Advisory Group: Cap \$ 500

RECOMMENDATION:

\$ 0

While we acknowledge that the competition is a national competition, Sophie is representing her region and not the state thus she is not eligible for this grant.

Community Plan implications

Theme	Good Government
Goal	An effective and efficient organisation
Strategy	Pursue efficiencies and ongoing business improvement

Strategic implications

Council Strategies

Not Applicable

Council Policies

Recommendations are made under the Community Grants Program Policy.

Legislation

In accordance with the Local Government Act 1993 Section 356 granting of financial assistance must be approved by a Council resolution.

Financial implications

Funding of \$118,912 is provided in the Operational Plan for financial assistance. \$26,250 has already been allocated, leaving a balance of \$92,662. Based on the scoring system above, the recommendation of staff is to provide \$18,251 in financial assistance. Should Council approve the recommendations in the report, a balance of \$74,411 will remain.

Associated Risks

Not Applicable

SUMEDHA UPRETI
ACCOUNTANT REPORTING & ANALYSIS

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

7 September 2022

Attachments: 1. Community Grants. (separately attached)
2. Sports Advisory Group Grants. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.3 New and Amended Fees and Charges 2022/23

REPORT BY THE FINANCIAL PLANNING COORDINATOR AND PLANNING COORDINATOR
 TO 19 OCTOBER 2022 ORDINARY MEETING
 GOV400098, FIN300117

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator and Planning Coordinator on the New and Amended Fees and Charges 2022/23;
2. add the following new fees, as written, and place on public exhibition for 28 days;

<i>Service Type</i>	<i>New Fee</i>	<i>Fee (Inclusive of GST)</i>	<i>GST.</i>	<i>Price Policy</i>
Construction Certificate & Complying Development Certificates – Building – All Classes	For development in respect of which Council does not employ staff that are registered to the extent required to determine a construction certificate or complying development certificate application	MWRC Construction Certificate / Complying Development Certificate Fee relevant to the development + Direct costs of all third parties engaged by Council to process the application	Yes	Direct Cost Recovery

3. amend the following fee amounts, as written;

<i>Service Type</i>	<i>Amended Fee</i>	<i>Current Fee amount (\$)</i>	<i>Amended fee amount (\$)</i>
Development Applications Based on Estimated Cost of Development	All development valued up to \$5,000	\$110	\$129
	All development valued between \$5,001 and \$50,000 excluding Class 1 dwelling with value d" \$100,000	\$170 plus \$3.00 for each \$1,000 (or part of \$1,000) of the estimated cost	\$198 plus \$3.00 for each \$1,000 (or part of \$1,000) of the estimated cost
	All development valued \$50,001 to \$250,000	\$352 plus \$3.64 for each \$1,000 or part thereof over \$50,000	\$412 plus \$3.64 for each \$1,000 or part thereof over \$50,000
	All development valued \$250,001 to \$500,000	\$1,160 plus \$2.34 for each \$1,000 or part thereof over \$250,000	\$1,356 plus \$2.34 for each \$1,000 or part

			thereof over \$250,000
	All development valued \$500,001 to \$1,000,000	\$1,745 plus \$1.64 for each \$1,000 or part thereof over \$500,000	\$2,041 plus \$1.64 for each \$1,000 or part thereof over \$500,000
	All development valued \$1,000,001 to \$10,000,000	\$2,615 plus \$1.44 for each \$1,000 or part thereof over \$1,000,000	\$3,058 plus \$1.44 for each \$1,000 or part thereof over \$1,000,000
	All development valued over \$10,000,000	\$15,875 plus \$1.19 for each \$1,000 or part thereof over \$10,000,000	\$18,565 plus \$1.19 for each \$1,000 or part thereof over \$10,000,000

<i>Service Type</i>	<i>Amended Fee</i>	<i>Current Fee amount (\$)</i>	<i>Amended fee amount (\$)</i>
Development Applications Based on Estimated Cost of Development	No building, carrying out of work, subdivision or demolition	\$285	\$333
	Application for Designated Development	\$920 plus Development. Application fee will be calculated on the estimated cost of development using the above table	\$1,076 plus Development. Application fee will be calculated on the estimated cost of development using the above table
Development Applications for Advertisements	Advertisements	\$285 plus \$93 for each additional advertisement	\$333 plus \$93 for each additional advertisement
Development Applications	Class 1 dwelling valued up to \$100,000	\$455	\$532
	Integrated Development – Fees when an application for development requires approval of a public / statutory authority under the integrated approvals of the EPA Act	\$320 Per approval authority plus \$140 administration fee	\$374 Per approval authority plus \$164 administration fee
Subdivision Applications - Subdivision Development application under	Subdivision involving opening of a public road	\$665.00 Plus \$65 per additional lot	\$777 Plus \$65 per additional lot
	Subdivision not involving opening of a public road	\$330 Plus \$53 per additional lot	\$386 Plus \$53 per additional lot

Environmental Planning & Assessment Act	Strata Subdivision	\$330 Plus \$53 per additional lot	\$386 Plus \$53 per additional lot
Public Notification (Advertising) - Statutory Advertising	Designated Development	\$2,220	\$2,596
	Nominated integrated development, threatened species development or Class 1 aquaculture development	\$1,105	\$1,292
	Prohibited Development	\$1,105	\$1,292
	Community Participation Plan Requirement	\$1,105	\$1,292
Development Consent Modifications - Modifications involving minor error, misdescription or miscalculation	Modification of consent under s4.55 (1) Environmental Planning & Assessment Act – minor error by applicant, miscalculation, incorrect description	\$71	\$83

<i>Service Type</i>	<i>Amended Fee</i>	<i>Current Fee amount (\$)</i>	<i>Amended fee amount (\$)</i>
Development Consent Modifications - Modification of Consent under 4.55 (1A) or under 4.56 (1) of Environmental Planning & Assessment Act 1979	Modification of Consent under s4.55 (1A) or under s4.56(1)(Consent originally approved by court) of the Environmental Planning and Assessment Act, if the modification is of minimal environmental impact	\$645 or 50% of original fee or whichever is the lesser	\$754 or 50% of original fee or whichever is the lesser
Development Consent Modifications If the modification is not of minimal environmental impact under Section 4.55(2) or 4.56(1) of Environmental Planning & Assessment Act 1979	Original fee was for the erection of dwelling house with estimated cost ≤ \$100,000	\$190	\$222
	Estimated cost of development up to \$5,000	\$55	\$64
	Estimated cost of development \$5,001 – \$250,000	\$85 plus \$1.50 for each \$1,000 or part thereof of the estimated cost, plus S101 Advertising if required	\$99 plus \$1.50 for each \$1,000 or part thereof of the estimated cost, plus S101 Advertising if required

	Estimated cost of development \$250,001 – \$500,000	\$500 plus \$0.85 for each \$1,000 or part thereof over \$250,000, plus S101 Advertising if required	\$585 plus \$0.85 for each \$1,000 or part thereof over \$250,000, plus S101 Advertising if required
	Estimated cost of development \$500,001 – \$1,000,000	\$712 plus \$0.50 for each \$1,000 or part thereof over \$500,000, plus S101 Advertising if required	\$833 plus \$0.50 for each \$1,000 or part thereof over \$500,000, plus S101 Advertising if required
	Estimated cost of development \$1,000,001 – \$10,000,000	\$987 plus \$0.40 for each \$1,000 or part thereof over \$1,000,000, plus S101 Advertising if required	\$1,154 plus \$0.40 for each \$1,000 or part thereof over \$1,000,000, plus S101 Advertising if required
	Estimated cost of development more than \$10,000,001	\$4,737 plus \$0.27 for each \$1,000 or part thereof over \$10,000,000, plus S101 Advertising if required	\$5,540 plus \$0.27 for each \$1,000 or part thereof over \$10,000,000, plus S101 Advertising if required
Fees of reviews and appeals under Division 8.2 of the Environmental Planning & Assessment Act 1979	Review under the Act, section 8.3 that relates to a development application not involving the erection of a building, the carrying out of a work or the demolition of a work or building	50% fee for original development application	50% fee for original development application
	Original fee was for the erection of dwelling house with estimated cost ≤ \$100,000	\$190	\$222
	Estimated cost of development up to \$5,000	\$55	\$64
	Estimated cost of development \$5,001 – \$250,000	\$85 plus \$1.50 for each \$1,000 or part thereof of the estimated cost, plus S101 Advertising if required	\$100 plus \$1.50 for each \$1,000 or part thereof of the estimated cost, plus S101

			Advertising if required
	Estimated cost of development \$250,001 – \$500,000	\$500 plus \$0.85 for each \$1,000 or part thereof over \$250,000, plus S101 Advertising if required	\$585 plus \$0.85 for each \$1,000 or part thereof over \$250,000, plus S101 Advertising if required
	Estimated cost of development \$500,001 – \$1,000,000	\$712 plus \$0.50 for each \$1,000 or part thereof over \$500,000, plus S101 Advertising if required	\$833 plus \$0.50 for each \$1,000 or part thereof over \$500,000, plus S101 Advertising if required
	Estimated cost of development \$1,000,001 – \$10,000,000	\$987 plus \$0.40 for each \$1,000 or part thereof over \$1,000,000, plus S101 Advertising if required	\$1,154 plus \$0.40 for each \$1,000 or part thereof over \$1,000,000, plus S101 Advertising if required
	Estimated cost of development more than \$10,000,001	\$4,737 plus \$0.27 for each \$1,000 or part thereof over \$10,000,000, plus S101 Advertising if required	\$5,540 plus \$0.27 for each \$1,000 or part thereof over \$10,000,000, plus S101 Advertising if required
Planning Enquiries & Documents - Section 10.7 Certificates	Section 10.7 (2) Certificate	\$53	\$62
	Section 10.7 (2) Certificate with Section 10.7 (5) Advice	\$133	\$156
Planning Enquiries & Documents - Maps & Documents	Certified copy of a plan or document	\$53	\$62

4. amend the following fee amounts, as written, and place on public exhibition for 28 days; and

<i>Service Type</i>	<i>Amended Fee</i>	<i>Current Fee amount (\$)</i>	<i>Amended fee amount (\$)</i>
Other Building Approvals & Certificates - Application and Inspection	Residential Dwellings	\$312	\$580
	Dual Occupancies	\$312	\$580
	Units	\$312	\$580
	Alterations and garages	\$312	\$580

Fees for Plumbing & Drainage			
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5. **endorse the new and amended fees following the 28 day public exhibition period if no submissions are received.**

Executive summary

This report recommends the introduction of a number of amended fees and charges for Planning and Development. Any new or amended fees that are not legislated are required to be placed on public exhibition to provide the public with opportunity for submission.

All recommended changes are shown below under the detailed report section.

Disclosure of Interest

Nil

Detailed report

New Fees

The following table provides information about the reason for introduction of new fees.

Fee Name	Reason for new fee
For development in respect of which Council does not employ staff that are registered to the extent required to determine a construction certificate or complying development certificate application	Direct cost recovery of all third parties engaged by Council to process the application.

Amended Fees

The following table provides information about the reason for amendments proposed to existing fees.

Fee Name	Reason for change
All development valued up to \$5,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued between \$5,001 and \$50,000 excluding Class 1 dwelling with value d" \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued \$50,001 to \$250,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued \$250,001 to \$500,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued \$500,001 to \$1,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
All development valued \$1,000,001 to \$10,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1

Fee Name	Reason for change
All development valued over \$10,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
No building, carrying out of work, subdivision or demolition	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.7
Application for Designated Development	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.3
Advertisements	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.2
Class 1 dwelling valued up to \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.3
Integrated Development – Fees when an application for development requires approval of a public / statutory authority under the integrated approvals of the EPA Act	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.1
Subdivision involving opening of a public road	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.4
Subdivision not involving opening of a public road	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.5
Strata Subdivision	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.6
Designated Development	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.5
Nominated integrated development, threatened species development or Class 1 aquaculture development	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.6
Prohibited Development	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.7
Community Participation Plan Requirement	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 3.8
Modification of consent under s4.55 (1) Environmental Planning & Assessment Act – minor error by applicant, miscalculation, incorrect description	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 4.1
Modification of Consent under s4.55 (1A) or under s4.56(1)(Consent originally approved by court) of the Environmental Planning and Assessment Act, if the modification is of minimal environmental impact	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 4.2
Original fee was for the erection of dwelling house with estimated cost ≤ \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 4.4

Fee Name	Reason for change
Estimated cost of development up to \$5,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 4.5
Estimated cost of development \$5,001 – \$250,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Estimated cost of development \$250,001 – \$500,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Estimated cost of development \$500,001 – \$1,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Estimated cost of development \$1,000,001 – \$10,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Estimated cost of development more than \$10,000,001	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 2.1
Fees of reviews and appeals under Division 8.2 of the Environmental Planning & Assessment Act 1979	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.1, 7.2 and 7.3
Original fee was for the erection of dwelling house with estimated cost ≤ \$100,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.2
Estimated cost of development up to \$5,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development \$5,001 – \$250,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development \$250,001 – \$500,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development \$500,001 – \$1,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development \$1,000,001 – \$10,000,000	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Estimated cost of development more than \$10,000,001	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 7.3
Section 10.7 (2) Certificate	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 9.7
Section 10.7 (2) Certificate with Section 10.7 (5) Advice	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 9.7 and 9.8
Certified copy of a plan or document	Updated changes per the Environmental Planning and Assessment Regulation 2021 Schedule 4 Fees Item 9.9

Fee Name	Reason for change
Application and Inspection Fees for Plumbing & Drainage - Residential Dwellings	Cost recovery for the increase in number of plumbing and drainage inspections carried out by Council
Application and Inspection Fees for Plumbing & Drainage - Dual Occupancies	Cost recovery for the increase in number of plumbing and drainage inspections carried out by Council
Application and Inspection Fees for Plumbing & Drainage - Units	Cost recovery for the increase in number of plumbing and drainage inspections carried out by Council
Application and Inspection Fees for Plumbing & Drainage - Alterations and garages	Cost recovery for the increase in number of plumbing and drainage inspections carried out by Council.

The reason that the Environmental Planning and Assessment Regulation fees require updating is that fees and charges were checked against Part 15 of the Environmental Planning and Assessment Regulation 2000 as part of the 2022/23 budget process. After these fees were set in the draft Operational Plan the new Environmental Planning and Assessment Regulation 2021 commenced on the 1st March 2022.

Community Plan implications

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

Strategic implications

Council Strategies

If the recommendation is approved and no submissions are received the 2022/23 Fees and Charges will be amended.

Council Policies

Not Applicable

Legislation

In accordance with Section 608 of the Local Government Act, Council may charge and recover an approved fee for any service it provides other than an annual charge made under section 496 or 501.

Section 610F (1) of the Local Government Act states that a Council must not determine the amount of a fee until it has given public notice of the fee in accordance with this section and has considered any submissions duly made to it during the period of public notice.

These fees must be set with the Operational Plan and can only be amended after the date, if:

- (1) a new service is provided, or the nature or extent of an existing service is changed; or
- (2) the regulations in accordance with which the fee is determined are amended.

Financial implications

This report recommends that the fees and charges within the 2022/23 Operational Plan be amended. Revenue associated with these changes is not anticipated to have a material impact on the 2022/23 Operational Plan or future years.

Associated Risks

Not Applicable

AMANDA COVER
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

27 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.4 Monthly Budget Review - September 2022

REPORT BY THE ACCOUNTANT REPORTING & ANALYSIS
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, FIN300315

RECOMMENDATION

That Council:

1. receive the report by the Accountant Reporting & Analysis on the Monthly Budget Review - September 2022; and
2. amend the 2022/23 budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report.

Executive summary

This report provides Council with information on the progress of the 2022/22 Capital Works Program at 30 September 2022.

Disclosure of Interest

Nil

Detailed report

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

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

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

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

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

Financial implications

The budget variations proposed will impact the below financial ratios.

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

Associated Risks

Not Applicable

SUMEDHA UPRETI
ACCOUNTANT REPORTING & ANALYSIS

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

26 September 2022

Attachments: 1. Monthly Budget Review Attachment - September 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



*Good
Government*

MONTHLY BUDGET
REVIEW -
30 SEPTEMBER 2022

ATTACHMENT 1 – CAPITAL
PROGRAM UPDATE

19 OCTOBER 2022

MID-WESTERN REGIONAL COUNCIL
CORPORATE: FINANCE

■ ■ ■ ■ ■ TOWARDS 2030



1. PROPOSED BUDGET VARIATIONS

FUNDING SUMMARY

Fund	Funding Source	22/23	Grand Total
General	PLANT REPLACEMENT RESERVE	-153,916	-153,916
	Unrestricted Cash	-11,000	-11,000
General Total		-164,916	-164,916
Grand Total		-164,916	-164,916

2022/23 VARIATIONS

Fund	Variation	Expenditure Budget Variation \$	Restricted Funding Source 1	Restricted Funding Source 1 Variation \$	Unrestricted Cash Variation \$
General	Price increase to replace Rylstone water and sewer truck, and slasher \$90042. And added additional \$63874 for hoist, rapid spray units and Toro Ground master and Reel master.	153,916	PLANT REPLACEMENT RESERVE	(153,916)	0
General	Financial Services - For buildings and operational land revaluation.	11,000	-	0	(11,000)
General	Development Engineering Operations - Hire of external Design engineer consultant to perform ad hoc work due to unable to fill the current vacant role.	0	-	0	0
Total		164,916		(153,916)	(11,000)

2. CAPITAL WORKS PROGRAM

Summary of capital works program as at 30 September 2022.

\$ 8.74 M

Actual YTD

237

Capital Projects

\$101.35 M

Budget

\$12.24 M

Commitments

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
Looking after our Community							
RURAL FIRE SERVICE - COOKS GAP STATION (CAPITAL)	1	0	1	0	0%	0	Construction
RURAL FIRE SERVICE - LUE STATION (CAPITAL)	111	0	111	0	0%	54	Construction
RURAL FIRE SERVICE - WATER TANK MAINTENANCE	15	0	15	0	0%	0	Project Scope
RURAL FIRE SERVICE - BOTOBOLAR STATION (CAPITAL)	10	0	10	0	0%	0	Project Scope
MUDGEES POUND UPGRADE - RENOVATION & EXTENSION	164	0	164	99	60%	57	Construction
FAMILY DAY CARE - EXTERNAL WORKS	60	0	60	0	0%	0	Procurement
COMM. TRANSPORT- VEHICLE PURCHASE	85	0	85	0	0%	37	Procurement
COUNTRY UNIVERSITY CENTER	894	0	894	5	1%	0	Design
CEMETERY CAPITAL PROGRAM	16	0	16	0	0%	14	Procurement
GULGONG CEMETERY ROAD UPGRADE	30	0	30	0	0%	0	Project Scope
PUBLIC TOILETS - ROTARY PARK KANDOS UPGRADE	98	0	98	0	0%	0	Project Scope
PUBLIC TOILETS - ST JOHN'S ANGLICAN CHURCH	80	0	80	0	0%	0	Design
LIBRARY BOOKS	95	0	95	13	14%	0	Initial works
MUDGEES LIBRARY AIR CONDITIONING	11	0	11	0	0%	6	Deferred/Cancelled
HARGRAVES COURT HOUSE BUILDING - EXTERNAL WORKS	57	0	57	0	0%	0	Procurement
COMMUNITY CENTRE - COURT STREET CAPITAL WORKS	80	0	80	10	12%	11	Procurement
TOWN HALL - EXTERNAL BRICKWORK	50	0	50	0	0%	0	Procurement
CAPITAL UPGRADE - RYLSTONE GUIDE HALL ROOF REPLACEMENT	25	0	25	0	0%	0	Procurement
KANDOS HALL & LIBRARY - EXTERNAL PAINTING & KITCHEN UPGRADE	94	0	94	12	13%	0	Final works
KANDOS HALL & LIBRARY - TOILETS	59	0	59	0	1%	4	Design
RYLSTONE SHOWGROUND - AMENITIES CHANGE ROOM UPGRADE	45	0	45	0	0%	0	Project Scope
KANDOS COMMUNITY HALL - FLOORING REFURBISHMENT	102	0	102	65	64%	0	Final works
GULGONG MEN'S SHED - EXTERNAL WALL REPLACEMENT	35	0	35	0	0%	0	Consultation

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
GOOLMA HALL - FLOORING & WINDOW REFURB	20	0	20	11	57%	5	Final works
TOWN HALL THEATRE - DRESSING ROOM AMENITIES UPGRADE	40	0	40	0	0%	0	Consultation
CAP UPGRD- SWIMMING POOLS BUDGET ONLY	(0)	0	(0)	0	0%	0	Budget only
GULGONG/ KANDOS POOL - LOCKERS	10	0	10	0	0%	0	Procurement
KANDOS POOL - EXTERNA WORKS	55	0	55	2	4%	10	Initial works
POOL SHADE PROGRAM	46	0	46	5	10%	38	Complete - awaiting invoices
LIGHTING UPGRADE - POOLS	50	0	50	0	0%	0	Design
GULGONG POOL HEATERS	105	0	105	0	0%	0	Procurement
ACTIVE PARKS - GLEN WILLOW ACCESSIBLE AMENITIES BUILDING	103	0	103	3	3%	5	Procurement
MUDGEES SHOWGROUNDS - REDEVELOPMENT	107	0	107	0	0%	124	Construction
GLEN WILLOW SPORTS GROUND UPGRADES	777	0	777	310	40%	146	Construction
CAHILL PARK SYNTHETIC CRICKET WICKET	30	0	30	1	3%	10	Initial works
MUDGEES SHOWGROUND TREE PLANTING (REQUIRES GRANT)	20	0	20	0	0%	0	Consultation
GLEN WILLOW NETBALL AREA BUBBLER (REQUIRES GRANT)	10	0	10	0	0%	0	Consultation
VICTORIA PARK MUDGEES - FENCING	60	0	60	0	0%	0	Procurement
GULGONG TENNIS COURTS	130	0	130	0	0%	0	Procurement
GLEN WILLOW FIELD ONE REFURBISHMENT	550	0	550	0	0%	0	Design
CLANDULLA RECREATION PARK AMENITIES	120	0	120	0	0%	0	Consultation
VICTORIA PARK GULGONG- GRANDSTAND IMPROVEMENTS	20	0	20	0	0%	0	Procurement
GLEN WILLOW - NETWORK ACCESS FIBRE CONNECTIVITY	120	0	120	0	0%	0	Consultation
RYLSTONE & KANDOS DOG PARK	90	0	90	0	0%	38	Initial works
GLEN WILLOW STORMWATER RETICULATION SYSTEM	266	0	266	16	6%	121	Construction
PUTTA BUCCA TRAINING CAMP FACILITY - STAGE 1	996	0	996	105	10%	63	Initial works
PUTTA BUCCA TRAINING CAMP FACILITY -STAGE 2	953	0	953	189	20%	74	Initial works

