

Business Papers 2023

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING WEDNESDAY 13 DECEMBER 2023

SEPARATELY ATTACHED ATTACHMENTS

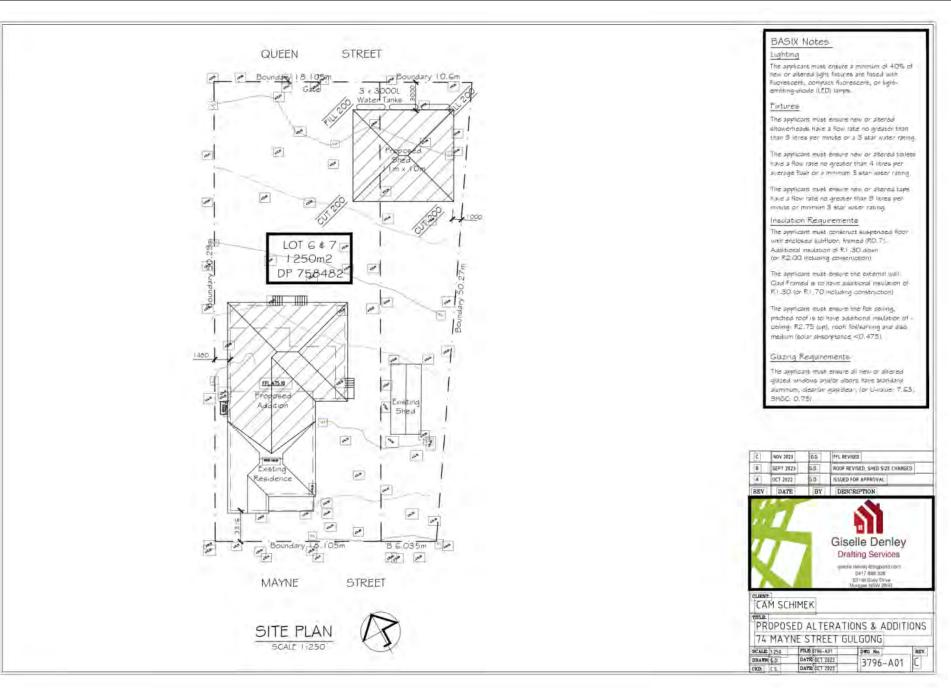


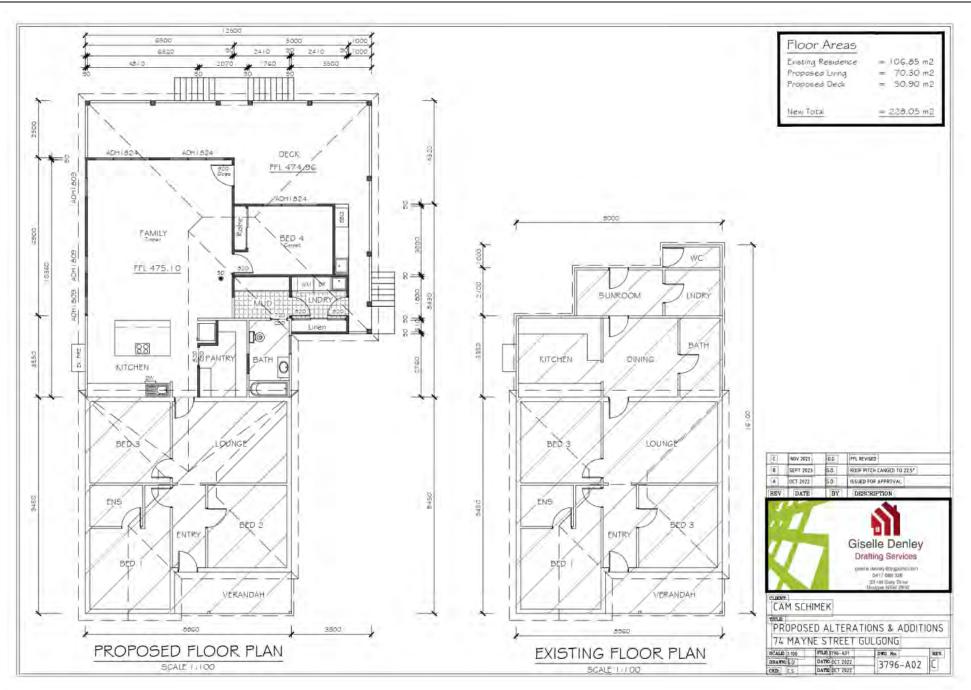


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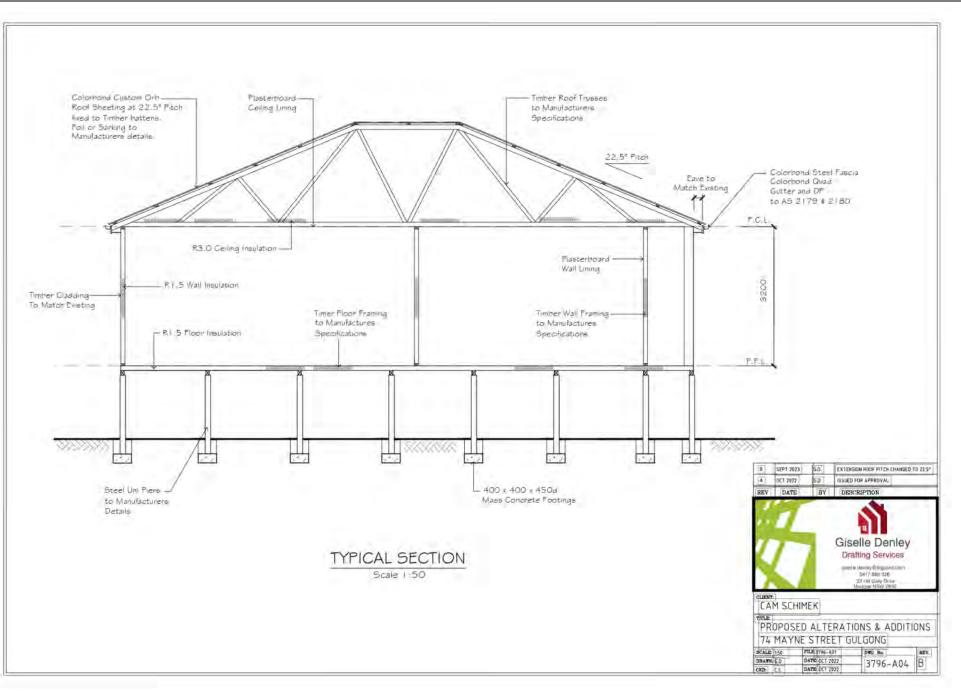
MID-WESTERN REGIONAL COUNCIL | ORDINARY MEETING – 13 DECEMBER 2023 REPORT 8.1 – ATTACHMENT 1