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
PUTTA BUCCA TRAINING CAMP FACILITY - STAGE3 (REQUIRES GRANT)	1,166	0	1,166	0	0%	0	Design
MUDGEES SHOWGROUNDS - PATHWAY IMPROVEMENTS	40	0	40	0	0%	0	Procurement
GLEN WILLOW - PUMP TRACK	700	0	700	0	0%	0	Design
WALKERS OVAL MUDGEES CARPARK UPGRADES	20	0	20	0	0%	0	Project Scope
VICTORIA PARK GULGONG - CANTEEN EQUIPMENT	10	0	10	0	0%	0	Design
GLEN WILLOW PARKING - LIGHTING AND SECURITY	76	0	76	0	0%	0	Design
MUDGEES SHOWGROUNDS - ROAD REHAB AND FENCING	75	0	75	0	0%	0	Procurement
MUDGEES SHOWGROUNDS - GRANDSTAND FIT-OUT	196	0	196	1	0%	180	Construction
VICTORIA PARK MUDGEES - SIGHT SCREENS & SEATING	70	0	70	0	0%	0	Procurement
VICTORIA PARK GULGONG - SHOT PUT/DISCUS REPLACEMENT	25	0	25	0	0%	0	Initial works
VICTORIA PARK GULGONG - STORAGE SHED (REQUIRES GRANT)	30	0	30	0	0%	0	Consultation
VICTORIA PARK GULGONG - ROAD AND CAR PARK SEAL	85	0	85	0	0%	0	Project Scope
MUDGEES SHOWGROUND EQUIPMENT	47	0	47	52	110%	0	Complete
RYLSTONE SHOWGROUND ARENA - UPGRADE	30	0	30	0	0%	0	Design
RYLSTONE SHOWGROUND ACCESS ROAD	56	0	56	0	0%	0	Design
SAMMY'S FLAT FENCE REPLACEMENT (RYLSTONE SHOWGROUND)	105	0	105	0	0%	53	Initial works
RED HILL - PATHWAY AND LANDSCAPING UPGRADE	40	0	40	0	0%	0	Procurement
RED HILL EXHIBITION SPACE	50	0	50	7	14%	0	Project Scope
ROBERTSON PARK - EQUIPMENT UPGRADE	159	0	159	0	0%	0	Procurement
JACK TINDALE PARK RYLSTONE - UPGRADE	40	0	40	0	0%	0	Project Scope
SHADE SAIL - MUDGEES DOG PARK	12	0	12	0	0%	9	Procurement
SCULPTURES ACROSS THE REGION	61	0	61	31	52%	0	Procurement
RYLSTONE RIVER WALK - IMPROVEMENT	20	0	20	0	0%	0	Design
JACK TINDALE PARK ROADS	11	0	11	0	0%	0	Project Scope
ROTUNDA PARK KANDOS - IRRIGATION RENEWAL	21	0	21	0	0%	0	Procurement

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
APEX PARK GULGONG - IRRIGATION RENEWAL	20	0	20	0	0%	0	Procurement
GILBEY PARK - FENCING	10	0	10	0	0%	9	Procurement
MEMORIAL PARK MUDGEES - IRRIGATION RENEWAL	20	0	20	0	0%	0	Procurement
PLAYGROUND SHADING PROGRAM	152	0	152	0	0%	0	Procurement
RED HILL CAPITAL WORKS	312	0	312	47	15%	202	Construction
CORONATION PARK FENCE	35	0	35	0	0%	0	Design
PLAYGROUND EQUIPMENT UPGRADE - LAWSON PARK MUDGEES	30	0	30	28	92%	0	Complete
CORONATION PARK GULGONG - IRRIGATION RENEWAL	30	0	30	0	0%	0	Procurement
LAWSON PARK MUDGEES - IRRIGATION RENEWAL	30	0	30	0	0%	0	Procurement
PLAYGROUND EQUIPMENT UPGRADE - RYLSTONE SHOWGROUND	292	0	292	0	0%	233	Procurement
BRIDGE AND STEPS REPLACEMENT - RYLSTONE COMMON	40	0	40	0	1%	0	Procurement
MUDGEES RIVERSIDE - WALKING TRACK IMPROVEMENTS	35	0	35	0	0%	0	Project Scope
PASSIVE PARK SIGNAGE REPLACEMENT	21	0	21	0	0%	0	Design
FLIRTATION HILL MUDGEES - MASTER PLAN WORKS	750	0	750	0	0%	0	Design
ART GALLERY FACILITY	821	0	821	304	37%	171	Construction
STREET SCAPE IMPROVEMENTS	31	0	31	0	0%	0	Design
STREETSCAPE - STREET BINS	7	0	7	0	4%	8	Consultation
Total	12,674	0	12,674	1,316	10%	1,682	

Protecting our Natural Environment

RURAL WASTE DEPOT UPGRADES	340	0	340	0	0%	0	Project Scope
MUDGEES WASTE DEPOT UPGRADES	53	0	53	0	0%	1	Procurement
NEW TIP CELL CONSTRUCTION	3,293	0	3,293	156	5%	258	Initial works
NEW RECYCLING BINS	30	0	30	0	0%	0	Consultation

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
WASTE SITES REHABILITATION	2,340	0	2,340	0	0%	56	Initial works
REMOTE SECURITY CAMERAS AT WTS	39	0	39	20	50%	15	Construction
LEACHATE POND ENLARGEMENT	11	0	11	0	0%	2	Final works
KANDOS WTS OFFICE REPLACEMENT	12	0	12	0	0%	0	Project Scope
DRAINAGE CAPITAL IMPROVEMENTS	259	0	259	0	0%	11	Budget only
CAUSEWAY IMPROVEMENT - TALLAWAY ST GULGONG	23	0	23	2	7%	0	Complete
PUTTA BUCCA WETLANDS CAPITAL	17	0	17	0	0%	0	Consultation
PUTTA BUCCA WETLANDS TOILET	95	0	95	1	1%	87	Final works
PUTTA BUCCA WETLANDS -PATHWAYS AND CAR PARK (REQUIRES GRANT)	25	0	25	0	0%	0	Deferred/Cancelled
PUTTA BUCCA WETLANDS INFRASTRUCTURE - CAPITAL	379	0	379	1	0%	184	Initial works
WATER NEW CONNECTIONS	97	0	97	37	38%	0	Construction
WATER AUGMENTATION - MUDGEE HEADWORKS	2,950	0	2,950	3	0%	948	Initial works
WATER DISTRIBUTION - MUDGEE	2,800	0	2,800	0	0%	0	Project Scope
WATER AUGMENTATION - RYLSTONE & KANDOS	500	0	500	0	0%	0	Project Scope
WATER MAINS - CAPITAL BUDGET ONLY	1,080	0	1,080	0	0%	0	Budget only
WATER MAINS - MAYNE STREET	207	0	207	64	31%	2	Construction
WATER MAINS - NICHOLSON ST COURT ST EAST ROAD CROSSING	17	0	17	0	0%	0	Complete
WATER MAINS - HORATIO ST COURT TO COX	27	0	27	68	252%	4	Complete
WATER PUMP STATION - CAPITAL RENEWALS	175	0	175	0	0%	1	Construction
RAW WATER SYSTEMS RENEWALS	78	0	78	0	0%	10	Initial works
WATER TREATMENT PLANT - RENEWALS	120	0	120	0	0%	8	Procurement
SEWER NEW CONNECTIONS	38	0	38	11	30%	0	Construction
SEWER AUGMENTATION - RYLSTONE & KANDOS	4,417	0	4,417	20	0%	19	Project Scope
SEWER AUGMENTATION - MUDGEE	1,000	0	1,000	0	0%	0	Project Scope
SEWER MAINS - CAPITAL BUDGET ONLY	1,745	0	1,745	0	0%	406	Construction
RISING MAIN ULAN RD TO PUTTA BUCCA	387	0	387	0	0%	0	Project Scope

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
SEWER PUMP STATION - CAPITAL RENEWALS	1,130	0	1,130	0	0%	0	Project Scope
SEWER PUMP STATION - RACECOURSE MUDGEES	125	0	125	0	0%	0	Project Scope
SEWER TREATMENT WORKS - RENEWALS	62	0	62	0	0%	0	Project Scope
SEWER TREATMENT WORKS - GULGONG STP SPILLWAY	30	0	30	0	0%	0	Deferred/Cancelled
Total	23,901	0	23,901	383	2%	2,012	

Building a Strong Local Economy

CUDGEGONG WATERS CARAVAN PARK - KIOSK & OFFICE	501	0	501	17	3%	57	Procurement
RYLSTONE CARAVAN PARK - CAPITAL	466	0	466	32	7%	348	Construction
RIVERSIDE CARAVAN PARK FIRE SERVICES	1	0	1	0	0%	2	Final works
MUDGEES VALLEY PARK UPGRADE	8	0	8	0	2%	0	Initial works
CUDGEGONG WATERS PARK CAMP KITCHEN (REQUIRES GRANT)	60	0	60	0	0%	0	Consultation
CUDGEGONG WATERS PARK HOUSE	233	0	233	90	38%	152	Construction
MUDGEES VALLEY PARK EXPANSION	3,235	0	3,235	1,755	54%	257	Construction
CUDGEGONG WATERS - PUBLIC TOILETS	375	0	375	0	0%	0	Design
MUDGEES VALLEY PARK EXPANSION ROADS	350	0	350	0	0%	0	Project Scope
DIGITAL SIGNAGE	161	0	161	0	0%	15	Construction
ELECTRIC VEHICLE CHARGING STATION - CAPITAL	50	0	50	0	0%	0	Consultation
SALEYARDS - POST AND RAIL REPLACEMENT	11	0	11	0	0%	0	Consultation
TOOHEYS PARK - BUILDING	20	0	20	0	0%	0	Initial works
PROPERTY - EX SALEYARDS STAGE II	2,396	0	2,396	0	0%	37	Design
PROPERTY - DEVELOPMENT MORTIMER ST	10	0	10	4	42%	1	Construction
Total	7,877	0	7,877	1,898	24%	869	

	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
\$'000							
Connecting our Region							
MUDGEES CDB HIGH PEDESTRIAN ACTIVITY AREA	26	0	26	0	0%	0	Design
URBAN RESEALS - BELMORE ST GULGONG	52	0	52	0	0%	0	Design
URBAN RESEALS - BARIGAN STREET WOLLAR	14	0	14	0	0%	0	Design
URBAN RESEALS - BARNETT STREET WOLLAR	13	0	13	0	0%	0	Design
URBAN RESEAL - DABEE RD	12	0	12	0	0%	0	Design
RESEAL - HENRY BAYLEY DRIVE	23	0	23	0	0%	0	Design
URBAN RESEALS - JACQUES STREET KANDOS	39	0	39	0	0%	0	Design
URBAN RESEAL - MEDLEY STREET GULGONG	10	0	10	0	0%	0	Design
URBAN RESEAL - MORTIMER STREET MUDGEES	39	0	39	0	0%	0	Design
URBAN RESEALS - INGLIS ST MUDGEES	32	0	32	0	0%	0	Design
URBAN RESEALS - SALEYARDS LN GULGONG	14	0	14	0	0%	0	Design
URBAN ROADS KERB & GUTTER CAPITAL	17	0	17	0	2%	0	Project Scope
URBAN HEAVY PATCHING	21	0	21	1	4%	0	Project Scope
URBAN REHAB - DUNN STREET KANDOS SEG 10-30	176	0	176	58	33%	55	Construction
ROAD EXTENSION - BETWEEN PUTTA BUCCA & GLEN WILLOW	230	0	230	61	26%	139	Construction
URBAN REHAB - BROADHEAD RD SPRINGFL	150	0	150	0	0%	0	Design
URBAN REHAB - LAWSON/SHORT STREET INTERSECTION MUDGEES	105	0	105	0	0%	0	Procurement
URBAN REHAB - LOVEJOY STREET MUDGEES	30	0	30	0	0%	0	Project Scope
URBAN REHAB - SHORT STREET	30	0	30	0	0%	0	Project Scope
URBAN RESEALS - ANDERSON STREET GULGONG	16	0	16	0	0%	0	Design
URBAN RESEALS - NANDOURA STREET GULGONG	27	0	27	0	0%	0	Design
URBAN RESEALS - WYNELLA STREET GULGONG	14	0	14	0	0%	0	Design
URBAN RESEALS - BENT STREET KANDOS	22	0	22	0	0%	0	Design
URBAN RESEALS - CROWN STREET KANDOS	21	0	21	0	0%	0	Design

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
\$'000							
URBAN RESEALS - MCLACHLAN STREET - KANDOS	12	0	12	0	0%	0	Design
URBAN RESEALS - CASSIN LANE MUDGEE	10	0	10	0	0%	0	Design
URBAN RESEALS - GRANT STREET MUDGEE	10	0	10	0	0%	0	Design
URBAN RESEALS - HARDY CRESCENT MUDGEE	19	0	19	0	0%	0	Design
URBAN RESEALS - HORATIO STREET MUDGEE	20	0	20	0	0%	0	Design
URBAN RESEALS - LANG STREET MUDGEE	15	0	15	0	0%	0	Design
URBAN RESEALS - MENCHIN STREET MUDGEE	13	0	13	0	0%	0	Design
URBAN RESEALS - MULGOA WAY MUDGEE	15	0	15	0	0%	0	Design
URBAN RESEALS - RAYNER STREET MUDGEE	10	0	10	0	0%	0	Design
URBAN RESEALS - CUDGEGONG STREET RYLSTONE	21	0	21	0	0%	0	Design
URBAN RESEALS - LOUEE STREET RYLSTONE	36	0	36	0	0%	0	Design
URBAN RESEALS - SHORT STREET - RYLSTONE	18	0	18	0	0%	0	Design
URBAN RESEALS - TONGBONG STREET RYLSTONE	14	0	14	0	0%	0	Design
RESHEETING - URBAN ROADS	11	0	11	0	0%	0	Design
URBAN SEALING - BRUCE ROAD	402	0	402	134	33%	121	Construction
MUDGEE SCHOOL ZEBRA CROSSING INFRASTRUCTURE UPGRADE	127	0	127	105	83%	40	Construction
KERB AND GUTTER REPLACEMENT KANDOS & RYLSTONE	100	0	100	0	0%	0	Design
URBAN ROADS LAND MATTERS CAPITAL	15	0	15	1	4%	0	Initial works
RURAL RESEAL - LUE RD	436	0	436	0	0%	0	Design
RURAL RESEAL - YARRAWONGA RD	171	0	171	0	0%	0	Design
RURAL RESEAL - WINDEYER RD GRATTAI	110	0	110	0	0%	0	Design
RURAL RESEAL - CUDGEGONG RD	192	0	192	0	0%	0	Design
RURAL RESEAL - BOTOBOLAR RD	148	0	148	0	0%	0	Design
RURAL RESEAL - BROGANS CREEK RD CLANDULL	34	0	34	0	0%	0	Design
RURAL REHAB - LUE ROAD MOUNTKNOW	500	0	500	10	2%	53	Initial works
RURAL REHAB - CUDGEGONG RD CARWELL	520	0	520	3	0%	0	Initial works
RURAL REHAB - HENRY LAWSON DR	339	0	339	0	0%	0	Deferred/Cancelled

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
\$'000							
HEAVY PATCHING	48	0	48	0	0%	0	Project Scope
RURAL RESEAL - BUDGEE BUDGE	55	0	55	0	0%	0	Design
RURAL RESEAL - CAMPBELLS CREEK ROAD WINDEYER	139	0	139	0	0%	0	Design
RURAL RESEALS - GREVILLEA GROVE RYLSTONE	15	0	15	0	0%	0	Design
RURAL RESEALS - KALUDABAH ROAD CULLENBO	34	0	34	0	0%	0	Design
RURAL RESEALS - LINBURN LANE	142	0	142	0	0%	0	Design
RURAL RESEALS - PYANGLE ROAD LUE	7	0	7	0	0%	0	Design
RURAL RESEALS - WHITE CEDARS ROAD TOTNESVA	27	0	27	0	0%	0	Design
RURAL RESEALS - CAMERONS ROAD RUNNINGS	3	0	3	0	0%	0	Design
BLUE SPRING ROAD UPGRADE - ACEA STUBBO SOLAR	3,912	0	3,912	3	0%	0	Design
RURAL SEALED ROAD LAND MATTERS	12	0	12	0	0%	0	Initial works
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM 2021/22	336	0	336	194	58%	2	Construction
RURAL SEALED REGIONAL ROAD REPAIR PROGRAM 2022/23	796	0	796	4	0%	0	Project Scope
MUNGHORN GAP REALIGNMENT & UPGRADE	1,321	0	1,321	190	14%	40	Construction
MUNGHORN GAP SHOULDER WIDENING BLACKSPOT	137	0	137	81	59%	22	Construction
HILL END ROAD SAFETY IMPROVEMENTS	2,340	0	2,340	8	0%	4	Initial works
BVW UPGRADE RNSW 2080	2,326	0	2,326	6	0%	63	Initial works
RURAL SEALED REGIONAL ROAD LAND MATTERS CAPITAL	3	0	3	4	138%	5	Construction
SEALING - GRIMSHAW LANE	18	0	18	16	89%	0	Construction
ZIMMER LANE (NOW MAINTAINED)	81	0	81	36	45%	4	Construction
BADGERS LANE (NOW MAINTAINED)	98	0	98	0	0%	0	Project Scope
SEAL EXTENSION - AARONS PASS RD	239	0	239	229	96%	11	Construction
SEAL EXTENSION - QUEENS PINCH RD	1,790	0	1,790	588	33%	253	Construction
SEAL EXTENSION - COXS CREEK RD	1,756	0	1,756	489	28%	267	Construction
SEAL EXTENSION - BOTOBOLAR RD	1,936	0	1,936	43	2%	3	Construction

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

\$'000	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
SEAL EXTENSION - CORICUDGY ROAD	758	0	758	1	0%	0	Project Scope
RESHEETING	2,056	0	2,056	466	23%	94	Construction
UNSEALED ROADS LAND MATTERS CAPITAL	15	0	15	1	7%	0	Initial works
GOODIMAN CREEK BRIDGE REPLACEMENT	950	0	950	28	3%	572	Construction
DIXONS LONG POINT CROSSING	6,299	0	6,299	18	0%	29	Initial works
BRIDGE TO PUTTA BUCCA ROAD	3,102	0	3,102	24	1%	1,200	Construction
REGIONAL ROAD BRIDGE CAPITAL	62	0	62	0	0%	0	Project Scope
ULAN ROAD - REHABS, WIDENING AND CONFORMING RESEALS - BUDGET	235	0	235	0	0%	0	Budget only
ULAN ROAD - COPE RD TO ULAN WOLLAR RD	300	0	300	1	0%	0	Project Scope
ULAN ROAD - BLACKSPRINGS ROAD TO BUCKAROO LANE	174	0	174	0	0%	0	Project Scope
FOOTWAYS - CAPITAL WORKS	221	0	221	7	3%	4	Construction
PEDESTRIAN ACCESS AND MOBILITY PLAN WORKS	204	0	204	5	3%	0	Construction
SHARED PATHWAY - GLEN WILLOW TO PUTTA BUCCA WETLANDS AREA	42	0	42	0	0%	0	Construction
AIRPORT - AIRCRAFT PARKING	20	0	20	3	17%	0	Final works
AIRPORT AMBULANCE TRANSFER BAY	50	0	50	1	1%	0	Initial works
AIRPORT HANGER AND STUDIO	249	0	249	1	0%	2	Procurement
CARPARK - MUDGEE COMMON	42	0	42	31	73%	2	Construction
CARPARK - GULGONG POOL	11	0	11	7	64%	0	Construction
Total	36,812	0	36,812	2,857	8%	2,984	

Good Government

CORPORATE BUILDINGS UPGRADE BUDGET ONLY	0	0	0	0	0%	0	Budget only
OLD POLICE STATION CAPITAL	50	0	50	0	0%	0	Procurement
BUILDINGS MASTER KEY SYSTEM	131	0	131	0	0%	0	Project Scope
MUDGEE ADMIN BUILDING EXTENSION	727	0	727	4	1%	457	Design

CORPORATE: FINANCE | MONTHLY BUDGET REVIEW – SEPTEMBER 2022

	Current Annual Budget	Proposed Variations	Proposed Annual Budget	Actual YTD	Actual YTD/ Proposed Annual Budget	Commitments	Project Status
\$'000							
MUDGEES ADMIN BUILDING - PAINTING AND REPAIRS	27	0	27	0	0%	0	Project Scope
IT SPECIAL PROJECTS	28	0	28	0	0%	3	Consultation
IT - NETWORK UPGRADES	228	0	228	34	15%	46	Project Scope
IT CORPORATE SOFTWARE	186	0	186	4	2%	37	Consultation
IT - PAPER CUT SECURE PRINTING	25	0	25	0	0%	0	Consultation
PLANT PURCHASES	9,978	0	9,978	2,057	21%	4,025	Budget only
RYLSTONE DEPOT - CAPITAL UPGRADE	80	0	80	11	14%	6	Initial works
SOLAR FARM INITIATIVE	421	0	421	118	28%	103	Construction
GULGONG DEPOT - CAPITAL UPGRADE	65	0	65	9	13%	12	Initial works
SOLAR FARM INITIATIVE - STAGE 3	8,082	0	8,082	0	0%	0	Project Scope
ROLLER BRAKING SYSTEM	53	0	53	45	86%	1	Complete - awaiting invoices
Total	20,081	0	20,081	2,283	11%	4,690	
Total Capital Works Program	101,346	0	101,346	8,737	9%	12,236	

9.5 Monthly Statement of Investments as at 30 September 2022

REPORT BY THE FINANCIAL PLANNING COORDINATOR
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, FIN300053

RECOMMENDATION

That Council:

1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 30 September 2022; and
2. note the certification of the Responsible Accounting Officer.

Executive summary

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

Disclosure of Interest

Nil

Detailed report

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 30 September 2022.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

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

Legislation

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

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

Financial implications

Not Applicable

Associated Risks

Not Applicable

AMANDA COVER
FINANCIAL PLANNING COORDINATOR

NEIL BUNGATE
ACTING CHIEF FINANCIAL OFFICER

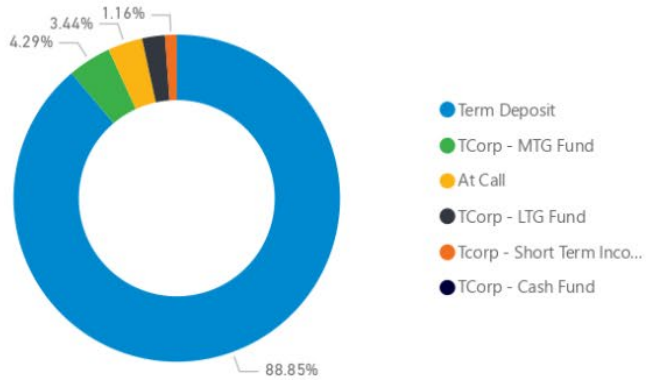
27 September 2022

Attachments: 1. Investment Report - September 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Investments by Type

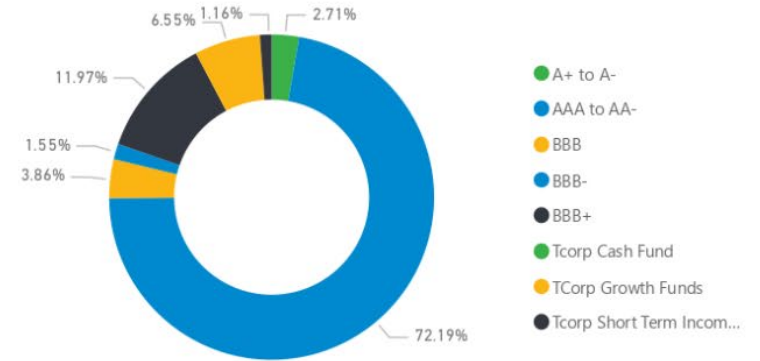


Mid-Western Regional Council Cash and Investments as at 30 September 2022

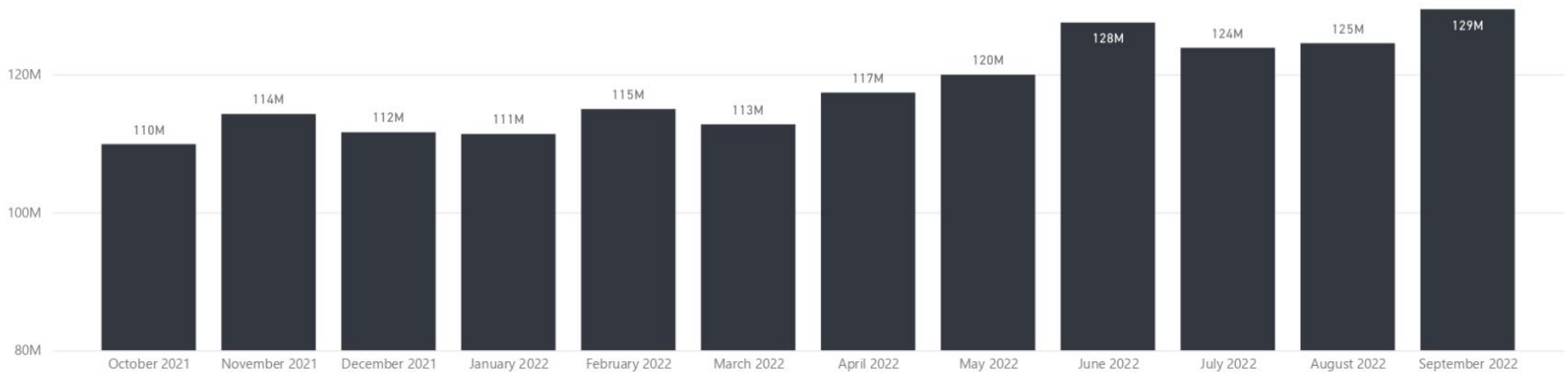
Total Investment Portfolio (\$)

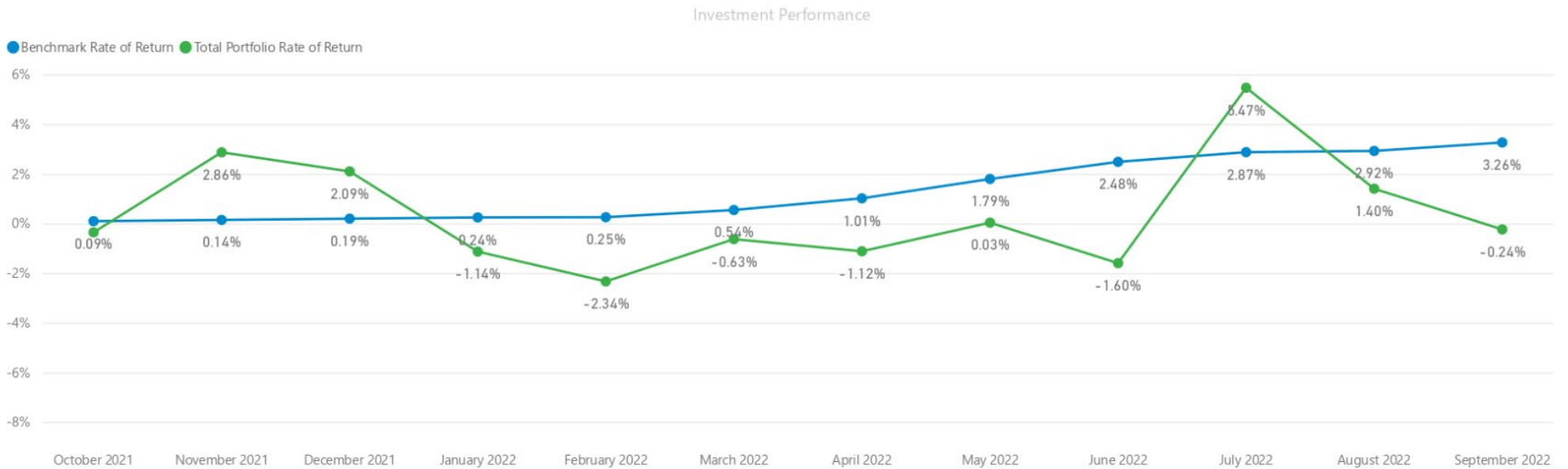
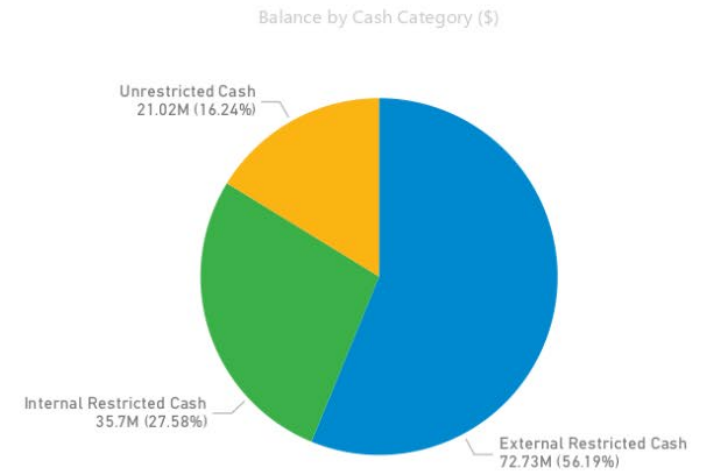
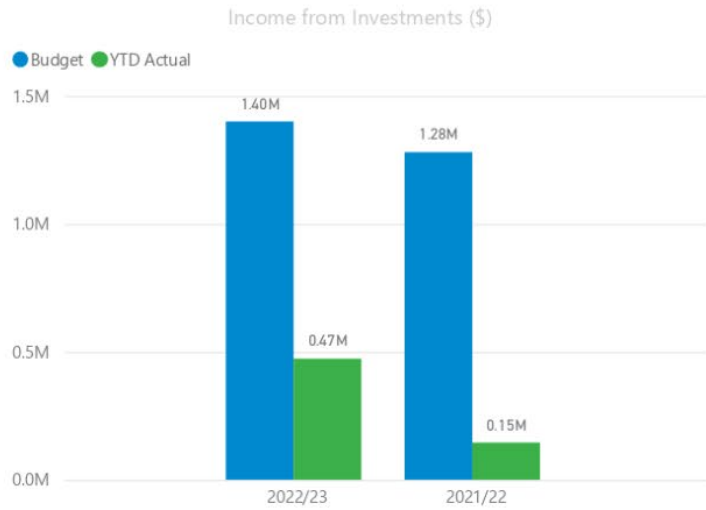
129.44M

Investments by Long Term Rating



Portfolio Balance at End of Month (\$)





At Call Fund and Managed Funds

Institution	Yield	Term to Maturity	Principal	Amount
NAB	2.00%	0	\$	4,447,585
TCorp - Cash Fund	0.50%	1	\$	-
TCorp - Long Term Growth Fund	0.50%	5	\$	2,925,212
TCorp - Medium Term Growth Fund	0.50%	5	\$	5,555,951
Tcorp - Short Term Income Fund	0.50%	5	\$	1,499,007
Total			\$	14,427,755

Current Term Deposits

Institution	Yield	Term to Maturity	Principal	Amount
AMP	1.00%	55	\$	2,000,000
AMP	1.10%	124	\$	1,500,000
Australian Unity	3.50%	446	\$	2,000,000
Australian Unity	4.35%	425	\$	2,000,000
Australian Unity	4.10%	516	\$	1,500,000
Australian Unity	4.30%	488	\$	2,000,000
Bank Of Queensland	0.50%	40	\$	1,500,000
Bank Of Queensland	0.85%	82	\$	1,000,000
Bank Of Queensland	1.20%	222	\$	2,000,000
Bank Of Queensland	3.92%	544	\$	1,000,000
Bank Of Queensland	4.25%	418	\$	1,000,000
CBA	0.72%	614	\$	2,000,000
CBA	0.50%	26	\$	1,500,000
CBA	0.47%	26	\$	1,000,000
CBA	0.77%	712	\$	1,000,000
CBA	0.47%	82	\$	1,500,000
CBA	0.85%	754	\$	2,500,000
CBA	0.48%	110	\$	2,000,000
CBA	0.73%	208	\$	1,500,000
CBA	3.05%	572	\$	2,000,000
CBA	2.63%	376	\$	1,500,000
CBA	2.31%	236	\$	1,500,000
CBA	2.75%	348	\$	1,500,000
CBA	3.15%	243	\$	1,000,000
CBA	4.15%	635	\$	2,000,000
CBA	3.68%	250	\$	1,500,000
CBA	4.17%	264	\$	1,000,000
CBA	3.94%	271	\$	1,000,000
CBA	3.72%	292	\$	1,500,000
CBA	3.99%	320	\$	1,500,000
CBA	4.20%	404	\$	1,500,000
Defence Bank	3.20%	243	\$	1,500,000
ING	3.21%	299	\$	1,500,000
Judobank	0.90%	26	\$	1,000,000
Judobank	1.01%	12	\$	1,000,000
Macquarie	1.40%	152	\$	1,014,077
Macquarie	1.15%	180	\$	1,000,000
MyState Bank	4.20%	278	\$	1,500,000
NAB	0.70%	12	\$	1,000,000
NAB	0.57%	152	\$	1,700,000
NAB	0.65%	271	\$	2,000,000
NAB	0.51%	83	\$	1,800,000

Institution	Yield	Term to Maturity	Principal	Amount
NAB	0.45%	54	\$	1,500,000
NAB	0.45%	68	\$	2,000,000
NAB	0.80%	698	\$	1,500,000
NAB	0.64%	390	\$	3,000,000
NAB	0.45%	96	\$	1,500,000
NAB	0.70%	362	\$	2,500,000
NAB	0.48%	124	\$	1,000,000
NAB	0.79%	138	\$	1,500,000
NAB	0.68%	61	\$	1,000,000
NAB	0.85%	180	\$	1,500,000
NAB	0.75%	61	\$	1,000,000
NAB	0.95%	180	\$	1,500,000
NAB	1.51%	334	\$	2,500,000
NAB	1.21%	208	\$	1,000,000
NAB	4.49%	810	\$	2,500,000
NAB	4.45%	726	\$	2,000,000
Westpac	0.65%	38	\$	2,000,000
Westpac	1.06%	502	\$	2,000,000
Westpac	0.70%	117	\$	1,500,000
Westpac	0.78%	166	\$	1,500,000
Westpac	0.90%	194	\$	2,500,000
Westpac	0.95%	145	\$	2,000,000
Westpac	2.28%	530	\$	1,500,000
Westpac	3.70%	670	\$	2,000,000
Westpac	4.22%	432	\$	1,000,000
Westpac	4.35%	656	\$	1,500,000
Westpac	4.30%	474	\$	1,000,000
Westpac	4.67%	446	\$	1,000,000
Westpac	4.78%	600	\$	2,500,000
Westpac	4.89%	852	\$	2,500,000
Total			\$	115,014,077

Investment Portfolio Summary

Term to Maturity	Amount	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	\$ 35,227,755	27%	27%	20%	OK
Between 3 months and 1 year	\$ 48,214,077	37%	64%	40%	OK
Between 1 year and 2 years	\$ 38,500,000	30%	94%	50%	OK
Between 2 years and 4 years	\$ 7,500,000	6%	100%	85%	OK
More than 5 years	\$ -	0%	100%	0%	OK
Total	\$ 129,441,832				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	CBA	40%	OK	24%	\$ 30,500,000
	NAB	40%	OK	30%	\$ 38,447,585
	Westpac	40%	OK	19%	\$ 24,500,000
A+	Macquarie	20%	OK	2%	\$ 2,014,077
A	ING	20%	OK	1%	\$ 1,500,000
BBB+	Australian Unity	10%	OK	6%	\$ 7,500,000
	Bank Of Queensland	10%	OK	5%	\$ 6,500,000
	MyState Bank	10%	OK	1%	\$ 1,500,000
BBB	AMP	5%	OK	3%	\$ 3,500,000
	Defence Bank	5%	OK	1%	\$ 1,500,000
Tcorp Cash Fund	TCorp - Cash Fund	30%	OK	0%	\$ -
TCorp Growth Funds	TCorp - Long Term Growth Fund	15%	OK	2%	\$ 2,925,212
	TCorp - Medium Term Growth Fund	15%	OK	4%	\$ 5,555,951
	Tcorp - Short Term Income Fund	15%	OK	1%	\$ 1,499,007
BBB-	Judobank	5%	OK	2%	\$ 2,000,000
Grand Total				100%	\$ 129,441,832

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
AAA to AA-	100%	OK	72%	\$ 93,447,585
A+ to A-	50%	OK	3%	\$ 3,514,077
BBB+	20%	OK	12%	\$ 15,500,000
BBB	10%	OK	4%	\$ 5,000,000
Tcorp Cash Fund	30%	OK	0%	\$ -
TCorp Growth Funds	15%	OK	7%	\$ 8,481,163
Tcorp Short Term Income Fund	15%	OK	1%	\$ 1,499,007
BBB-	5%	OK	2%	\$ 2,000,000
Grand Total			100%	\$ 129,441,832

Monthly Investment Portfolio Activity

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

Bank Accounts	Opening Balance	Redeemed Balance	Re-invested Balance
NAB (At call account)	4,822,047		4,447,585
TCorp - Cash Fund	-		-
TCorp - Long Term Growth Fund	3,020,933		2,925,212
TCorp - Medium Term Growth Fund	5,665,186		5,555,951
TCorp - Short Term Income Fund	1,498,039		1,499,007
Total	15,006,204	-	14,427,755

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
NAB	0.79%	14/09/2022	1,500,000	23,603
Bank Of Queensland	0.90%	28/09/2022	1,500,000	26,926
Bank Of Queensland	0.61%	28/09/2022	1,000,000	5,381
Total			4,000,000	55,910

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Westpac	4.22%	6/12/2023	1,000,000	52,605
Westpac	4.35%	17/07/2024	1,500,000	121,383
Westpac	4.30%	17/01/2024	1,000,000	57,726
Westpac	4.67%	20/12/2023	1,000,000	57,319
Westpac	4.78%	22/05/2024	2,500,000	197,093
Westpac	4.89%	29/01/2025	2,500,000	286,032
Total			9,500,000	772,158

Item 10: Operations

10.1 Acceptance of Grant Funding - DRRF Local & Regional Risk Reduction Stream

REPORT BY THE MANAGER, INFRASTRUCTURE PLANNING
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, RIS900010

RECOMMENDATION

That Council:

1. receive the report by the Manager, Infrastructure Planning;
2. accept \$130,000 in grant funding from Resilience NSW for the employment of a Resilience & Risk Reduction Officer within the organisation to assist with the planning and preparation for natural disasters;
3. allocate the allocate the following Budgets, fully funded by grant funding, as follows:
 - 3.1 amend the 2022/23 Budget to allocate \$43,333;
 - 3.2 amend the 2023/24 Budget to allocate \$86,667; and
4. authorise the General Manager to finalise and sign the funding agreement.

Executive summary

Resilience NSW is committed to supporting place-based initiatives that help communities prevent and mitigate natural disaster risks. In May 2022 the Local and Regional Stream of the Disaster Risk Reduction Fund was opened offering between \$50,000 to \$1.5 million to Councils, joint organisations of Councils' not-for-profits and other local groups.

Mid-Western Regional Council has been successful in application for \$130,000 in grant funding.

It is recommended that Council accept this funding for the employment of a Resilience and Risk Reduction Officer to assist with the planning and preparation for and recovery from natural disaster emergencies within our Region.

Disclosure of Interest

Nil

Detailed report

Mid-Western Regional Council has a history of being affected by natural disasters, most recently AGRN 871 NSW bushfires, AGRN987 NSW severe weather & flooding, AGRN 1012 NSW severe

weather, flooding and COVID-19 pandemic. This has had significant social, economic and ecological impact on the local government area, its businesses as well as the wellbeing of its residents.

In 2021 the Local Emergency Management Committee undertook a review of the Local EMPLAN and risk assessment of potential emergencies, the outcome being more than 20 potential hazards assessed as having a risk priority of moderate to extreme. This highlights the vulnerability of the region to natural disasters and emergencies which could be mitigated by planning and preparation.

For those communities affected by the most recent bushfires, severe storms/floods as well as the consequences of the COVID-19 pandemic, they remain in the recovery phase and are vulnerable and much work needs to be done to assist the building of resilience of individuals and within the community.

Currently there exists no dedicated role within Local Government to address the above. This funding to be received will assist with the employment of a suitably qualified person for an 18 month period, on a part time basis, to assist with the planning and preparation for future events as well as recovery of the communities affected by the most recent events.

Such activities may include:

- The development of a Local Recovery Guide.
- Participating in or developing strategic planning activities or exercises related to risk reduction of natural hazards, including community focused disaster risk reduction, plans, policies, frameworks and strategies.
- Supporting the Local Emergency Management Committee and its member emergency services agencies in planning response to future events.
- Assisting and planning with the emergency services events that will educate the community in how to best prepare, plan and respond to natural disaster emergencies if and when they arise.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

The funding has been approved by Resilience NSW under the following conditions:

- All funded resilience officer roles include an upper limit of 32% on-costs.
- The role created is temporary for up to 18 months.

The funding agreement will provide for 100% grant funding for the project. No contribution will be required to be made by Council. Upon acceptance of terms of agreement the following budget adjustments are recommended:

Amend	<u>2022/23 Budget</u>	\$ 43,333
	<u>2023/24 Budget</u>	\$ 86,667

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

Associated Risks

There is the potential risk of not finding a suitable candidate for the role. This being the case Council may be able to apply for an extension of time for the funding to allow additional time to employ someone in the role, and if rejected, may return the grant to the funding body.

RAY KEARNS
MANAGER, INFRASTRUCTURE PLANNING

JULIAN GEDDES
DIRECTOR OPERATIONS

27 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

10.2 Rural Customer Water Fill Station - Introductory Period Review

REPORT BY THE PROJECT OFFICER, WATER AND SEWER AND MANAGER WATER AND SEWER
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, WAT500087

RECOMMENDATION

That Council:

1. **receive the report by the Project Officer, Water and Sewer and Manager Water and Sewer on the Rural Customer Water Fill Station - Introductory Period Review;**
2. **add the new \$3.42 per KL fee to Rural Water Filling Stations for all users (registered and nomads);**
3. **place new fee on public exhibition for 28 days; and**
4. **endorse commencement of the new fee from 1 January 2023 following the 28 days public exhibition period if no submissions are received.**

Executive summary

A report was presented to Council at 16 June 2021 meeting regarding the upgrade of Rural Customer Water Filling Stations in Mudgee, Gulgong and Rylstone. In that report it was proposed to implement an introductory period to allow staff to gather information about the operating requirements to sustain the operation of the upgraded water filling stations.

The following report includes a review of customer feedback, staff resourcing, water usage and operational review since its implementation. This reports highlights the costs to Council to supply the potable water, and recommends introduction of the per KL fee used for residential customers on town water supply.

Disclosure of Interest

Nil

Detailed report

A grant received from the Federal Government under the Drought Communities programme allowed for the upgrade of the Rural Customer Water Fill Stations in the region. New filling stations were installed in Gulgong, Mudgee and Rylstone. The stations provide faster flow rates and quicker filling times for users, and allow Council to monitor usage, which was not possible previously. The upgraded fill points have been operational since October 2021 and have been utilised so far by 134 of the 839 registrants. Registration is only open to customers with a rural address and no connection to town water supply.

Since the commissioning of the filling stations, the region has received higher than average rainfall, and the below usage statistics are not indicative of expected use in a drought situation. The usage terms stipulate that use is for emergency potable water, extracting a maximum of 1000L in one visit.

The statistics indicate that the fill stations are likely not being utilised for their intended purpose, with 7% of users taking more than the allowance per visit. The highest user has extracted 134KL since

their commissioning, which would indicate it is unlikely to be for emergency use and being used for general water supply.

Usage since October 2021

Number of customers to use	134
Number of customers registered	839
Total number of collections	1208
Total KL extracted	1180.82
Value of water not charged (\$3.42 per KL)	\$4,038.40
% of users taking more than 1KL per visit	7% accounting for 19% of the volume extracted
Average duration of transaction	4 min 37 seconds

Summary of Operational Issues

Power Supply

During the design phase, solar panel and battery was the chosen power source for each filling standpipe. Problems have arisen from insufficient battery power, primarily due to continued overcast days in the cooler months. The Gulgong standpipe is a dual controller, and has had the most voltage alarms from insufficient battery. There have been a handful of times where insufficient battery has coincided with a user trying to extract at the standpipe. These instances have been remedied by manually charging the batteries.

Swipe Cards

The system has the ability to be operated through an App or from a swipe card. It was anticipated that a majority of users would choose the app, however the uptake of cards was higher than expected. The swipe cards have been offered to rural customers at no charge, but the cost to Council \$15 ex GST per card, plus any processing time by Customer Service Staff. Since commissioning the fill points, Council has spent \$4500 ex GST on swipe cards, and there is currently no penalty for lost or damaged cards.

There won't be the need to process this high volume of cards every year, but it is anticipated that at least 100 new cards would need to be generated, which is an annual cost of \$1500 ex GST.

Operational costs incurred for investigation or maintenance

When a customer completes a registration online or hard copy the registration requires processing by Customer Service. This process takes approximately 10 minutes per application. This has accounted for at least 100 hours of Customer Service staff, including initial training of registration procedures and standpipe operation.

Water and Sewer staff have had to attend to the fill stations at times, usually to address a no flow alarm, often linked to battery levels. This has accounted for approximately 50 hours of electrician team time since commissioning. Water and sewer operators at times, have been required to attend the fill points, where no flow is recorded when a customer goes to use them. This has accounted for about 50 hours of WS Operator time since commissioning.

Estimate of Annual Operating Costs

Position/Purpose	Cost estimate annually (incl. on-costs)
Electrical Team	\$5,000
WS Operators	\$5,000
Customer Service registration	\$3,000
	\$13,000

Life of asset estimation and cost to replace parts

Asset renewals are required every 5 years for key components of the standpipes.

Estimate of Asset Renewal – 5 yearly

Item	Renewal Cost
Labour incl. on costs	\$3,000
Parts	\$16,104
	\$19,104

Consideration of Nomad (Tourist) potable water

The Council acknowledges the contribution of the tourism industry to the local economy. Part of being a tourist friendly location is providing safe potable water for travellers, including motor homes and caravans using our region during their travels. While there are safe places for nomadic tourists to source potable water, these are generally connected to a caravan park, or in less conspicuous places.

The Water Filling stations have the ability to allow casual users to access potable water via their smart phone, and therefore offering water to these users is an option for Council. There is risk that offering free potable water for casual users would open us to the chance of misuse, so the recommendation in this report is to keep the fee at the domestic use, so if non rural customers use the fill point they will pay the same fee as if using their own residential supply.

For a nomadic traveller, it is unlikely they would collect more than 300L (\$1) per visit.

Introduction of Water Usage Fee

The above discussion highlights the operational cost to provide water for rural customers. Based on these figures the current usage would not cover the operational costs. This report recommends introducing the Potable Water Usage – Residential Fee for all water taken at these fill points.

Introducing a fee would mean that Council has an opportunity to mitigate these costs. Using this functionality, would mean the fill stations are less likely to be misused, and allow for both rural customers and travelling tourist’s access to safe potable water.

It should be noted that Council has the facility to be able to easily and quickly switch off any fee requirement at times of emergency or extreme drought as needed.

The fee allows Council to be sure that the service is being used for its intended purpose, and provides more water security to all users in the region.

Community Plan implications

Theme	Protecting Our Natural Environment
Goal	Provide total water cycle management
Strategy	Provide a water and sewer network that balances asset conditions with available resources and community needs

Strategic implications

Council Strategies

Water Supply Systems Asset Management Plan
 Strategic Business Plan for Water Supply Services

Council Policies

Drinking Water Quality Policy - to provide a commitment to the sustainable management and supply of safe drinking water to our community

Legislation

The Water Management Act 2000 recognises the need to allocate and provide water for the environmental health of our rivers and groundwater systems.