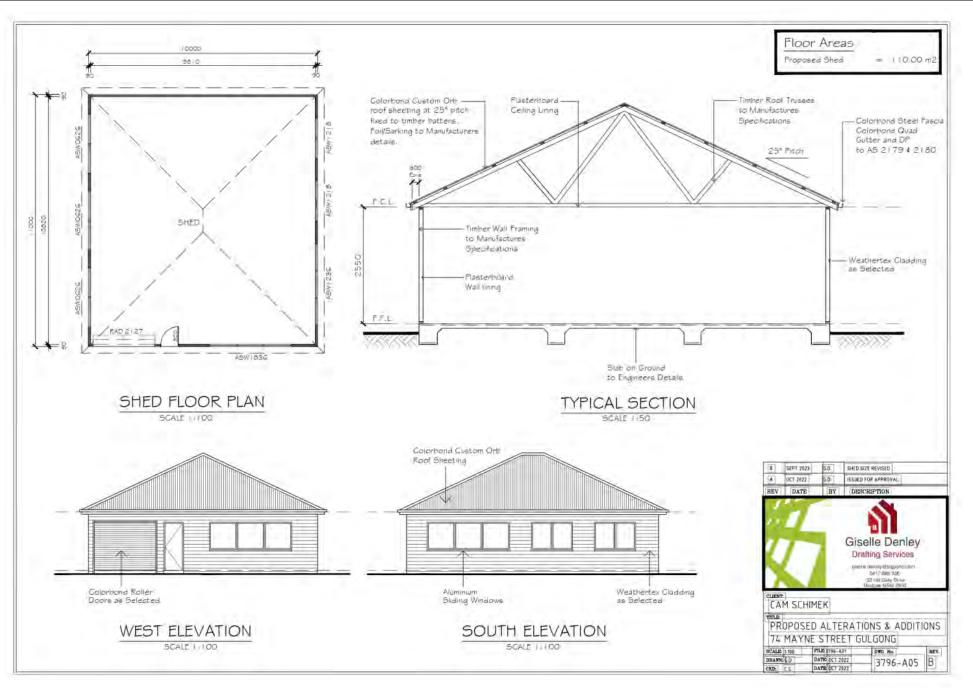


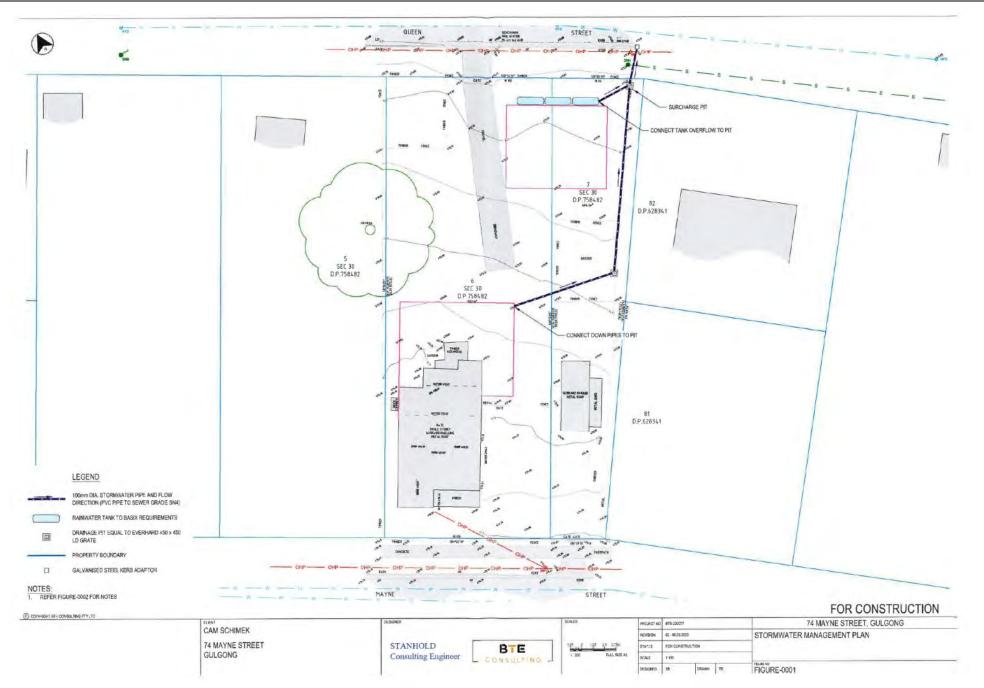












NOTES:

שני ידי שיות עצרכ שיו אפאייסס (כ)

REFER ARCHITECTURAL PLANS FOR DOWN FIPES AND ROOFWATER PIFES

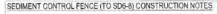
- 2. ALL PLUMBING TO ASINZ 3900.
- 3. PVC U PIPEV/ORK, INSTALLATION AND BEEDING TO ASMZ 2865 AND MANUFACTURER'S RECOMMENDATIONS.



- PROVIDE EROSION AND SEDIMENT CONTROL MEASURES TO LANDCOM SONS AND CONSTRUCTION VOLUME 1, 4TH EDITION, MARCH 2004 AND COUNCIL STANDARDS.
- PREPARE ESCP AND OBTAIN COUNCIL APPROVAL PRIOR TO WORKS
- 3 INSTALL PERIMETER CONTROL DEVICES PRIOR TO WORKS AND MAINTAIN DURING CONSTRUCTION LOCATE WITHIN WORKS BOUNDARY
- DEFINE ACCESS STOCKPILE AND OTHER AREAS PRIOR TO WORKS.
- PROVIDE & SINGLE POINT OF ACCESS TO THE SITE.
- MINIMISE SITE DISTURBANCE AND REDUCE STOCKPILING TO THAT NECESSARY TO CONSTRUCT THE WORKS. STOCKPILE AREAS, CONSTRUCTION ACCESSES AND NO-GO AREAS TO BE DEFINED AND CONFIRMED PRIOR TO WORKS. FENCE NO-GO AREAS.