Requirements to ensure safe drinking water are legislated under the Public Health Act 2010 (NSW) and Public Health Regulation 2012 (NSW)

Financial implications

The operation of the water fill stations is funded by Water Fund – Operational

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

Associated Risks

Nil

GEMMA WILKINS
PROJECT OFFICER, WATER AND SEWER

JULIAN GEDDES
DIRECTOR OPERATIONS

2 September 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 11: Community

11.1 Public Spaces Vandalism

REPORT BY THE MANAGER - RECREATION SERVICES
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, F0650008

RECOMMENDATION

That Council:

1. **receive the report by the Manager - Recreation Services on the Public Spaces Vandalism;**
2. **note the recent increase in vandalism and graffiti incidents in public spaces; and**
3. **amend the 2022-23 budget to include \$60,000 from unrestricted cash for the installation of camera surveillance and security lighting in public spaces where vandalism is a proven concern.**

Executive summary

This report seeks Councils support for the installation of surveillance cameras and security lighting in selected public spaces to assist in reducing the acts of vandalism and malicious damage to public assets.

Disclosure of Interest

Nil

Detailed report

A key component of creating a vibrant and sustainable environment for residents and visitors to Mid-Western is the ongoing consideration of the community's safety. Unfortunately, in recent time there has been an increase in the number of vandalism and graffiti incidents throughout Council's recreation and building assets. Vandalism and graffiti have a negative impact on the attractiveness of open space facilities, increase down time of facility access and in some instances lead the community to feeling unsafe to access and use public spaces.

This report aims to highlight the on-going challenges currently being faced with providing safe and pleasant public spaces. It highlights the need for additional security measures to be implemented to assist in reducing the acts of vandalism and malicious damage to public assets. It is proposed that Council support the installation of camera surveillance and security lighting at selected vandalism and graffiti hotspots- where public safety/crime is a proven concern.

The current cost to Council over the past 18-month period for the repair and replacement of Council's assets exceeds \$40,000. This figure excludes the cost associated with Council Officers time to report, record and action reports of vandalism and graffiti. Council Officers are constantly working

with local Police Officers to reduce the level of asset damage. NSW Police have since formally requested that Council consider implementing additional safety measures such as security cameras and lighting. Recent examples of acts of vandalism and malicious damage reporting and graffiti are provided in Attachment 1.

As at September 2022, the following open space sites are proposed to have camera surveillance and security lighting installed:

- Adventure Playground, Gulgong
- Anzac Park, Gulgong
- Apex Park, Gulgong
- Victoria Park, Gulgong
- Billy Dunn Oval, Gulgong
- Waratah Park, Kandos
- Victoria Park, Mudgee

Councils Camera Surveillance Policy supports the installation of surveillance cameras in public spaces to protect community assets. Surveillance of Council assets include amenity buildings, recreation and parks assets (play/exercise equipment, seating, bins etc.) in public places. In-line with this Policy, Council will continue to inform people attending these facilities that video recordings are occurring and maintain detailed privacy and storage obligations.

It is important to note that the proposed additional camera surveillance and security lighting is to be considered as only one item in continuing to provide safe and secure public spaces. A whole-of-community approach is required where police, residents and local community associations continue to work in close partnership to create a widespread all-inclusive approach towards safeguarding public space assets.

Community Plan implications

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

Strategic implications

Council Strategies

Asset Management Plan
Recreation Strategy

Council Policies

Camera Surveillance Policy
Vandalism Policy

Legislation

Surveillance Device Act 2007
Privacy and Information Protection Act 1998
Local Government Act 1993

Financial implications

There is currently no budget allocated for the supply and installation of surveillance cameras and security lighting in public spaces where safety and crime are a proven concern. It is recommended that Council commit a budget of \$60,000 from unrestricted cash to support this initiative to safeguard Councils assets.

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

Associated Risks

The inclusion of camera surveillance and security lighting will assist in safeguarding Council's public spaces assets. In the event that this initiative is not support it is highly likely that Council will need to continue to devote a high level of funds from operational budgets to undertake reactive maintenance for the repair and reinstatement of any damaged assets.

PETER RAINES
MANAGER - RECREATION SERVICES

SIMON JONES
DIRECTOR COMMUNITY

5 October 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.2 Mudgee Arts Precinct Strategic Plan 2022-2028

REPORT BY THE MANAGER, COMMUNITY & CULTURAL SERVICES
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, REC800038

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Community & Cultural Services on the Mudgee Arts Precinct Strategic Plan;**
2. **place the Mudgee Arts Precinct Strategic Plan on public exhibition for 28 days; and**
3. **adopt the Mudgee Arts Precinct Strategic Plan if no submissions are received.**

Executive summary

The Mudgee Arts Precinct Strategic Plan outlines a vision for art for the region and proposes a number of clearly targeted objectives and strategies to facilitate the growth of artistic development.

Disclosure of Interest

Nil

Detailed report

Mid-Western Regional Council is committed to providing arts infrastructure of high quality and actively seeking opportunities to integrate creativity into the many aspects of the region's community life thereby enhancing the liveability of our region. This strategic plan provides a tool for achieving this.

The plan was developed in conjunction with community consultation and will assist in the management of Mudgee Arts Precinct, its gallery spaces and workshops, programs, events and activities.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

This Strategy can be read in conjunction with:

- Mid-Western Regional Council Art Collection Policy;
- MidWestern Regional Council Public Art Policy; and
- Mid-Western Regional Council Public Art Plan.

The plan will also complement a Cultural Plan being developed by Council for the region in coming months.

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

A failure to endorse a Strategic Plan for the Mudgee Arts Precinct may be interpreted by potential external funding bodies as a failure to provide future planning and funding applications may be assessed disadvantageously as a result.

FIONA SHEARMAN
MANAGER, COMMUNITY & CULTURAL
SERVICES

SIMON JONES
DIRECTOR COMMUNITY

30 September 2022

Attachments: 1. DRAFT Mudgee Arts Precinct Strategic Plan. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.3 Family Day Care Policy

REPORT BY THE MANAGER, COMMUNITY & CULTURAL SERVICES
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, COS300043

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Community & Cultural Services on the Family Day Care Policy;**
2. **place the draft updated portions of the Family Day Care Policy on public exhibition for 28 days to seek any additional public comment; and**
3. **endorse the Family Day Care Policy if no further submissions are received through the public exhibition process.**

Executive summary

A recent Assessment and Rating Visit by the New South Wales Department of Education identified three portions of the current Family Day Care Policy that required urgent review in order to remain compliant with the *Education and Care Services National Regulations* and for Family Day Care to continue operating in accordance with *Children (Education and Care Services) National Law 2010 (NSW)*. The balance of policy remains current and, given the broad scope of the policy and its extensive length, only those three areas requiring urgent review are being presented for Council consideration in this report.

Disclosure of Interest

Nil

Detailed report

The three areas of policy requiring urgent review are as follows:

- Child protection;
- Provide a child safe environment; and
- Medical conditions and medication administration.

Child Protection

The policy has been updated to reflect current legislation and to provide several examples of potential indicators of harm to children. It has also been updated to note the Reportable Conduct Scheme established by the *Children's Guardian Act 2019* and the *Child Safe Standards* which Council is required to comply with in response to the *Royal Commission into Institutional Responses to Child Sexual Abuse*.

Providing a Child Safe Environment

This policy has also largely been updated to reflect requirements under the *Children's Guardian Act 2019* and mirrors several mitigating actions noted in the Child Protection Policy.

Medical Conditions and Medication Administration

The updated policy notes a Risk Minimisation and Communication Plan for children with specific health care needs in care, and stresses the importance of thorough medical management plans. The policy also specifically references anaphylaxis/allergy, diabetes and asthma management.

The updated (and tracked) portions of policy are attached to this report.

Community Plan implications

Theme	Looking After Our Community
Goal	A safe and healthy community
Strategy	Maintain the provision of high quality, accessible community services that meet the needs of our community

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Children (Education and Care Services) National Law 2010 (NSW) establishes a National Education and Care Services Quality Framework for the delivery of education and care services to children.

The *Children's Guardian Act 2019* makes provision with respect to the Office of the Children's Guardian; to provide for the functions of that Office; to provide for the safety, welfare and wellbeing of children; and for other purposes.

Financial implications

No specific financials to the Scheme have been identified as a result of the changes to policy outlined above.

Associated Risks

A failure to update policy means that Council is not complying with its obligations under *Children (Education and Care Services) National Law 2010 (NSW)* and will no longer be authorised to operate its Family Day Care Scheme risking quality care arrangements for families with young children across the region, as well as Wellington.

FIONA SHEARMAN
MANAGER, COMMUNITY & CULTURAL SERVICES

SIMON JONES
DIRECTOR COMMUNITY

27 September 2022

Attachments:

1. DRAFT - Child Protection Policy.
2. DRAFT - Provide a Child Safe Environment Policy.
3. DRAFT - Medical Conditions and Medication Administration Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

CHILD PROTECTION

BACKGROUND

Every child has a right to be cared for in a secure environment at all times. It is important that every child is kept safe, is nurtured and is respected and valued as an individual.

The Scheme will implement and review procedures in accordance with the current child protection law, including any obligations that they may have under that law, to ensure all stakeholders within the [childcare services scheme](#) are informed of their responsibilities in child protection matters.

POLICY

- The Coordinator, Child Development Officers and Educators are to hold a recognised child Protection qualification at all times;
- To ensure that all Coordination Unit Staff, Educators and household members hold a Working with Children Clearance at all times;
- To ensure all [stakeholders-Educators, Co-ordination staff, and household members](#) are aware of their Child Protection responsibilities in keeping children safe within the Scheme is paramount;
- To recognise and fulfil our responsibility with regard to Mandatory Reporting Requirements;
- To fulfil [requirements of NSW Interagency Guidelines for Child Protection intervention obligations as a child safe organisation and uphold the National Child Safe Principles and Standards;](#)
- To provide support to Educators in their role when faced with challenging circumstances and / or during the development of reports [after a disclosure or suspicions;](#)
- Maintain privacy, confidentiality and a professional approach at all times;

PROCEDURE

- All Educators and Coordination Unit staff of our service are Mandatory Reporters and are required to report to the Child Protection Helpline (24 hours) (Phone: 132 111 or eReport at: <https://reporter.childstory.nsw.gov.au/s/>) if they have reasonable grounds to suspect a child or young person is at risk of significant harm and have current concern about the safety, welfare or wellbeing of a child or young person.

The Mandatory Reporter Guide will be used, to guide decision making and determine whether or not to report to the Child Protection Helpline under the new risk of significant harm reporting threshold.

In the event that an Educator or Coordination Unit staff member believes that a child or young person is in immediate danger, the following steps need to occur immediately:

1. Call the appropriate emergency services via 000 and follow operator instructions
2. When next appropriate, call the Coordination Unit immediately and speak with the Coordinator
3. A written observation, including the date and full name of child, identifying the concern/ incident must be documented immediately and be based on:
 - first hand observation of the child, young person or family
 - what the child, young person, parent or other person has disclosed
 - what can reasonably be inferred based on professional training and/or experience
 - Have written observations of the child available for discussion
4. Access the Mandatory Reporter Guide (MRG) (<https://reporter.childstory.nsw.gov.au/s/mrg>) to see if the child is at Risk of Significant Harm.
 - Print out the decision report
 - Retain report in the child's confidential file.
 - Forward a copy to the Coordination Unit
 - a) If MRG informs child is AT RISK OF SIGNIFICANT HARM
 - Mandatory Reporter must make a report directly via the ChildStory Reporter site or via the Child Protection Helpline on 132 111
 - Or
 - B) If MRG informs the child is NOT at Risk of Significant Harm
 - Continue to record clear, dated, objective observations.
 - Maintain documentation in a confidential file
 - Discussed with the Nominated Supervisor before filing.
 - Work closely to support the child and family
 - Or
 - C) If MRG informs child is NOT at Risk of Significant harm BUT staff remain concerned contact the Child Protection Helpline on 132 111 to seek further advice.
5. The Coordinator or the Manager of Community and Cultural Services is to upload information into the National Quality Agenda IT system within 24 hours of notification.

In the event that child or young person makes a disclosure to an Educator or Coordination Unit staff member

Follow procedure above AND:

- Remain calm and objective and Comfort the child
- Listen to and believe the child
- Don't make promises that you cannot keep
- Convey messages that it is not their fault and it was right to tell
- Tell them you will need to talk to other people whose job it is to help keep children safe
- Report to the Coordinator as soon as possible that same day.

• If a child makes a disclosure in a group situation, calmly follow through on issues discussed with all children regarding protective behaviours. As soon as possible without removing the child from the group inappropriately, move to a quiet area and follow the steps outlined above.

Note that our role is to support the wellbeing of the child, not to investigate the disclosure. Do not question the child about the details of the abuse/neglect as legal proceedings may be jeopardised.

Following are indicators of Abuse:

There are many indicators of harm to children. Behavioural or physical signs which assist in recognising harm to children are known as indicators. The following is a guide only. One indicator on its own may not imply abuse or neglect. However, a single indicator can be as important as the presence of several indicators. Each indicator needs to be considered in the context of other indicators and the child's circumstances. A child's behaviour is likely to be affected if he/she is under stress. There can be many causes of stress and it is important to find out specifically what is causing the stress. Abuse and neglect can be single incidents or ongoing, and may be intentional or unintentional.

General indicators of abuse and neglect

- marked delay between injury and seeking medical assistance
- history of injury
- the child gives some indication that the injury did not occur as stated
- the child tells you someone has hurt him/her
- the child tells you about someone he/she knows who has been hurt
- someone (relative, friend, acquaintance, sibling) tells you that the child may have been abused.

Neglect

Child neglect is the continued failure by a parent or caregiver to provide a child with the basic things needed for his or her proper growth and development, such as food, clothing, shelter, medical and dental care and adequate supervision.

Some examples are:

- inability to respond emotionally to the child
- child abandonment
- depriving or withholding physical contact
- failure to provide psychological nurturing
- treating one child differently to the others

Indicators of Neglect in children:

- [poor standard of hygiene leading to social isolation](#)
- [scavenging or stealing food](#)
- [extreme longing for adult affection](#)
- [lacking a sense of genuine interaction with others](#)
- [acute separation anxiety](#)
- [self-comforting behaviours, e.g. rocking, sucking](#)
- [delay in development milestones](#)
- [untreated physical problems](#)

[Physical Abuse](#)

[Physical abuse is a non-accidental injury or patten of injuries to a child caused by a parent, caregiver or other person. Educators will be particularly aware of looking for possible physical abuse if parents or caregivers:](#)

- [make direct admissions from parents about fear of hurting their children](#)
- [have a family history of violence](#)
- [have a history of their own maltreatment as a child](#)
- [make repeated visits for medical assistance](#)

[Indicators of Physical Abuse in children:](#)

- [facial, head and neck bruising](#)
- [lacerations and welts](#)
- [explanations are not consistent with injury](#)
- [bruising or marks that may show the shape of an object](#)
- [bite marks or scratches](#)
- [multiple injuries or bruises](#)
- [ingestion of poisonous substances, alcohol or drugs](#)
- [sprains, twists, dislocations](#)
- [bone fractures](#)
- [burns and scalds](#)

[Indicators of Emotional Abuse in children](#)

Emotional abuse occurs when an adult harms a child’s development by repeatedly treating and speaking to a child in ways that damage the child’s ability to feel and express their feelings. Some examples are:

- constant criticism, belittling, teasing of a child or ignoring or withholding praise and affection
- excessive or unreasonable demands
- persistent hostility, severe verbal abuse, rejection and scape-goating
- belief that a particular child is bad or “evil”
- using inappropriate physical or social isolation as punishment
- exposure to domestic violence

Indicators of emotional abuse in children:

- feeling of worthlessness about them
- inability to value others
- lack of trust in people and expectations
- extreme attention seeking behaviours
- other behavioural disorders (disruptiveness, aggressiveness, bullying)

Sexual Abuse

Sexual abuse is when someone involves a child in a sexual activity by using their power over them or taking advantage of their trust. Often children are bribed or threatened physically and psychologically to make them participate in the activity. Educators will be particularly aware of looking for possible sexual abuse if parents or caregivers are suspected of or charged with child sexual abuse or display inappropriate jealousy regarding age appropriate development of independence from the family. Sexual abuse includes:

- exposing the child to sexual behaviours of others
- coercing the child to engage in sexual behaviour with other children
- verbal threats of sexual abuse
- exposing the child to pornography

Indicators of Sexual Abuse in children:

- they describe sexual acts
- direct or indirect disclosures
- age inappropriate behaviour and/or persistent sexual behaviour

- [self-destructive behaviour](#)
- [regression in development achievements](#)
- [child being in contact with a suspected or know perpetrator of sexual assault](#)
- [bleeding from the vagina or anus](#)
- [injuries such as tears to the genitalia](#)

[Psychological Abuse](#)

[Psychological harm occurs where the behaviour of the parent or caregiver damages the confidence and self-esteem of the child, resulting in serious emotional deprivation or trauma. In general, it is the frequency and duration of this behaviour that causes harm. Some examples are:](#)

- [excessive criticism](#)
- [withholding affection](#)
- [exposure to domestic violence](#)
- [intimidation or threatening behaviour.](#)

[Indicators of psychological abuse in children include:](#)

- [constant feelings of worthlessness](#)
- [unable to value others](#)
- [lack of trust in people](#)
- [lack of people skills necessary for daily functioning](#)
- [extreme attention seeking behaviour](#)
- [extremely eager to please or obey adults](#)
- [takes extreme risks, is markedly disruptive, bullying or aggressive](#)
- [suicide threats](#)
- [running away from home](#)

[Indicators of Domestic Violence in children:](#)

- [show aggressive behaviour](#)
- [develop phobias and insomnia](#)
- [experience anxiety](#)
- [show systems of depression](#)

- have diminished self esteem
- demonstrate poor academic performance and problem-solving skills
- have reduced social competence skills including low levels of empathy
- show emotional distress
- have physical complaints

All Educators and Educators' Household Members over 18 years are to have a current and relevant Working with Children Check (WWCC) clearances and have a current National Police Record Check (NPC) arranged by Council before they can commence their Family Day Care Service. They must give provide the Coordination Unit with their WWCC number to be verified through the Human Resources (HR) Department at Council. WWCC's last for are valid for 5 years and must be renewed before they expire (if not cancelled beforehand). Should an Educator or Household member's WWCC expire or be cancelled the service will need to cease operation until clearance is received.

Coordination Unit Staff will –

- Seek verification of WWCC clearance for stakeholders through HR.
- Support Educators in the event that they need to make a report regarding child protection
- In the event that there are suspicions or allegations regarding an Educator, report as outlined above.
- Keep documentation on interviews, discussions, phone calls in relation to the Educator / family/ matter involved.

Educators will –

- The Educator must notify the Scheme, if an Educator or any person who is normally a resident at the home of the Educator has been charged with or convicted of such an offence.
- If a person wishes to People who reside for longer than three weeks on a property (not just in the home) of an Educator, they will also need to obtain a Working with Children Check clearance to be verified through the Human Resources Department at Council.
- Notify the Nominated supervisor. If they or an Educator or Household member is charged or is under investigation for any criminal offence, the Coordination Unit Nominated Supervisor will use their discretion as to whether the Service will remain open until the issue is resolved.
- All Coordination Unit Staff, Educators (AND HOUSEHOLD MEMBERS AT THE DISCRETION OF THE COORDINATOR)

are to have a current National Police Record Check (NPC) arranged by Council.

- Educators will undertake Child Protection Refresher Training on responding to and recognising the signs of child abuse at during their initial Registration process, and must undergo the full child protection course- CHCPRT001 – Identify and respond to children and

[young people at risk](#) within 12 months of starting their Family Day Care Service, should their qualification require updating.

- ~~Coordination Unit staff Coordinators must undertake a refresher annually, and Educators will k~~Keep informed of current Child Protection matters by participating in professional development [in the form of a refresher course](#), at least every two years [or sooner if qualification requirements change](#).
- ~~Educators and staff are mandated to r~~Report suspected cases of abuse to children less than 16 years of age. Parents are informed that Educators and Coordination Unit staff are mandatory reporters at enrolment (Parent Handbook).

An Educator or staff member may report directly to the NSW Departments of Education and Family and Communities and Justice (DCJ) via Services via the helpline or via fax after completing the online mandatory reporters guide on The ChildStory Reporter Community website. Educators should maintain a diary of concerns. For example: child bruising, disclosures or comments from children, parents/guardians etc.

If an Educator has concerns they would like to clarify, they may speak with a member of the Coordination Unit. The Coordination Unit staff should keep written notes on interviews, discussions, phone calls in relation to the Educator / family/ matter involved.

- [If an Educator has concerns about a one of the Council's Coordination Unit staff member they should contact the Nominated Supervisor or the Manager of Community and Cultural Services](#), and provide any documentation that they have collected. Council will follow their own Children and Vulnerable Person's ~~p~~Policy and Procedure.

[Reportable conduct definitions](#)

The Children's Guardian Act 2019 defines reportable conduct as:

- [a sexual offence](#)
- [sexual misconduct](#)
- [ill-treatment of a child](#)
- [neglect of a child](#)
- [an assault against a child](#)
- [an offence under s 43B \(failure to protect\) or s 316A \(failure to report\) of the Crimes Act 1900; and](#)
- [behaviour that causes significant emotional or psychological harm to a child.](#)

[Sexual offence](#)

[A sexual offence is an offence of a sexual nature under a law of NSW, another state/territory, or the Commonwealth committed against, with or in the presence of a child, such as:](#)

- [sexual touching of a child;](#)

- a child grooming offence;
- production, dissemination or possession of child abuse material.

An alleged sexual offence does not have to be the subject of criminal investigation or charges for it to be

categorised as a reportable allegation of a sexual offence.

Sexual misconduct

The Act defines sexual misconduct to mean any conduct with, towards or in the presence of a child that is

sexual in nature (but is not a sexual offence) and provides the following (non-exhaustive) examples:

- descriptions of sexual acts without a legitimate reason to provide the descriptions;
- sexual comments, conversations or communications;
- comments to a child that express a desire to act in a sexual manner towards the child, or another child. Note - crossing professional boundaries comes within the scope of the scheme to the extent that the alleged conduct meets the definition of sexual misconduct. That is, conduct with, towards or in the presence of a child that is sexual in nature (but is not a sexual offence).

Assault

Technically, any form of unwarranted touching can, depending on the context in which it occurs, constitute an assault. However, the Act explicitly exempts from notification assaults that are, in all the circumstances, trivial or negligible – as long as they are investigated under workplace procedures. Generally, physical force that does not result in more than transient injury and which had no potential to result in serious injury –

with consideration to the context and circumstances in which the alleged assault took place – would be considered ‘trivial or negligible’.

Under the Act, an assault can occur when a person intentionally or recklessly (ie. knows the assault is possible but ignores the risk):

- applies physical force against a child without lawful justification or excuse - such as hitting, striking, kicking, punching or dragging a child (actual physical force); or
- causes a child to apprehend the immediate and unlawful use of physical force against them – such as threatening to physically harm a child through words and/or gestures and regardless of whether the person actually intends to apply any force (apprehension of physical force).

Allegations of 'serious physical assault', if proven, must be reported to the OCG for the purpose of the Working with Children Check. Therefore, it is important to obtain the information necessary to determine whether the alleged assault, if proven, will constitute a serious physical assault.

Serious physical assault

A physical assault is not serious where:

- it only involves minor force; and
- it did not, and was not ever likely to, result in serious injury.

A physical assault is serious where:

- it results in the child being injured, beyond a type of injury like a minor scratch, bruise or graze; or
- it had the potential to result in a serious injury; or
- the injury suffered may be minor, but the assault is associated with aggravating circumstances (in this regard, aggravating circumstances might include associated inhumane or demeaning behaviour by the employee, for example kicking a child, pulling a child by grabbing the child around the neck)

Ill-treatment

The Act defines ill treatment as conduct towards a child that is:

- unreasonable; and
- seriously inappropriate, improper, inhumane or cruel.

Ill-treatment can include a range of conduct such as making excessive or degrading demands of a child; a pattern of hostile or degrading comments or behaviour towards a child; and using inappropriate forms of behaviour management towards a child.

Neglect

The Act defines neglect to mean a significant failure – by a person with parental responsibility for the child, or an authorised carer or an employee if the child is in the employee's care – to provide adequate and proper food, supervision, nursing, clothing, medical aid or lodging for the child that causes or is likely to cause harm to the child.

Neglect can be an ongoing situation of repeated failure by a caregiver to meet a child's physical or psychological needs or a single significant incident where a caregiver fails to fulfil a duty or obligation, resulting in actual harm to a child or where the failure is likely to cause harm.

Examples of neglect include failing to protect a child from abuse and exposing a child to a harmful environment.

Child Safe Standards

The Child Safe Standards recommended by the Royal Commission into Institutional Responses to Child Sexual Abuse provide a framework so organisations can create cultures and adopt strategies to keep children safe from harm.

STANDARD 1: Child safety is embedded in organisational leadership, governance and culture.

STANDARD 2: Children participate in decisions affecting them and are taken seriously

STANDARD 3: Families and communities are informed and involved.

STANDARD 4: Equity is upheld and diverse needs are taken into account.

STANDARD 5: People working with children are suitable and supported.

STANDARD 6: Processes to respond to complaints of child abuse (or other concerns) are child focused.

STANDARD 7: Staff are equipped with the knowledge, skills and awareness to keep children safe through continual education and training.

STANDARD 8: Physical and online environments minimise the opportunity for abuse to occur.

STANDARD 9: Implementation of the Child Safe Standards is continuously reviewed and improved.

STANDARD 10: Policies and procedures document how the organisation is child safe.

Educating Children about Protective Behaviour

- Educators will be supported to complete the Safe Series training created by Office of Children's

Guardian NSW. <https://www.ocg.nsw.gov.au/child-safe-organisations/training-and-resources/webinars-and-face-to-face-training/safe-books-and-workshops>

- Educators will use books and resources attained from Office of Children's Guardian NSW through Safe Series

- Educators will regularly include child protection issues in the curriculum. For example, they will intentionally teach children:

- about acceptable/unacceptable behaviour, and appropriate/inappropriate contact in a manner suitable to their age and level of understanding

- that they have a right to feel safe at all times

- to say 'no' to anything that makes them feel unsafe

- the difference between 'fun' scared that is appropriate risk taking and dangerous scared that is not okay

- to use their own skills to feel safe

- [to recognise signs that they do not feel safe and need to be alert and think clearly](#)
- [that there is no secret too awful, no story too terrible, that they can't share with someone they trust](#)
- [that educators are available for them if they have any concerns](#)
- [to tell educators of any suspicious activities](#)
- [to recognise and express their feelings verbally and non-verbally](#)
- [that they can choose to change the way they are feeling.](#)

INFORMATION EXCHANGE

The Children's Legislation Amendment (Wood Inquiry Recommendations) Act 2009 expands the information sharing provisions of the Children and Young Persons (Care and Protection) Act 1998 to allow a freer exchange of information between prescribed bodies (Government agencies and non-government organisations) relating to a child or young person's safety, welfare or wellbeing.

Certain agencies can share information regarding the safety, welfare and wellbeing of children and young people and their families without the families' consent; however, where possible, client consent should be sought.

CONTACTS

Child Protection Helpline 132 111 (Mandatory reporters line only)

[Keep Them Safe Support Line](http://www.keepthemsafe.nsw.gov.au/contact_us) www.keepthemsafe.nsw.gov.au/contact_us

Ombudsman's Office: [Email: nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)

[Office of Children's Guardian](http://www.ocg.nsw.gov.au) www.ocg.nsw.gov.au

RELEVANT LEGISLATION

[Children's Guardian Act 2019](#)

Children (Education and Care Services) National Law 2010 (NSW)

Education and Care Services National Regulations 2018 (NSW)

Children (Education and Care Services) Supplementary Provisions Regulation 2019 (NSW)

Children Legislation Amendment (Wood Inquiry Recommendations) Act 2009 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

[Ombudsman Act 1974 \(NSW\)](#)

[Ombudsman Amendment \(Child Protection and Community Services\) Act 1998 \(NSW\)](#)

Child Protection (Working with Children) Act 2012 (NSW)

[Child Protection \(Working with Children\) Regulation 2013](#)

[Crimes Act 1900](#)

Adoption Act 2000 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Community Services (Complaints, Reviews and Monitoring) Act 1993 (NSW)

[Disability Inclusion Act 2014](#)

[Anti-Discrimination Act 1977](#)

KEY RESOURCES

National Quality Standard (ACECQA)

Child Care Provider Handbook (Department of Education and Training)

“Keep Them Safe: A shared approach to child wellbeing”, NSW Government
www.keepthemsafe.nsw.gov.au

www.community.nsw.gov.au

www.kids.nsw.gov.au

Office of Children’s Guardian <https://ocg.nsw.gov.au/>

NSW Mandatory Reporter Guide <https://reporter.childstory.nsw.gov.au/s/mrg>

[United Nations Convention Rights of a Child](#)

PROVIDING A CHILD SAFE ENVIRONMENT

BACKGROUND

Our service has a moral and legal responsibility to ensure that the rights and best interests of the child are paramount and that we will provide training, resources, information and guidance to support this in order to:

- ensure that the health, safety and wellbeing of children at the service is protected at all times;
- ensure that people educating and caring for children at the service act in the best interests of the child;
- protect and advocate the rights of all children to feel safe, and be safe, at all times;
- maintaining a culture in which children's rights are respected;
- encouraging active participation from and collaboration with families at the of each service, supporting to support a partnership approach to and shared responsibility for children's health, safety, wellbeing and development.

The Scheme is committed to providing a safe environment for the children who are in care within the Services and understands the our-

The Scheme has a responsibility responsibility to advocate for the wellbeing of children and young people in a holistic and community context.-

The Scheme We understand and recognises the vulnerability of children of all ages and the need to exercise vigilance in regard to their wellbeing and take reasonable precaution to protect them from any harm and-or hazard which has the likelihood to cause injury.-

POLICY

- The Scheme will aim to provide safe, and respectful and ethical environments and paying careful consideration, preparation and attention to the potential dangers posed to children and young people in a childcare setting.
- The Scheme will operate in accordance with the current child protection laws ensuring current reporting obligations are met.
- Recognise and fulfil our responsibility with regard to Mandatory Reporting Requirements.
- Fulfil obligations as a child safe organisation and uphold the National Child Safe Principles and Standards.

- ~~The Scheme will a~~Actively play a role in informing and supporting families ~~and communities.~~
~~The Scheme will, in addition, by facilitating e~~ and maintaining ~~community liaison with~~
partners who exist to support families and children.
- ~~Educators will facilitate nurturing emotional environments and monitor each child's overall~~
wellbeing and care.

PROCEDURE

The Coordination Unit ~~and Educators will -~~ :

- Within the limits of their obligations, ensure that children are protected from child abuse and facilitate wellbeing as defined in the Children and Young Persons (Care and Protection Act) 1998 and UNICEF Convention on the Rights of the Child 1989.
- Facilitate a culture of commitment to child protection through a range of policies, procedures and practices.

Ensure the prompt notification and investigation of allegations of risk of harm where allegations involve Educators, their family or Coordination Unit staff where there is an obligation to notify, irrespective of supporting evidence.

•

• Educators will -

- Ensure all children are adequately supervised at all times ~~by establishing and maintaining~~
~~procedures~~ to ensure all those with ~~unsupervised~~ access to children are screened to ensure they are not ~~a~~ prohibited persons and to ensure only ~~suitably qualified and able~~ authorised persons have responsibility for children.

• ~~Facilitate the reporting of children and young persons at risk of harm~~

- ~~R~~Provide a system of reporting of any allegations of reportable offences in compliance with mandatory reporting requirements of the Ombudsman Act 1974 the Office of the Children's Guardian as per Child Protection Policy;

• ~~Ensure the prompt notification and investigation of allegations of risk of harm where allegations involve Educators their family or staff where there is an obligation to notify, irrespective of supporting evidence.~~

- Ensure every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury through undertaking routine safety checks, home and premises risk assessments and educating children and Educators in safety awareness.

• Deal with injury, trauma and illness, as effectively as possible, when they happen, then complete any required paperwork and within the required/legislative timeframe;

- Apply preventative measures, source and attend appropriate training, ~~adher~~adhereing to Scheme Policy and procedures, regulatory requirements and forward planning will ensure the Service Scheme's aims to protect children from harm and hazard are met; ;

- Ensure comprehensive and current knowledge about the health and special requirements of every child in their Services is obtained, ~~and~~ documented and kept up to date as per the Medical Conditions and Medical Administration Policy.
- Adhere to the Scheme's adopted Code of Ethics, Code of Conduct and Child Protection Policies.

Child Protection Requirements

- Ensure that all Coordination Unit staff, Educators, household members over the age of 18 years, students and volunteers have current working with children check clearances (or equivalent as required by state or territory specific legislation as updated from time to time).
- Ensure that all staff and Educators are given information and/or training about child protection law and any obligations they have under that law.
- Refer to the Child Protection Policy.
- Refer to the Acceptance and Refusal Authorisations Policy

RELEVANT LEGISLATION

Children's Guardian Act 2019

Children (Education and Care Services) National Law 2010 (NSW)

Education and Care Services National Regulations 2018 (NSW)

Children (Education and Care Services) Supplementary Provisions Regulation 2019 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Children and Young Persons (Care and Protection) Act 1998 (NSW)

Child Protection (Working with Children) Act 2012 (NSW)

Child Protection (Working with Children) Regulation 2013

Ombudsman Act 1974 (NSW)

Public Interest Disclosures Act 1994 (NSW) ?

Crimes Act (1900)

Adoption Act 2000 (NSW)

Children and Young Persons (Care and Protection Act) Act 1998 (NSW)

Disability Inclusion Act 2014

Anti-Discrimination Act 1977

KEY RESOURCES

National Quality Standard (ACECQA)

[Office of Children's Guardian https://ocg.nsw.gov.au/](https://ocg.nsw.gov.au/)

[NSW Mandatory Reporter Guide https://reporter.childstory.nsw.gov.au/s/mrg](https://reporter.childstory.nsw.gov.au/s/mrg)

Child Care Provider Handbook (Department of Education and Training)

Early Childhood Australia Code of Ethics www.earlychildhoodaustralia.org.au

UNICEF Convention on the Rights of the Child 1989

[CHILD SAFE STANDARDS](#)

DRAFT

MEDICAL CONDITIONS AND MEDICATION ADMINISTRATION ~~– (REGULATIONS 90, 92, 93 95, 95, 96)~~

BACKGROUND

The Scheme is committed to providing a safe and healthy environment for all children, Educators, staff and other persons attending the Scheme and individual Services.

Coordination Unit staff and Educators will respond immediately to the needs of a child who ~~is is~~-ill while attending the Service and ensure safe and appropriate administration of medication in accordance with legislative and regulatory requirements.

POLICY

- To ensure that all precautions are taken to provide a safe and healthy environment for the children in care with the Scheme and its Services.
- To ensure a child receives appropriate care whilst sick and any appropriate treatment involving medication.
- To provide procedures to be followed when a child requires medication while attending a Service.
- To outline the responsibilities of the Coordination Unit, Educators and parents/guardians to ensure the safe administration of medications.
- To ensure that a child with ongoing medical conditions is not discriminated against in any way.
- To ensure that any child, Educator or Coordination Unit staff member has a medical management plan and a risk minimisation and communication plan for any diagnosed medical condition, or as soon as practicable after a diagnosis.

PROCEDURE

Medication (including prescription, non-prescription, over the counter and homeopathic medications) must not be administered to a child at a Service without the written authorisation of a parent/guardian or person with the lawful authority to consent to the administration of medical attention to the child.

In the case of an emergency, it is acceptable to obtain verbal consent from a parent/guardian, or to obtain consent from the registered medical practitioner or medical emergency services if the child's parent / guardian cannot be contacted.

In the case of an anaphylaxis or asthma emergency, medication may be administered to a child without authorisation following the direction of the child's medical ~~management~~-management plan.

In this circumstance, the child's parent/guardian and/or emergency services must be contacted as soon as possible.

~~When Educators are required to administer medication, they must abide by specific regulatory requirements (regulation 95) complete medication form, medication must be in original label and container with name of child, dosage and expiry date, such as written consent, and must follow the guidelines of this policy and procedures.~~

~~If medication is administered to a child by an educator, the medication must:~~

- ~~• Be from its original container, bearing the original label and instructions and before the expiry or use by date; and~~
- ~~• If prescribed by a registered medical practitioner, that original container must also bear the original label with the name of the child to whom the medication is to be administered.~~

~~The medication must be administered in accordance with any instructions:~~

- ~~• Attached to the medication; or~~
- ~~• Any written or verbal instructions provided by a registered medical practitioner; and~~
- ~~• The parent or authorised nominee and Educator are to complete a Medication Authorisation from any time medication is administered.~~

MEDICAL CONDITIONS

If an enrolled child has a specific health care need, allergy or relevant medical condition, parents are to provide a medical ~~management~~ management plan from a doctor at enrolment (~~and then~~ updated annually) or as soon after the diagnosis as possible or at anytime a child's requirements change. These include, but are not limited to, asthma, diabetes, epilepsy or a diagnosis that a child is at risk of anaphylaxis.

~~Prior to~~At registration the parent will be required to ~~Minimisation~~ provide a current medical ~~management~~ management plan. A medical ~~management~~ management plan is to be completed by the child's medical practitioner not by the parent. The plan is to be followed in the event of an incident relating to the child's specific health care need, allergy or relevant medical condition.

A Risk Minimisation and Communication plan is required to be completed by the parent prior to the child commencing at the service- or as soon as practicable after a medical condition has been diagnosed by a medical practitioner.

The Risk Minimisation and Communication Plan ~~(eg. Asthma Plan)~~ will -

- ensure that the risks relating to the child's specific health care need, allergy or relevant medical condition are assessed and minimised; and

- if relevant, ensure that practices and procedures in relation to the safe handling, preparation, consumption and service of food are developed and implemented; and
- if relevant, ensure that practices and procedures to ensure that parents are notified of any known allergens that pose a risk to a child and strategies for minimising the risk are developed and implemented; and
- ensure that practices and procedures ensuring that all staff members, students and volunteers can identify the child, the child's medical ~~management~~ management plan and the location of the child's medication ~~are developed and implemented~~; and
- if relevant, ensure that practices and procedures ensuring that the child does not attend a Service without medication prescribed by the child's medical practitioner in relation to the child's specific health care need, allergy or relevant medical condition ~~are developed and implemented~~.
- ensure that relevant staff members, students and volunteers are informed about the medical conditions policy and the medical ~~management~~ management plan and risk minimisation plan for the child; and
- ensure that a child's parent ~~can~~ communicates any changes to the medical ~~management~~ management plan ~~by providing updated management plan~~ and ~~updates the child's~~ risk minimisation ~~and communication~~ plan for the child, setting out how that communication can occur.

~~The medical conditions policy of the Scheme must set out practices in relation to self-administration of medication by children over preschool age if the Scheme permits that self-administration.~~

A copy of the Medical Conditions and Medication Administration Policy is provided to the parent of a child who has a specific health care need, allergy or other relevant medical condition, upon registration ~~and at anytime the policy changes/updates~~.

The Educator ~~who will be~~ caring for the child ~~must will have a copy be informed about~~ of the plans ~~stored with the child's medication to be followed~~.

Educators and Coordination Unit staff responsible for the child with a medical condition shall:

- ensure a copy of the child's medical ~~management~~ management ~~action~~ plan is visible and known to other Educators and Coordination Unit staff in the Service and during playsessions.
- follow the child's medical management action plan in the event of a reaction / seizure / incident.
- ensure that the medical ~~management~~ management ~~action~~ plan signed by the child's medical practitioner and in the case of anaphylaxis a complete auto-injection device kit (which must contain a copy the child's anaphylaxis medical ~~management~~ action ~~management~~ plan) is provided by the parent/guardian for the child while at the Service.
- ensure that the auto-injection device kit is stored in a location that is known to all Educators, Coordination Staff and residents at the Educator's Service, including students and -volunteers; easily accessible to adults (not locked away); inaccessible to children; and away from direct sources of heat.

- ensure that the auto-injection device kit containing a copy of the medical ~~management~~ ~~management~~ ~~action~~ plan for each child at risk of anaphylaxis is carried by a staff member or Educator accompanying the child when the child is removed from the residence or venue (e.g. on excursions that this child attends).
- ~~regularly~~ Regularly check the adrenaline auto-injection device expiry date.
- The adrenaline auto-injection device is disposed of responsibly once used or upon redundancy.
- Ensure emergency contact details for parents and authorised persons are accessible, current and up to date

Parents / guardians are responsible for -

Ensuring that their child's enrolment details are up to date, and ~~providing~~ providing current details of persons who have lawful authority to request or permit the administration of medication.

Providing a current medical management plan when their child requires long term treatment of a condition that includes medication, or their child has been prescribed medication to be used for a diagnosed medical condition in an emergency. This may be, but are not limited to –

- Asthma
- Anaphylaxis
- Diabetes
- Epilepsy
- ADHD

Physically ~~handing~~ handing the medication to the Educator and informing them of the appropriate storage and administration instructions for the medication provided.

Ensuring that prescribed medications to be administered at the Service are within their expiry date.

Taking all medication home at the end of each session/day, unless both the parents/guardians and Educator agree to store those medications at the service for future administration, if required.

Providing a ~~fit~~ fit pack to dispose of diabetes needles appropriately.

Informing the Service if any medication has been administered to the child before bringing them to the Service, and if the administration of that medication is relevant to or may affect the care provided to the child at the Service.

~~Providing a current medical management management plan when their child requires long term treatment of a condition that includes medication, or their child has been prescribed medication to be used for a diagnosed medical condition in an emergency. This may be, but are not limited to –~~

- ~~Asthma~~
- ~~Anaphylaxis~~
- ~~Diabetes~~

• Epilepsy

• ADHD

MEDICATION ADMINISTRATION

Any medication is only to be given to a child with the written permission of the parent.

Ensuring that each child's enrolment form provides details of the name, address and telephone number of any person who has lawful authority to request and permit the administration of medication to the child.

There should be one medication form per child. The form must be completed before the medication is administered. Medication Authorities are to be completed by the Educator and parent and kept in the appropriate family files and returned to the Coordination Unit once the child ceases care with the service.

Medication is to be clearly labelled with the child's name and in its original container with pharmacy labels.

Children should not be given medication that is prescribed for another person.

Expired medications are will not be administered.

Medication to be stored at safe, prescribed temperatures and inaccessible to children in care. No medications should be left in the child's bag.

Children will be excluded from care for 24 hours from commencing antibiotics to ensure they have no side effects to the medication.

Herbal medications or remedies must be accompanied by a letter from the practitioner detailing the child's name, dosage and expiry date for the medication.

A child over preschool age may self-administer medication with written authorisation from their parents and their doctor. (Regulation 96)

(a) an authorisation for the child to self-administer medication is recorded in the medication record for the child under regulation 92; and

(b) the medical conditions policy of the service includes practices for self-administration of medication.

In the case of an emergency, it is acceptable to obtain verbal consent from a parent, or a registered medical practitioner or medical emergency services if the child's parent cannot be contacted.

In the case of an anaphylaxis or asthma emergency, medication will be administered to a child without authorisation. In this circumstance, the child's parent and emergency services must be contacted as soon as possible. Where emergency services or medical practitioners become involved in the medical needs of a child, the Educator service must consider the requirements for notifying the Scheme-Nominated Supervisor of a serious incident. (Incident, Injury, Trauma and Illness Policy).

Anaphylaxis/Allergy Management

While not common, anaphylaxis is life threatening. It is a severe allergic reaction to a substance. While prior exposure to allergens is needed for the development of true anaphylaxis, severe allergic reactions can occur when no documented history exists. We are aware that allergies are very specific to an individual and it is possible to have an allergy to any foreign substance. Symptoms of anaphylaxis include difficulty breathing, swelling or tightness in the throat, swelling tongue, wheeze or persistent cough, difficulty talking, persistent dizziness or collapse and in young children paleness and floppiness. Anaphylaxis is often caused by a food allergy. Foods most commonly associated with anaphylaxis include peanuts, seafood, nuts and in children eggs and cow's milk.

To minimise the risk of exposure of children to foods that might trigger severe allergy or anaphylaxis in susceptible children, educators and Coordination Unit staff will:

- ensure children do not trade food, utensils or food containers
- prepare food in line with a child's medical management plan and family recommendations
- use non-food rewards with children, for example, stickers for appropriate behaviour
- request families to label all bottles, drinks and lunchboxes etc with their child's name

consider whether it's necessary to change or restrict the use of food products in craft, science experiments and cooking classes so children with allergies can participate

- sensitively seat a child with allergies at a different table if food is being served that he/she is allergic to, so the child does not feel excluded. If a child is very young, the family may be asked to provide their own high chair to further minimise the risk of cross infection
- hold non-allergic babies when they drink formula/milk if there is a child diagnosed at risk of anaphylaxis from a milk allergy
- closely supervise all children at meal and snack times, ensure food is eaten in specified areas and children are not permitted to 'wander around' the service with food

Allergic reactions and anaphylaxis are also commonly caused by:

- animals, insects, spiders and reptiles
- drugs and medications, especially antibiotics and vaccines
- many homeopathic, naturopathic and vitamin preparations
- many species of plants, especially those with thorns and stings
- latex and rubber products
- Band-Aids, Elastoplast and products containing rubber-based adhesives.

Asthma Management

Asthma is a chronic lung disease that inflames and narrows the airways. Asthma symptoms include wheezing, cough, chest tightness or shortness of breath. Educators and staff will implement measures to minimise the exposure of susceptible children to the common triggers which can cause an asthma attack.

These triggers include:

- dust and pollution
- inhaled allergens, for example mould, pollen, pet hair
- changes in temperature and weather, heating and air conditioning
- emotional changes including laughing and stress
- activity and exercise

To minimise exposure of susceptible children to triggers which may cause asthma, educators and staff will ensure children's exposure to asthma triggers are minimised. This may for example,

- plan different activities so children are not exposed to extremes of temperature eg cold outdoors and warm insides
- restrict certain natural elements from inside environments
- supervise children's activity and exercise at all times
- keep children indoors during periods of heavy pollution, smoke haze or after severe storms which may stir up pollen levels etc

Diabetes Management

Diabetes is a chronic condition where the levels of glucose (sugar) in the blood are too high. Glucose levels are normally regulated by the hormone insulin. The most common form of diabetes in children is Type 1. The body's immune system attacks the insulin producing cells so insulin can no longer be made. People with type 1 diabetes need to have insulin daily and test their blood glucose several times a day, follow a healthy eating plan and participate in regular physical activity.

Type 2 diabetes is often described as a 'lifestyle disease' because it is more common in people who are overweight and don't exercise enough. Type 2 diabetes is managed by regular physical activity and healthy eating. Over time type 2 diabetics may also require insulin.

Symptoms of diabetes include frequent urination, excessive thirst, tiredness, weight loss, vision problems and mood changes. People who take medication for diabetes are also at risk of hypoglycaemia (they may have a "hypo") if their blood sugar levels are too low. Things that can cause a "hypo" include:

- a delayed or missed meal, or a meal with too little carbohydrate
- extra strenuous or unplanned physical activity
- too much insulin or medication for diabetes

- [vomiting](#)

[Symptoms of hypoglycaemia include headache, light-headedness and nausea, mood change, paleness and sweating, and weakness and trembling. If left untreated people may become disorientated, unable to drink, swallow or stand, suffer a lack of coordination, loss of consciousness and seizures.](#)

RELEVANT LEGISLATION

Children (Education and Care Services) National Law 2010 (NSW)

Education and Care Services National Regulations 2018 (NSW)

Children (Education and Care Services) Supplementary Provisions Regulation 2019 (NSW)

Work Health and Safety Act 2011 (NSW)

Work Health and Safety Regulation 2017 (NSW)

KEY RESOURCES

National Quality Standard (ACECQA)

Staying Healthy in Childcare (NHMRC)

Anaphylaxis Australia: www.allergyfacts.org.au

Asthma Australia: www.asthmaaustralia.org.au

Diabetes Australia www.diabetesaustralia.com.au

Epilepsy Action Australia www.epilepsy.org.au

Immunise Australia Program: www.immunise.health.gov.au

National Prescribing Service (NPS) www.nps.org.au

NSW Department of Health www.health.nsw.gov.au

11.4 Request for Sponsorship - Macquarie Home Stay

REPORT BY THE DIRECTOR COMMUNITY
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, COS3000010

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Macquarie Home Stay Sponsorship Request;**
2. **note the positive contribution made by Macquarie Home Stay to residents of the Mid-Western Region; and**
3. **provide financial assistance of \$55,000 (including GST) to Macquarie Home Stay to be funded from unrestricted cash.**

Executive summary

This report seeks support from Council to provide financial assistance to Macquarie Home Stay Dubbo, provider of regional patient and family accommodation at Dubbo Hospital.

Disclosure of Interest

Nil

Detailed report

As noted in the request for support letter, Macquarie Home Stay is a provider of regional patient and family accommodation at Dubbo Hospital.

Many of those supported with discounted accommodation are patients and families from the Mid-Western Regional Council area. Overall, 16.1% of patients who stay at Macquarie Home Stay come from our local government area.

The ability to access accommodation close to the hospital is a major consideration and stress for patients and families. Macquarie Home Stay also offers accommodation at a significantly reduced rate and this assists in keeping costs down for patients and families receiving treatment.

At times, accommodation in Dubbo can be difficult to source and it is important for families from our region that services such as this are available to assist in patient care.

Macquarie Home Stay have embarked upon an ambitious program to increase accommodation capacity. The next accommodation area will provide an additional 26 units for individuals and families. This is a vital expansion as the occupancy rate is essentially 100% and, as noted in local media reports, Macquarie Home stay is having to turn away, on average, approximately 3 bookings a day.

There are a range of sponsorship opportunities for Council to consider and these are included with the report. Sponsorship of the Lounge area for all visitors is one possible option and this is valued at \$55,000 (including GST).

This is an important service being provided adjacent to the Dubbo Hospital. Council sponsorship of this expansion of the facility will be of great benefit to many Mid-Western families for many years to come.

It is noted that this item could have been presented to Council via the Community Grants Program Policy. Under this Policy, the cap on funding support from Council would be \$25,000 and this may be the decision that Council determines to make. However, as it is a project of significant scale and community importance, a higher amount is recommended to Council for consideration.

Community Plan implications

Theme	Looking After Our Community
Goal	Meet the diverse needs of the community and create a sense of belonging
Strategy	Provide equitable access to a range of places and spaces for all in the community

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Community Grants Program Policy

Legislation

Not Applicable

Financial implications

This report seeks a commitment from unrestricted cash of \$55,000. This would be a one-off payment in the 2022/23 financial year.

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

Associated Risks

Macquarie Home Stay have a proven track record of providing this service and the provision of financial assistance is determined to be relatively low risk as a part of ensuring that this project is successful and that the benefit to those in our community that need our help are assisted through the project.

SIMON JONES
DIRECTOR COMMUNITY

29 September 2022

- Attachments:*
1. 20220927 - Mid Western Regional Council support request.
 2. 20220111 - Sponsorship of facility and prospectus - stage 2 oncology sponsorship opportunities.
 3. Summary expansion plans.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



1 Tony McGrane Place
DUBBO NSW 2830
Ph 02 6885 4663
hello@macquariehomestay.com.au

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

By email: Brad.Cam@midwestern.nsw.gov.au

Dear Brad,

Re: Support request for Macquarie Home Stay

Further to my recent meeting with you and the Mayor, thank you for allowing me to share with you the critical role we are playing in supporting the residents of your area when they have to travel to Dubbo for specialist medical care.

Since opening in 2019, we have developed a rich sense in our purpose - helping alleviate the financial and emotional pressures that exist when patients receive medical treatment away from home. The cost of accommodation for many can be a reason why patients choose to delay, shorten or even cancel their treatment, hence why we established our charitable accommodation facility.

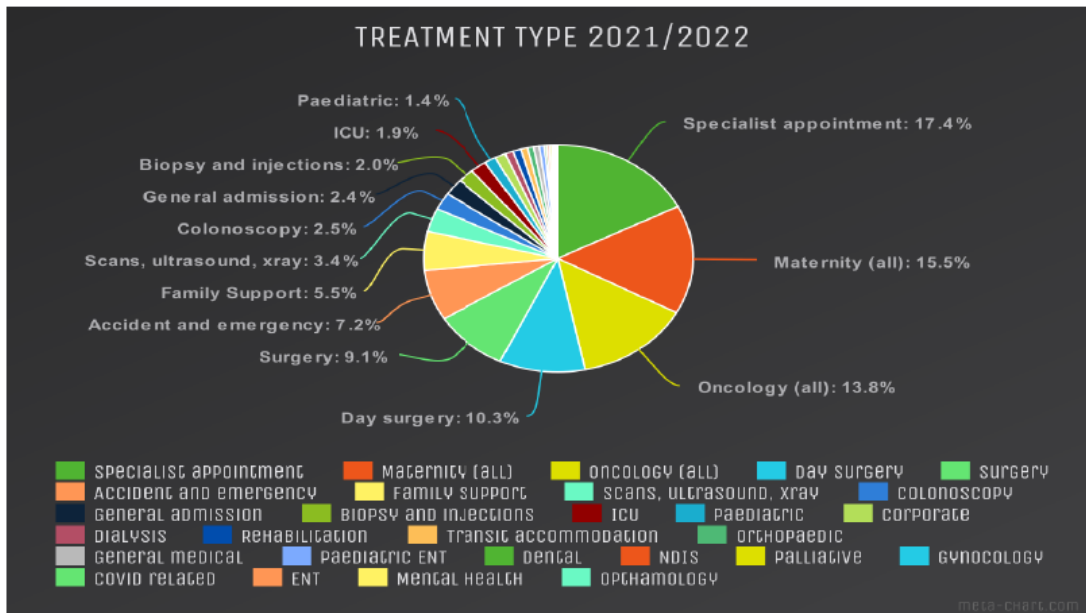
Since the Western Cancer Centre (WCC) opened at Dubbo Hospital this year, the volume of patients from the Mid Western Regional Council area who have benefited from life saving treatment is quite amazing. Of the 55 patients who received radiotherapy treatment and stayed with us in the period of 1/1/22 to 30/6/22, 27 of them resided in your LGA. For the vast majority of these, radiotherapy treatment lasted for over 4 weeks each, meaning we supplied close to 1,000 nights of accommodation that supported the patient with their partner or carer. We are well known for providing a safe, comfortable and affordable place to stay, but when you ask the many who have stayed with us, they talk more about the additional support we provide that makes the treatment journey just that little easier. Assisting with IPTAAS claims that reduce out of pocket costs and accessing travel subsidies, being a place where our guests can come and just have a chat without team in a supportive environment, a place that feels like a home and not a motel, connecting with others receiving similar treatments that creates important social and emotional networks for patients and their partners, twice weekly our guests are provided an evening meal by a collection of Dubbo groups (including Rotarians, Lions and so on all at no cost).

We have an occupancy rate of 100% for over half of every month. In May 2022, an occupancy of 98% was experienced and on average we turn away more than 3 bookings a day. The combination of increased medical facilities in Dubbo & our current occupancy rates demonstrate the importance of a critical expansion of our facilities. We are proof of a strong public/private partnership.

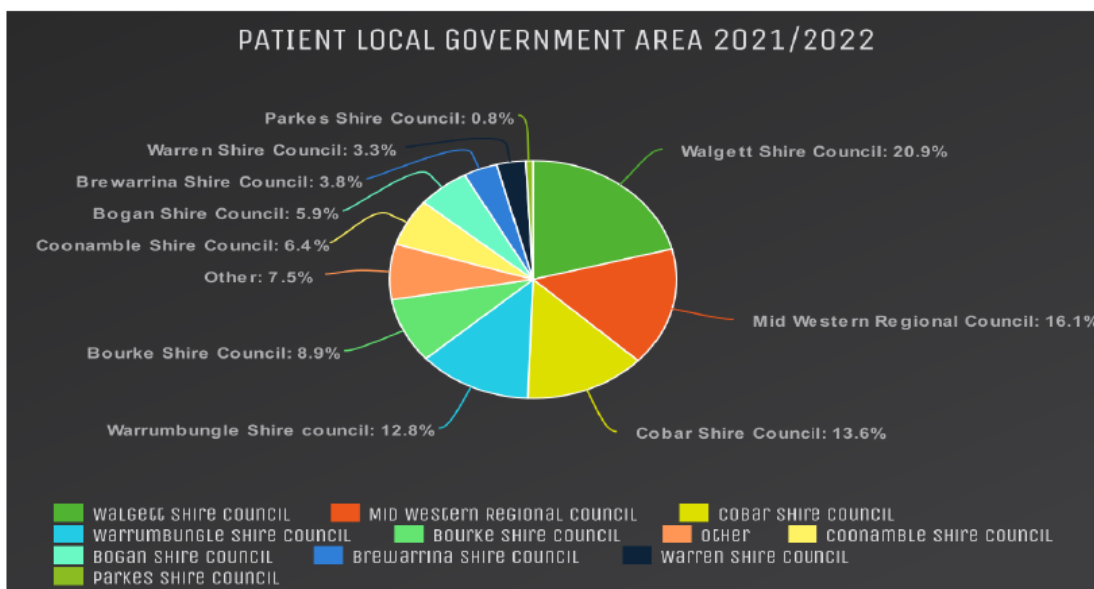
It is not only the WCC that is bringing patients from your LGA to Dubbo, it includes the myriad of other specialist medical services that are provided in Dubbo as demonstrated in the following pie chart.



1 Tony McGrane Place
 DUBBO NSW 2830
 Ph 02 6885 4663
 hello@macquariehomestay.com.au



We have seen an increase in the percentage of patients from your LGA increase from 12.9% in 2020/2021 to 16.1% in 2021/2022.





1 Tony McGrane Place
DUBBO NSW 2830
Ph 02 6885 4663
hello@macquariehomestay.com.au

This increase is indicative of the value we provide to the residents of your community. As such, I write to ask if the Mid Western Regional Council can support us with our expansion. We have an expansion master plan that will allow us to support the many people from across regional NSW who travel for these important specialist medical services and require affordable and appropriate accommodation for the duration of their stay. Some stay for just a night, while others are for many weeks and months on end.

The next accommodation precinct is to include 26 units to specifically support those patients receiving treatment at the WCC. We are able to offer sponsorship opportunities and recognise the support in appropriate ways and have included our prospectus for your consideration. A 1 bedroom unit is \$30,000, 2 bedroom \$38,000, family room \$54,540 plus other areas across the accommodation building (subject to availability). This is a wonderful opportunity for the Mid Western Regional Council to support their residents in a very real and tangible way. As a result, patients for decades to come will benefit and it will create a wonderful connection when patients from the LGA see a plaque on a doorway recognising the council brand and sponsorship.

If speaking to this request at a council meeting is appropriate, I am happy to share with the councilors the important role we play and answer any questions they may have.

Thankyou for considering our request, and look forward to speaking with you again soon.

Yours faithfully
MACQUARIE HOME STAY

A handwritten signature in blue ink, appearing to read 'Rod Crowfoot', with a long horizontal flourish extending to the right.

Rod Crowfoot
MANAGING DIRECTOR



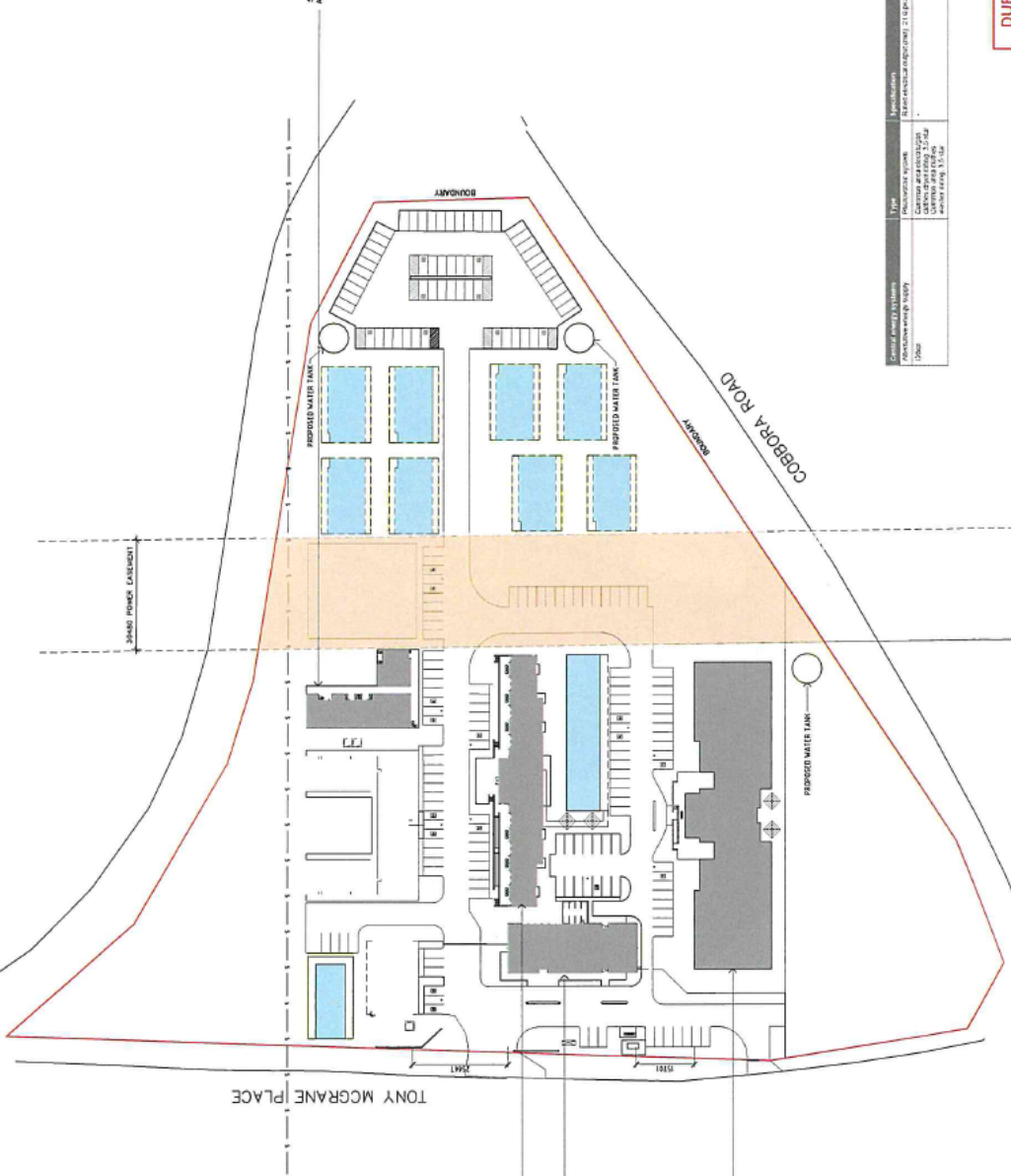


Area of support	Value (GST incl)	Description	Recognition provided									
			The heartfelt thanks of our guests for your generosity	Certificate of appreciation	Receive our newsletter. What's news and who we are helping	Donations \$2 and above can be Tax deductible and a receipt provided (if appropriate)	Newsletter mentions of your support	Invitation to major events	Register of sponsorship maintained on our website including Logo and name	Wall of honour in that stage	Social media promotion	Naming rights of the room/area
Oncology Accommodation Stage - 26 units												
Naming rights to this stage	\$300,000	The stage to be named as per the benefactor. Sponsors name to be at the building entrance. A lasting recognition for all guests to see of your support in the facility.										
"Sponsors name" Unit 1 person unit (4Units)	\$30,000	Single person guest room. Will furnish the full interior (including all furnishing, fitout and soft furnishings ready to occupy)										
"Sponsors name" Unit 2 Person unit (18 Units)	\$38,000	Twin person guest room. Will furnish the full interior (including all furnishing, fitout and soft furnishings ready to occupy)										
"Sponsors name" Unit Family unit (4 Units)	\$54,450	Family room. Will furnish the full interior (including all furnishing, fitout and soft furnishings ready to occupy)										
"Sponsor name" Lounge	\$55,000	The common lounge and communal room. It will furnish the full interior (including all furnishing, fitout and soft furnishings ready to occupy)										
Sitting room	\$15,000	Quiet room, meeting and reading room. Provides the fitout, furniture and soft furnishings										
Art collection	\$10,000	Allows for the acquisition of art for the facility in the common room and hallways.										
Security surveillance system	\$49,397	Supply and installation of CCTV network incl camera's at strategic locations, pole cameras, server and materials that connects into the existing system										
Solar panels	\$39,600	30KW system installed across the roof areas										
Unit verandah furniture - Seats/table on unit verandahs (x26)	\$9,000	Each guest room has a small outdoor space to sit										
Defib machine and first aid kit	\$2,950	Defib machine and first aidkit to be located in the common room area										
Laundry	\$10,000	Three washing machines and dryers incl joinery										
Pergola area	\$55,000	Provides the concrete slab, roof structure, power and lights, gas bbq's and outdoor furniture, pots and plants to relax and spend time with other guests and family										
Unit verandah dividers	\$16,800	24 x cut metal sheets with designed artwork										

*All figures incl gst

FOR APPROVAL

NOTE: ALL PROPOSED SERVICES AND POLES ARE TO BE INSTALLED IN ACCORDANCE WITH ESSENTIAL SERVICES REGULATIONS AND THE ESSENTIAL SERVICES STATEMENTS SECTION 7.2.4



SCHEDULE OF BASIC COMMITMENTS

BASIC CERTIFICATE: 1234208M

1. Commitments for common areas & central systems/facilities for the development (non-building specific).

(a) Common areas and central systems/facilities

(i) Water

The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the "Central Systems" column of the table - No Central System noted in table

The Development is not to include a pool or spa (BASIX pg 8/28)

(ii) Energy

The applicant must install the systems and fixtures specified in the "Central energy systems" column of the table on pg 2/728 of the BASIX report. For each system, in each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.

Central Energy Systems	Type	Specifications
Refrigeration capacity	Refrigeration systems	Refrigerant (as per table) 3.1 gpa/m ³
Water heating capacity	Water heating systems	Gas hot water heating 3.0 gpa/m ³ Electric hot water heating 10 gpa/m ³

DUBBO REGIONAL COUNCIL
 WHILE EXISTING
 BLUE SUBJECT OF FUTURE DEVELOPMENT APPLICATION (SI
 D2016-442 - Part 3 - 21/10/2021)

PROPOSED REVISED MASTER PLAN
 APPROVED
 PROJECT NAME: 2008 VELOPMENT APPLICATION
 SHEET NO: 01F
 SHEET 004 OF 30

Premise
 ORANGE
 100 WEST STREET
 ORANGE NSW 2813
 www.premise.com.au
 02 6333 3300
 NARRANDANGA DISTRICT COUNCIL
 JAMES DOOLEY, VICE MAYOR

DUBBO REGIONAL COUNCIL
 MACQUARIE IONE STAY
 UPDATED MASTER PLAN AND ADDITIONAL BUILDINGS

NO.	DATE	DESCRIPTION	BY	CHKD	APPR
1	11/11/2020	PRELIMINARY	JAE	JAE	JAE
2	14/12/2020	PRELIMINARY	JAE	JAE	JAE
3	10/02/2021	PRELIMINARY	JAE	JAE	JAE
4	10/02/2021	PRELIMINARY	JAE	JAE	JAE

GENERAL NOTES:
 ALL DIMENSIONS SHOWN ON THESE PLANS SHALL BE CONSIDERED AS DIMENSIONS TO THE FACE UNLESS OTHERWISE SPECIFIED. DIMENSIONS TO THE FACE SHALL BE USED FOR ALL DIMENSIONS UNLESS OTHERWISE SPECIFIED.
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FOR APPROVAL

SHEET 01A
 DUBBO REGIONAL COUNCIL
 SUBJECT OF THIS DEVELOPMENT APPLICATION
 D2016-442 - Part 3 - 21/10/2021
 PROPOSED REVISED MASTER PLAN -
 PROPOSED REVISED MASTERPLAN - OVERVIEW 02
 PROPOSED ZONE DEVELOPMENT APPLICATION
 PROJECT NO. A
 SHEET NO. 01F
 SHEET 01F OF 30

REGIONAL AUTHORITY: DUBBO REGIONAL COUNCIL
 CLIENT: MACQUARIE HOME STAY
 PROJECT: UPDATED MASTERPLAN AND ADDITIONAL BUILDINGS

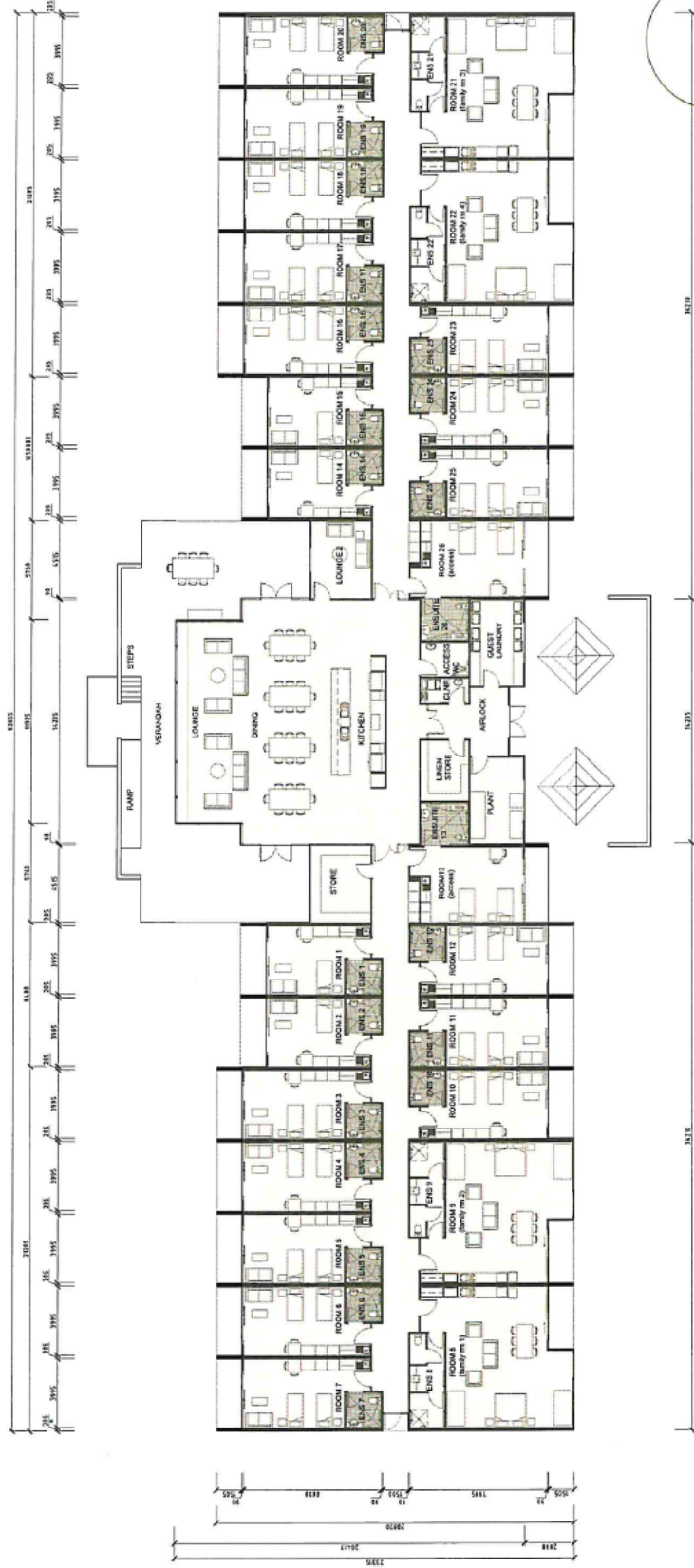
ORANGE
 14 KELLY STREET
 ORANGE NSW 2816
 orange@premise.com.au
 P. 02 139 1300
 www.premise.com.au
 NOMINATED ARCHITECT:
 JAMES BUCKLEY ARCHITECTS

REV	DATE	DESCRIPTION	BY	DATE	SCALE	STATUS
1	12/11/2020	PRELIMINARY	JB		1:500	PRELIMINARY
2	15/12/2020	REVISED	JB		1:500	REVISED
3	18/01/2021	REVISED	JB		1:500	REVISED
4	18/02/2021	REVISED	JB		1:500	REVISED
5	18/03/2021	REVISED	JB		1:500	REVISED
6	18/04/2021	REVISED	JB		1:500	REVISED

GENERAL NOTES:

- 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
- 2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
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- 9. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.
- 10. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE STATED.

FOR APPROVAL



DUBBO REGIONAL COUNCIL
 D2016-442 - Part 3 - 21/10/2021
 PROPOSED REVISED MASTER-PLAN -
 ONCOLOGY BUILDING/FLOOR PLAN
 ZONE VELOPMENT APPLICATION

PROJECT NAME	DUBBO REGIONAL COUNCIL ONCOLOGY BUILDING/FLOOR PLAN
PROJECT NO.	1122
DATE	11/20/2021
SCALE	AS SHOWN
TITLE	FLOOR PLAN FOR APPROVAL
SHEET	01F

Premise
 ORANGE
 100 WINDMILL STREET
 WARRAWONG NSW 2570
 PH: 02 6221 2000
 WWW.PREMISE.COM.AU

APPROVAL AUTHORITY	DUBBO REGIONAL COUNCIL
CLIENT	MACQUARIE HOME STAY
PROJECT	UPDATED MASTER PLAN AND ADDITIONAL BUILDINGS

REV.	DATE	DESCRIPTION	APPROVAL	IMPACT	SITE	ISSUE
1	11/20/2021	ISSUE FOR APPROVAL				
2	11/20/2021	ISSUE FOR APPROVAL				
3	11/20/2021	ISSUE FOR APPROVAL				
4	11/20/2021	ISSUE FOR APPROVAL				
5	11/20/2021	ISSUE FOR APPROVAL				

GENERAL NOTES:
 ALL DIMENSIONS SHOWN ARE IN METERS UNLESS OTHERWISE SPECIFIED.
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FOR APPROVAL



GENERAL NOTES:
 ALL DIMENSIONS GIVEN ARE UNLESS INDICATED OTHERWISE AND ARE TO BE CHECKED AND CORRECTED PRIOR TO CONSTRUCTION. DO NOT SCALE DRAWINGS FOR DIMENSIONS. DIMENSIONS FOR APPROVAL ONLY AND ARE TO BE CHECKED AND VERIFIED ON SITE PRIOR TO CONSTRUCTION.
 ALL WORKSHOPS & MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE CURRENT AUSTRALIAN STANDARDS.
 THE DRAWING TO BE USED IN CONSTRUCTION WITH ALL OTHER DOCUMENTS AND SPECIFICATIONS. THE SET INCLUDING THE SPECIFICATION AND OTHER CONDITIONS SHALL BE OBTAINED FROM THE SUPPLIER.

REV.	DATE	DESCRIPTION	BY	DATE	DESCRIPTION	BY
1	21/10/2021	ISSUED FOR PERMIT	JM			
2	21/10/2021	ISSUED FOR PERMIT	JM			
3	21/10/2021	ISSUED FOR PERMIT	JM			
4	21/10/2021	ISSUED FOR PERMIT	JM			
5	21/10/2021	ISSUED FOR PERMIT	JM			
6	21/10/2021	ISSUED FOR PERMIT	JM			
7	21/10/2021	ISSUED FOR PERMIT	JM			

APPROVAL AUTHORITY	DUBBO REGIONAL COUNCIL
CLIENT	MACQUARIE HOME STAY
PROJECT	UPDATED MASTER-PLAN AND ADDITIONAL BUILDINGS

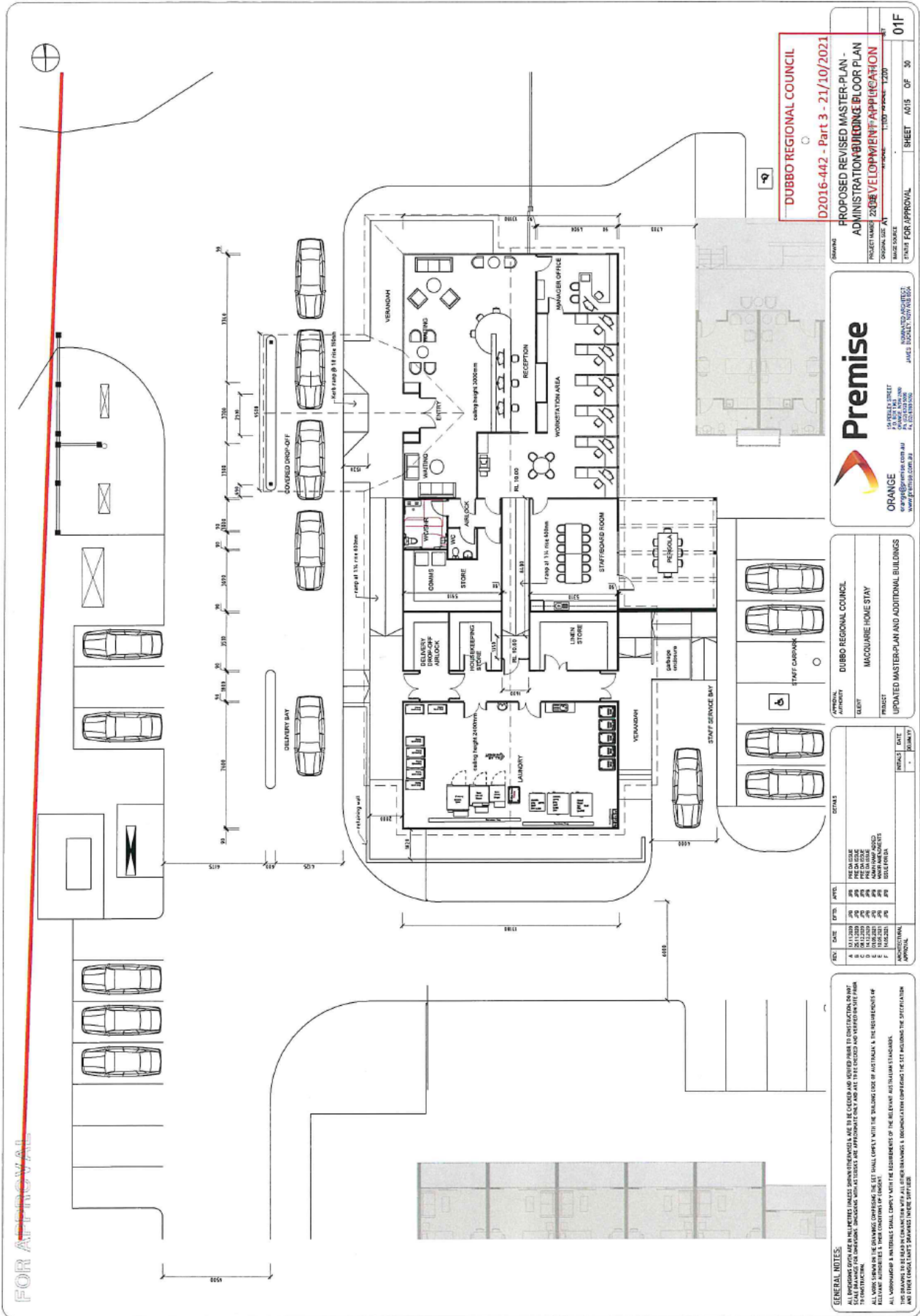
Orange
 14 WOODSIDE STREET
 ORANGE NSW 2884
 www.premise.com.au

Premise
 14 WOODSIDE STREET
 ORANGE NSW 2884
 www.premise.com.au

REGISTERED ARCHITECT
 JAMES SOUTH WARRAGONG

PROJECT NAME	PROPOSED REVISED MASTER-PLAN - ONCOLOGY BUILDINGS REVIEW 01
ORIGINAL DATE	2008 DEVELOPMENT APPLICATION
SCALE	AS SHOWN
SHEET FOR APPROVAL	SHEET 011 OF 30
DATE	21/10/2021

DUBBO REGIONAL COUNCIL
 D2016-442 - Part 3 - 21/10/2021



FOR APPROVAL



GENERAL NOTES:
 ALL DIMENSIONS GIVEN ARE IN METRES UNLESS OTHERWISE SPECIFIED AND ARE TO BE CHECKED AND VERIFIED PRIOR TO CONSTRUCTION. DO NOT SCALE DRAWINGS FOR DIMENSIONS. DIMENSIONS ARE APPROXIMATE ONLY AND ARE TO BE CHECKED AND VERIFIED PRIOR TO CONSTRUCTION. ALL DIMENSIONS SHALL COMPLY WITH THE REQUIREMENTS OF AUSTRALIA'S THE REQUIREMENTS OF BUILDING REGULATIONS & THE REQUIREMENTS OF CLIENTS.
 ALL WORKSHOPS & FINISHES SHALL COMPLY WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.
 THE DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS & DOCUMENTATION COMPASSING THE SET FOLLOWS THE SPECIFICATION AND THESE (UNLESS LAID TO SHOW OTHERWISE).

REV	DATE	BY	CHKD	APPD	DETAILS
1	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
2	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
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76	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
77	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
78	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
79	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
80	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
81	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
82	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
83	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
84	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
85	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
86	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
87	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
88	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
89	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
90	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
91	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
92	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
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94	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
95	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
96	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
97	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
98	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
99	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS
100	14/10/2021	JM	JM	JM	ISSUE FOR PERMITS

CLIENT: DUBBO REGIONAL COUNCIL
PROJECT: MACQUARIE HOME STAY
PROJECT: UPDATED MASTERPLAN AND ADDITIONAL BUILDINGS

Premise
 AN INTEGRATED DESIGN
 ARCHITECTURE & INTERIOR DESIGN
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 08 8355 5555
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 SYDNEY NSW 2000
 AUSTRALIA
 NOMINATED ARCHITECTS
 JAMES SULLIVAN ARCHITECTS

DUBBO REGIONAL COUNCIL
 D2016-442 - Part 3 - 21/10/2021
 PROPOSED REVISED MASTERPLAN -
 ADMINISTRATION BUILDINGS VIEW 02
 2020 DEVELOPMENT APPLICATION
 DRAWING NO: T100 - PROPOSED L2020
 SHEET: A01B OF 30
 01F

FOR APPROVAL

SCHEDULE OF BASIX COMMITMENTS

BASIX CERTIFICATE: 1234206M

1. Commitments for Residential flat buildings - Family Units Building.

(a) Dwellings

(i) Water

The applicant must plant, indigenous or low water use species of vegetation throughout the development - 0 septm. (BASIX pg 3/28)
 The Development is not to include a pool or spa (BASIX pg 14/28)
 There is no alternative water source (BASIX pg 15/28)

(ii) Energy

Hot Water System to be a Central System (BASIX pg 16/28)

No bathrooms are required to have natural lighting (BASIX pg 17/28).

Kitchens are required to have natural lighting (BASIX pg 17/28).

(iii) Thermal Comfort

The development will be a Class 3 building.

The applicant must include in the development a report demonstrating that the development will meet Section J of the National Construction Code - Volume 1

(b) Common areas & Central systems/facilities

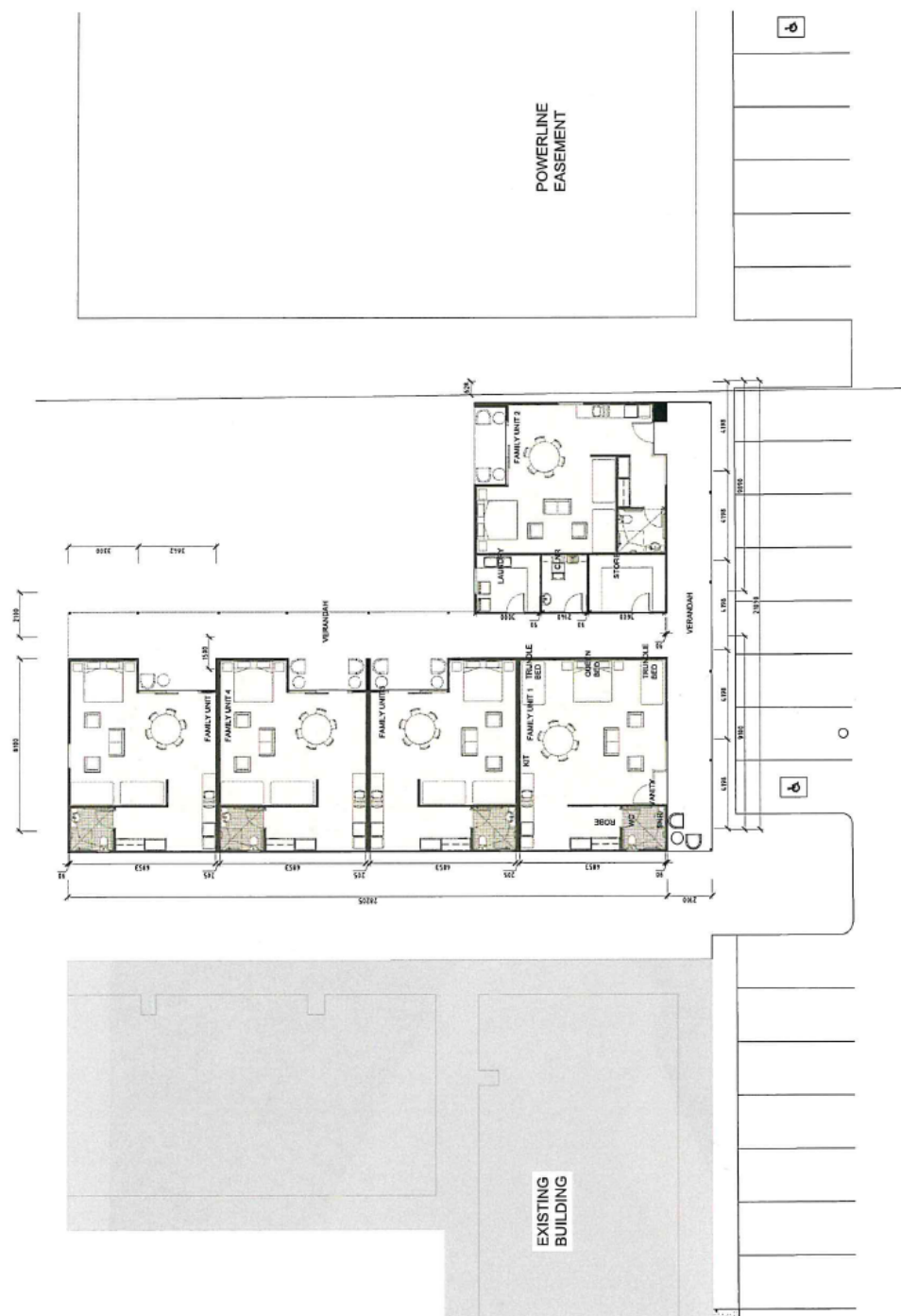
(i) Water

The applicant must install (or ensure that the development is serviced by) the alternative water supply system(s) specified in the 'Central systems' column in the table below. In each case, the system must be sized, be configured, and be connected, as specified in the table. - No Central systems noted.

No Pool or spa is to be installed.

(ii) Energy

The applicant must install the systems and systems' column of the table shown on pg 19/28 on the BASIX certificate. In each case, the system or feature must be of the type, and meet the specifications, listed for it in the table.



GENERAL NOTES:
 1. THE DRAWING SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.
 2. THE DRAWING SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.
 3. THE DRAWING SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.
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 8. THE DRAWING SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.
 9. THE DRAWING SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.
 10. THE DRAWING SHALL BE USED IN ACCORDANCE WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.

NO.	DATE	BY	DATE	APPROVAL
1	21/10/2021	JR	21/10/2021	JR
2	21/10/2021	JR	21/10/2021	JR
3	21/10/2021	JR	21/10/2021	JR
4	21/10/2021	JR	21/10/2021	JR
5	21/10/2021	JR	21/10/2021	JR
6	21/10/2021	JR	21/10/2021	JR
7	21/10/2021	JR	21/10/2021	JR
8	21/10/2021	JR	21/10/2021	JR
9	21/10/2021	JR	21/10/2021	JR
10	21/10/2021	JR	21/10/2021	JR

DUBBO REGIONAL COUNCIL
 LOCAL GOVERNMENT
 PROJECT: MACQUARIE HOME STAY
 CLIENT: UPDATED MASTER-PLAN AND ADDITIONAL BUILDINGS

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 155 BIRCH STREET
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 02 6881 1111

DUBBO REGIONAL COUNCIL
 D2016-442 - Part 3 - 21/10/2021
 PROPOSED REVISED MASTER-PLAN -
 FAMILY UNIT'S FLOOR PLAN
 PROJECT NAME: 2008 DEVELOPMENT APPLICATION
 ORIGINAL SIZE: A1
 REVISED SIZE: A1
 SHEET: 01F
 OF: 30

FOR APPROVAL



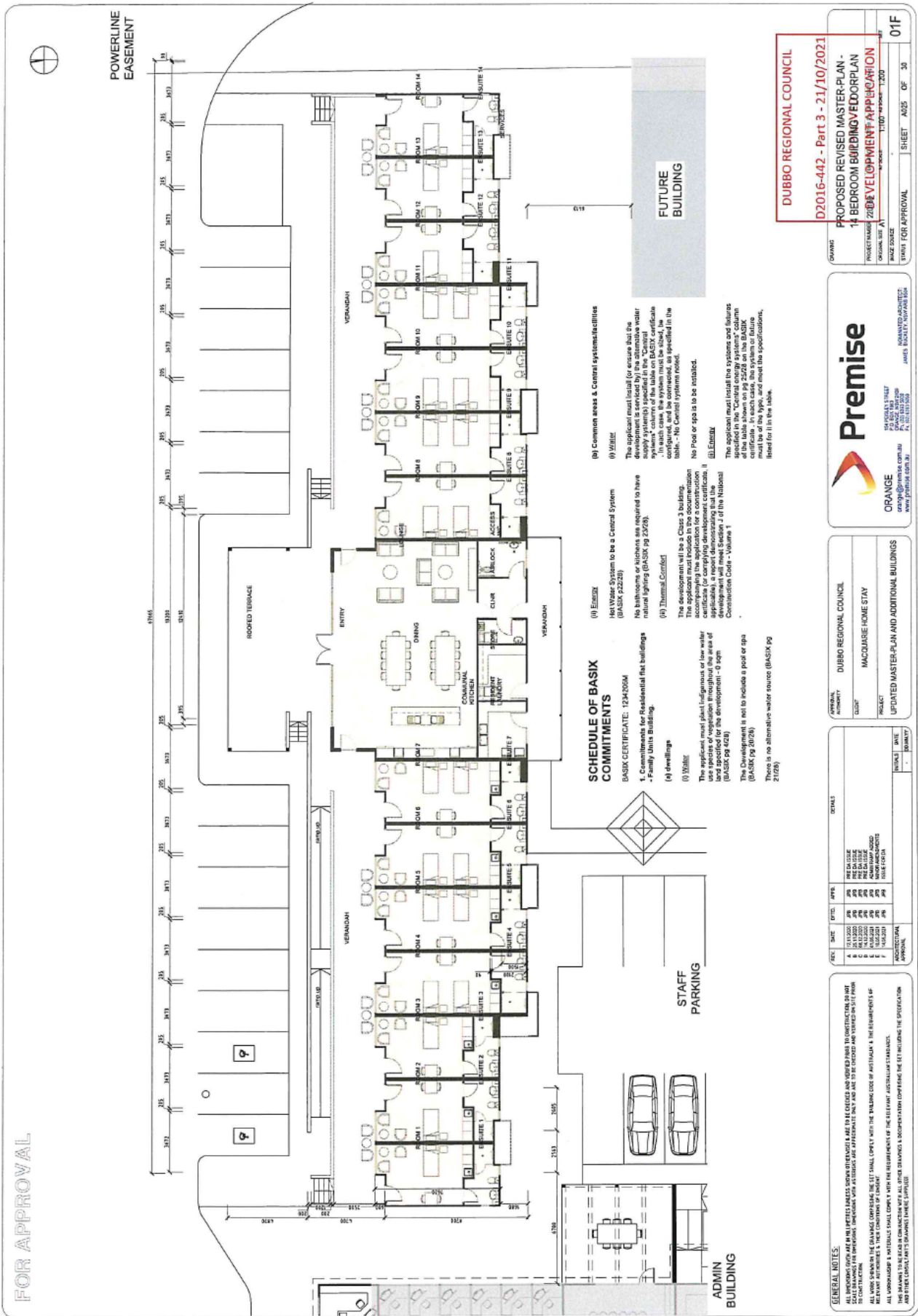
GENERAL NOTES:
 ALL DIMENSIONS ARE IN METRES UNLESS OTHERWISE SPECIFIED AND REFER TO THE CONSTRUCTION DIMENSIONS.
 ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED AND TO BE CHECKED AND VERIFIED ON SITE PRIOR TO CONSTRUCTION.
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REV	DATE	BY	APPD.	DESCRIPTION
1	11/02/2021	JM	JM	ISSUE FOR PERMIT
2	11/02/2021	JM	JM	ISSUE FOR PERMIT
3	11/02/2021	JM	JM	ISSUE FOR PERMIT
4	11/02/2021	JM	JM	ISSUE FOR PERMIT
5	11/02/2021	JM	JM	ISSUE FOR PERMIT
6	11/02/2021	JM	JM	ISSUE FOR PERMIT
7	11/02/2021	JM	JM	ISSUE FOR PERMIT
8	11/02/2021	JM	JM	ISSUE FOR PERMIT
9	11/02/2021	JM	JM	ISSUE FOR PERMIT
10	11/02/2021	JM	JM	ISSUE FOR PERMIT

APPROVAL AUTHORITY: DUBBO REGIONAL COUNCIL
 CLIENT: MACQUARIE HOME STAY
 PROJECT: UPDATED MASTER PLAN AND ADDITIONAL BUILDINGS

Premise
 ORANGE
 14 DEARLE STREET
 ORANGE NSW 2875
 PH: 02 6332 1111
 WWW.PREMISE.COM.AU
 NOMINATED ARCHITECT:
 JAMES BOGGS PTY LTD

DUBBO REGIONAL COUNCIL
 D2016-442 - Part 3 - 21/10/2021
 PROPOSED REVISED MASTER PLAN -
 FAMILY UNIT AND W/01
 DEVELOPMENT APPLICATION
 PROJECT NUMBER: 220
 DRAWING DATE: 11/02/2021
 SHEET: A022 OF 30
 01F



FOR APPROVAL

(b) Common areas & Central systems facilities
 (i) **MEBEC**
 The applicant must install for ensure that the development is serviced by the alternative water supply system(s) specified in the "Central systems" table. In each case, the system must be sized, be configured, and be contained, as specified in the table. - No Central systems room.
 No Pool or spa is to be installed.
ULC/ENR
 The applicant must install the systems and fixtures specified in the "Central energy systems" column certificate. In each case, the system or fixture must be of the type, and meet the specifications, listed for it in the table.

(i) **ENR/ER**
 Hot Water System to be a Central System (BASIX p2228)
 No bathrooms or kitchens are required to have natural lighting (BASIX pg 2478).
 (ii) **Thermal Comfort**
 The development will be a Class 2 building. The applicant must provide the information certificate for complying development certificate, it applicable, a report demonstrating that the development complies with the relevant provisions of the National Construction Code - Volume 1

SCHEDULE OF BASIX COMMITMENTS
 BASIX CERTIFICATE: 12345678
 1. Commitments for Residential flat buildings - Family Units Building
 (a) dwellings
 (i) **WATER**
 The applicant must plan judiciously or low water consumption fixtures for the development and specify for the development - 0 lpm (BASIX pg 474)
 The Development is not to include a pool or spa (BASIX pg 2628).
 There is no alternative water source (BASIX pg 2178)

(i) **ENR/ER**
 Hot Water System to be a Central System (BASIX p2228)
 No bathrooms or kitchens are required to have natural lighting (BASIX pg 2478).
 (ii) **Thermal Comfort**
 The development will be a Class 2 building. The applicant must provide the information certificate for complying development certificate, it applicable, a report demonstrating that the development complies with the relevant provisions of the National Construction Code - Volume 1

(i) **ENR/ER**
 Hot Water System to be a Central System (BASIX p2228)
 No bathrooms or kitchens are required to have natural lighting (BASIX pg 2478).
 (ii) **Thermal Comfort**
 The development will be a Class 2 building. The applicant must provide the information certificate for complying development certificate, it applicable, a report demonstrating that the development complies with the relevant provisions of the National Construction Code - Volume 1

(i) **ENR/ER**
 Hot Water System to be a Central System (BASIX p2228)
 No bathrooms or kitchens are required to have natural lighting (BASIX pg 2478).
 (ii) **Thermal Comfort**
 The development will be a Class 2 building. The applicant must provide the information certificate for complying development certificate, it applicable, a report demonstrating that the development complies with the relevant provisions of the National Construction Code - Volume 1

DUBBO REGIONAL COUNCIL
 D2016-442 - Part 3 - 21/10/2021
 PROPOSED REVISED MASTER-PLAN -
 14 BEDROOM BUILDING/FLOORPLAN
 ZONE DEVELOPMENT APPLICATION
 PROJECT NAME: ZONE DEVELOPMENT APPLICATION
 ORIGINAL DATE: 11/03/2022
 REVISED DATE: 21/10/2021
 SHEET: A025 OF 30
 01F

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 JAMES RICHARDS (REGISTERED ARCHITECT)

APPROVAL AUTHORITY: DUBBO REGIONAL COUNCIL
 SUBJECT: MACQUARIE HOME STAY
 PROJECT: UPDATED MASTER-PLAN AND ADDITIONAL BUILDINGS

REV	DATE	DESCRIPTION	APPROVAL
1	11/03/2022	PRELIMINARY	PRELIMINARY
2	14/03/2022	REVISED	REVISED
3	14/03/2022	REVISED	REVISED
4	14/03/2022	REVISED	REVISED

GENERAL NOTES:
 ALL DIMENSIONS GIVEN ARE IN METRES UNLESS SHOWN OTHERWISE AND ARE TO BE CHECKED AND VERIFIED PRIOR TO CONSTRUCTION. DO NOT SCALE DRAWINGS FOR DIMENSIONS. DIMENSIONS GIVEN ARE APPROXIMATE ONLY AND ARE TO BE CHECKED AND VERIFIED PRIOR TO CONSTRUCTION. ALL DIMENSIONS ARE TO FACE UNLESS SPECIFIED OTHERWISE.
 ALL WORKMANSHIP & MATERIALS SHALL COMPLY WITH THE REQUIREMENTS OF THE RELEVANT AUSTRALIAN STANDARDS.
 THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR USED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

11.5 RFT2022/16 Airport Hangar - Design and Construct

REPORT BY THE DIRECTOR COMMUNITY
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, COR400499

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the RFT2022/16 Airport Hangar - Design and Construct;**
2. **decline all tenders for the Mudgee Airport Hangar – Design and Construct as all tenders are non-conforming;**
3. **do not negotiate with any tender or re-tender as it will not yield a more beneficial outcome based on limited interest in the tender and risk of further price inflation;**
4. **review the scope with the aim to undertake part of the service requirement internally in accordance with Section 178 3F of the Local Government Regulation 2021, Part 7 Division 1; and**
5. **notify tenderers in writing of the outcome of the evaluation and subsequent Council endorsement of these recommendation.**

Executive summary

Tender submissions were received for the provisions of the Mudgee Airport Hangar – Design and Construct. This report requests to reject all submissions due to all tenders being non-conforming.

Disclosure of Interest

Nil

Detailed report

Tender Process

Open to the Market: 22 August 2022

Closed: 9 September 2022

Extended to 16 September 2022

The above tender was advertised in the:

- Mudgee Guardian
- Council's e-Tendering portal – Vendorpanel
- Sydney Morning Herald
- Information regarding this tender was also published on Council's website

Tender Panel

A tender assessment panel was formed comprising of representatives from the most relevant departments within Council. Members of the tender assessment panel comprised of:

- Daniel Newman – Manager, Major Projects;
- Scott Jackson – Major Projects Officer; and
- Amanda Cover – Finance Officer.

The panel used the process set out in an evaluation plan to determine which tenders satisfied the Mudgee Airport Hangar – Design and Construct. Submissions closed 16 September 2022.

Tender Submissions

Two (2) submissions were received from the following organisations:

- Omni Building Group Pty Limited
- Team NSW Project Management

Late Tenders

No late submissions were received.

Non-conforming tenders

The following tenders were deemed non-conforming as they did not meet the project requirements:

- Omni Building Group Pty Limited was removed from evaluation based on a non-compliant tender.
- Team NSW Project Management was removed from evaluation based on a non-compliant tender.

Tender Evaluation

All submissions were deemed non-conforming as they did not submit the requested information as stated in the Request for Tender:

‘The Tenderer will need to provide a full set of plans and engineering specifications, it is a mandatory requirement that these be uploaded as part of the tender submission’.

Mudgee Airport Hangar - Options to manage internally

It is Council’s intention to directly manage the design and construction of the Airport Hangar in response to the tender outcome.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Procurement Policy

Legislation

Local Government Act 1993

Financial implications

There are no financial implications from this report as it is expected that the existing budget provided will cover the works.

Associated Risks

Council will be unable to deliver the Mudgee Airport Hangar as per the Operational Plan which may lead to the grant funding being removed and the project will not proceed.

SIMON JONES
DIRECTOR COMMUNITY

5 October 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.6 Request for Exemption from Tender - Boards for Cabins at Mudgee Valley Park

REPORT BY THE DIRECTOR COMMUNITY
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, FIN300365

RECOMMENDATION

That Council:

1. **receive the report by the Director Community on the Request for Exemption from Tender - Boards for Cabins at Mudgee Valley Park;**
2. **approve an exemption from tender, in accordance with section 55 (3)(i) of the Local Government Act 1993, for the installation of boards for cabins at Mudgee Valley Park, noting that due to the unavailability of competitive or reliable tenders, 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 – 96 suppliers selected with 3 response received; and**
 - b) **the same organisations would be targeted if we had tendered (via VendorPanel) so there is no benefit in readvertising as a tender;**
4. **delegate authority to the Director Community to negotiations with the suppliers who provided responses; and**
5. **delegate authority to the Directory Community to then finalise the contract with the successful supplier and approve variations up to an accumulative total of 20% of the original contract sum.**

Executive summary

This report seeks to inform Council on the procurement process for a component of work at the Mudgee Valley Caravan Park Upgrade project, specifically work to install boards to cover the external sub floor area below the 31 new cabins that have been added to the park. An exemption from tender is sought as a Request for Quote process has already been undertaken and any potential tenderers have been identified.

Disclosure of Interest

Nil

Detailed report

Council sought quotes on 9 September 2022 for the installation of bottom boards to the 31 new cabins recently constructed for the Mudgee Valley Caravan Park. 96 suppliers were contacted through the VendorPanel procurement process. The Request for Quote included provided for the supply and installation of bottom boards to the new cabins.

Initially two quotes were received through VendorPanel, however, these were in excess of the tender limit of \$250,000 inclusive of GST. Subsequently, a third quote was received from another of the suppliers contacted through VendorPanel. It is recommended that the three companies be contacted to confirm scope and pricing before a final decision is made. The three companies that have provided quotes are:

- Regional West Constructions Pty Ltd
- Cosbuild
- Total Maintenance Worx

Section 55(3)(i) of the Local Government Act provides the opportunity for Council to resolve to provide an exemption from tender for a contract where, because of extenuating circumstances, remoteness of locality or the unavailability of competitive or reliable tenderers, a council decides by resolution (which states the reasons for the decision) that a satisfactory result would not be achieved by inviting tenders. This request for exemption is based on the fact that we have already gone to market to 96 suppliers and going to tender will not provide any further information.

Community Plan implications

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

Strategic implications

Council Strategies

Community Plan

Council Policies

Procurement Policy

Legislation

Local Government Act 1993

Financial implications

All works involved in this report have already been included within the budget. No additional budget is sought.

Associated Risks

Risk is mitigated through the fact that a Request for Quote process has already been undertaken through VendorPanel and appropriate suppliers have been identified.

SIMON JONES
DIRECTOR COMMUNITY

5 October 2022

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 12: Reports from Committees

12.1 Local Traffic Committee Meeting Minutes - September 2022

REPORT BY THE ADMINISTRATION ASSISTANT INFRASTRUCTURE PLANNING OPERATIONS
TO 19 OCTOBER 2022 ORDINARY MEETING
GOV400098, A0100009

RECOMMENDATION

That Council receive the report by the Administration Assistant Infrastructure Planning Operations on the Local Traffic Committee Meeting Minutes for September 2022.

Executive summary

The purpose of this report is to advise Council and seek support of the considerations and recommendations of the Local Traffic Committee (LTC).

Disclosure of Interest

Nil

Detailed report

The Local Traffic Committee meeting was held on Friday, 16 September 2022.

One event report was considered:

- 2023 Charity Shield – St George Illawarra Dragons v South Sydney Rabbitohs – Saturday, 18 February 2023 or Saturday, 25 February 2023 & NRL Telstra Premiership Round TBC – Sea Eagles v TBC Saturday, 25 March 2023 or Saturday, 1 April 2023.

Two traffic reports were considered:

- Temporary Speed Reduction on Section of Barneys Reef Road.
- Installation of Signs at Lions Drive and Wilkins Crescent.

Three General Business items included:

- St Matthews Catholic School Update.
- Motorcycle Awareness Month.
- 'Plan B' Campaign.

Full discussion notes are included in the attached report.

Community Plan implications

Theme	Connecting Our Region
Goal	High quality road network that is safe and efficient

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

EMMA ROXBY
ADMINISTRATION ASSISTANT
INFRASTRUCTURE PLANNING OPERATIONS

JULIAN GEDDES
DIRECTOR OPERATIONS

30 September 2022

Attachments: 1. Confirmed LTC Minutes - September 2022.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

Date: 16 September 2022

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road Mudgee
on 16 September 2022.

Present	Community Member P Blackman, Councillor A Karavas, NSW Police M Fehon, Transport for NSW W Hazelton, Samantha Cecchini (MWRC), Lisa Cartmell (MWRC), Ray Kearns (MWRC)
Apologies	Mr S Fogarty, NSW Police G McGovern
Secretary	Emma Roxby (MWRC)

The LTC meeting commenced at 9:30am.

MINUTES OF PREVIOUS MEETING

MOTION CARRIED: Community Member Phillip Blackman / Wayde Hazelton

That the Minutes of the previous Local Traffic Committee held on 19 August 2022 be taken as read and confirmed.

2

MATTERS IN PROGRESS

SUBJECT	RES NO. & DATE	RESOLUTION	ACTION
Perry Street Parking Issues	15 June 2018	To monitor the parking issues that surround Mudgee High School	18/3/2022 – this will be included as part of the audit. 23/5/2022 – brief with Ray Kearns for approval 21/7/2022-Pull together a brief to put forward to a consultant. 19/8/2022-Ongoing
Denison Street and Church Street Intersection	August 2020		Put down traffic counters at the intersection of Denison and Church Street to measure traffic numbers Physical traffic counts have been collected. Report to follow. 21/7/2022- Council to look at DA consent for a left only turn. 19/8/2022-No information in the DA, report to be created and letter to Aldi to see if they are interested in putting up a left turn only. 16/9/2022- Correspondence with Head Office Aldi.
Henry Lawson Drive and Ulan Rd			TO BE CONTINUED ACTION: MWRC – Ray to provide report for April 2022 meeting. 18/3/2022 Ray advised a Road Audit will be undertaken for this intersection. 27/7/2022- Information is still to be collected and official report to follow. 19/8/2022- TfNSW to review Road safety report. 16/9/2022- Look at speed in between Henry Lawson Drive and Ulan Rd.
Menah Ave Mudgee	17 December 2021	LTC 21/051	Council to investigate the traffic flow of Menah Ave and to investigate the rise of the road. 23/5/2022 traffic counters in place. 21/7/2022-Still being investigated.
Mudgee Preschool assessable parking location	February 2022 LTC		Council to speak with Mudgee Preschool to discuss the possibility of assessable parking from Kauri Lane. 23/05/2022 – awaiting response from pre-school. 31/7/2022- Samantha will look after this and work with Director of Operation. 19/8/2022- Hand over from Director of Operations.

SUBJECT	RES. NO. & DATE	RESOLUTION	ACTION
Oporto Road Line marking	February 2022		Council to investigate line marking options on Oporto Road to cease parking issues. 21/7/2022- Traffic volume analyses completed, consultation with rangers. 19/8/2022- Scheduling line markings with the Roads Department. Remove for next LTC
Jaques Street Kandos	March 2022		Request to extend the bus zone on Fleming Street to Jaques Street to be investigated by Council and TfNSW 23/5/2022 – TfNSW to review changes from 2019. 21/7/2022- Meeting between stake holders for consultation 19/8/2022- Meeting took place with Stakeholders. 16/9/2022- Wayde working with stakeholders and the Safety Around School Officer from TfNSW. Further investigation required.
Request for accessible parking in Cudgegong Street Rylstone	May 2022		17/6/2022 Council to further investigate. 16/9/2022- works are programmed- Remove from LTC.

PAST EVENT DEBRIEF

EVENT	
Small Farm Field Days	

CALENDAR OF EVENTS

2022		
JANUARY	DATE	COMMENTS
FEBRUARY	DATE	COMMENTS
NRL Charity Shield	26 February 2022	
MARCH	DATE	COMMENTS
Outback Classic Trial	31 March 2022	
Sunset Sounds	26 March 2022	cancelled
Mudgee Endurance Ride		cancelled

4

APRIL	DATE	COMMENTS
NRL Premiership Round 4	2/4/2022	
ANZAC Day Parade and Marches	25/4/2022	
MAY	DATE	COMMENTS
Mudgee Classic Cycle Event	1 May 2022	
Windeyer Endurance Ride	14 th & 15 th May 2022	LTC approval not required.
Kandos Street Machine and Hot Rod Show	2 May 2022	LTC endorsed
JUNE	DATE	COMMENTS
Mudgeeque Henry Lawson Festival	4 June 2022 11 June 2022	
JULY	DATE	COMMENTS
Small Farm Field Days	8 th & 9 th July 2022	
AUGUST	DATE	COMMENTS
Mudgee Running Festival	21 August 2022	
SEPTEMBER	DATE	COMMENTS
Mudgee High School Rainbow Day Flavours of Mudgee	22 September 2022 24 September 2022	Rainbow Day- Road blacks cancelled due to public holiday.
OCTOBER	DATE	COMMENTS
Mudgee Triathlon Season A-League Central Coast Mariners v Western United	23 October 2022 29 October 2022	
NOVEMBER	DATE	COMMENTS
Rylstone Street Feast	5 November 2022	
DECEMBER	DATE	COMMENTS

Red = Unapproved
 Green = Approved

22/038 INSTALLATION OF SIGNS AT LIONS DRIVE AND WILKINS CRESENT

RECOMMENDATION

That Council install “NO STOPPING’ signs at Lions drive and “GIVE WAY” sign at Wilkins Crescent.

Committee Comments

- Committee agree that the signs could help stop the congestion in this area.
- Notify business owners of the new sign arrangement.

MOTION: Mr Mark Fehon / Alex Karavas

That the above recommendation be accepted and approved.

22/039 TEMPORARY SPEED REDUCTION ON SECTION OF BARNEYS REEF ROAD

RECOMMENDATION

That Council approve a speed limit reduction on Barneys Reef Road during the construction of Birriwa Solar Farm.

Committee Comments

- All property owners on Barneys Reef Road were consulted in writing about the proposed temporary speed limit and access to the construction site. Two enquiries and both property owners where satisfied there would be no impact on them.

MOTION: Mr Alex Karavas / Mark Fehon

That the above recommendation be accepted and approved.

22/040 2023 CHARITY SHIELD – ST GEORGE ILLAWARRA DRAGONS V SOUTH SYDNEY RABBITOHS- SATURDAY 18 FEBRUARY 2023 OR 25 FEBRUARY 2023 & NRL TELSTRA PREMIERSHIP ROUND TBC – SEA EAGLES V TBC 25 MARCH 2023 OR 1 APRIL 2023

RECOMMENDATION

That the proposed events “2023 Charity Shield – St George Illawarra Dragons V South Sydney Rabbitohs” held on 18 February 2023 or 25 February 2023 and NRL Telstra Premiership Round TBC – Sea Eagles V TBC 25 March 2023 or 1 April 2023 be classified as Class 2 events under the “Guide to Traffic and Transport Management for Special Events Version 3.4” and proceeds with the following conditions:

- a. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.4* and submitted to and approved by Council prior to the event;**
- b. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;**
- c. Controlling noise as required by the *Protection of the Environment Operations (Noise Control) Regulation 2000*;**
- d. Reimbursing Council for the cost of damage repairs;**
- e. Complying with any of Council’s Law Enforcement Officers’ reasonable directives;**
- f. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;**
- g. A Traffic Guidance Scheme (TGS) certified by a person with a Prepare a Work Zone Traffic Management Plan or maintain a current Select and Modify Certificate or the Design and Audit Certificate under the old qualifications framework to be included in the TMP;**
- h. Any person directing traffic on a public road is required to possess an appropriate traffic controller’s certificate;**
- i. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, NSW Police Force and TRANSPORT FOR NSW is indemnified against any possible action as the result of the event;**
- j. The event convener is to consult with all affected businesses and residents adjacent to**

6

MID-WESTERN REGIONAL COUNCIL | LOCAL TRAFFIC COMMITTEE - 16 SEPTEMBER 2022

the proposed closure, in writing, indicating the period during which their accesses will be affected;

- k. Maintain a four-metre wide emergency vehicle lane;
- l. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- m. The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review

Committee Comments

- Selling carparking to the general parking to the public.
- VIP area is safer than the previous year set up.

MOTION: Mr Alex Karavas / Mark Fehon

That the above recommendation be accepted and approved.

21/041 GENERAL BUSINESS

St Matthews Catholic School

- TfNSW currently looking over bus timetable.
- Bus holding area currently being designed

Motorcycle Awareness Month

- During the month of October
- Joe Rider campaign- sharing the road with motorcyclist in local Midwestern Regional area

'Plan B' Campaign

- To be held within the Midwestern Regional area.

Nil

Nil

CLOSURE

There being no further business the meeting concluded at 10:48am

Item 13: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

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

GIVING NOTICE OF BUSINESS

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

BUSINESS WITHOUT NOTICE

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

Item 14: Confidential Session

LOCAL GOVERNMENT ACT, 1993

10A *WHICH PARTS OF A MEETING CAN BE CLOSED TO THE PUBLIC?*

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
 - (a) the discussion of any of the matters listed in subclause (2), or
 - (b) the receipt or discussion of any of the information so listed.
- (2) The matters and information are the following:
 - (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of any code of conduct requirements applicable under section 440.
- (3) A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
- (4) A council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

10D *GROUND FOR CLOSING PART OF MEETING TO BE SPECIFIED*

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- (2) The grounds must specify the following:
 - (a) the relevant provision of section 10A(2)
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

664

DISCLOSURE AND MISUSE OF INFORMATION

- (1) A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:
 - (a) with the consent of the person from whom the information was obtained, or
 - (b) in connection with the administration or execution of this Act, or
 - (c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or
 - (d) in accordance with a requirement imposed under the Ombudsman Act 1974 or the Freedom of Information Act 1989, or
 - (e) with other lawful excuse.

1. (1A) In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with section 10A (1), a person must not, without the authority of the council or the committee, disclose (otherwise than to the council or a councillor of the council) information with respect to the discussion at, or the business of, the meeting.

2. (1B) Subsection (1A) does not apply to:
 - (a) the report of a committee of a council after it has been presented to the council, or
 - (b) disclosure made in any of the circumstances referred to in subsection (1) (a)-(e), or
 - (c) disclosure made in circumstances prescribed by the regulations, or
 - (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.

- (2) A person acting in the administration or execution of this Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.

- (3) A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:
 - (a) the determination of an application for an approval, or
 - (b) the giving of an order.

Maximum penalty: 50 penalty units

MOTION

I move that pursuant to the provisions of Section 10 of the Local Government Act, 1993 the meeting be closed to the public.

After a motion to close the meeting has been moved and seconded and before the vote, the Chairman will ask if there are any other matters, besides those listed on the agenda which should be considered in Confidential Session.

He will then announce those matters to be considered in Confidential Session. In doing so, the Chairman will give reasons why those matters are to be considered in Confidential Session and explain the way in which discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

CHAIRMAN

The following matters have been listed for consideration in Confidential Session:

14.1 Financial Agreement with Housing Plus

The reason for dealing with this report confidentially is that it relates to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993.

Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of Commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

The Chairman will then ask the General Manager if there are any written representations from the public on the proposed closure of the meeting.

The General Manager will read out any written representations received.

The Chairman will ask if anyone in the gallery would like to make verbal representations in regard to the matters now to be considered in Confidential Session.

The Chairman will then put the motion "to close the meeting" to the vote.