- PROVIDE MEASURE AND STOCKPILES TO DIVERTICLEAN WATER AND COLLECT SEDIMENT DOWNSTREAM LOCATE STOCKPILES AWAY FROM STORMWATER FLOWS.
- PROVIDE AND MAINTAIN PERMANENT GRASSING AS SOON AS POSSIBLE AFTER CONSTRUCTION. STAGE WORKS AS NECESSARY.
- CONTROL DUST BY WIND BREAKS AND WATERING.
- PROTECTION MEASURES TO BE MAINTAINED AT ALL TIMES. ADJUST TO SUIT STAGING AND PROGRESS
- 11. HIGH EROSION AREAS INCLUDING BATTERS TO BE STARILISED WITHIN 7 DAYS OF COMPLETION AND EARLIER IF DIRECTED. NO DISTURBED AREAS TO REMAIN UNTREATED FOR MORE. THAN 3 WEEKS.
- 12 REMOVE SETTLED SEDIMENT AS SOON AS REASONABLY PRACTICABLE.
- 12 THE ESCH AND CONSTOLS ARE TO BE CONSTANTLY MONITORED, REVIEWED AND MODIFIED AS REQUIRED TO CORRECT DEFICIANCIES
- SEDMENT DEPOSITED OFF SITE AS A RESULT OF ON SITE ACTIVITIES MUST BE CLEANED UP 14 IMMEDIATELY
- 15. INSPECTALLESC MEASURES - DAILY WHEN WORK IS OCCURRING. WEEKLY WHEN WORK IS NOT OCCUPRING. - WITHIN 24 HOURS OF EXPECTED RAINFALL

STANHOLD

Consulting Engineer



- CONSTRUCT PARALLEL TO THE CONTOURS WITH SMALL RETURNS TO LIMIT THE CATCHMENT
- OUT A 150mm DEEP TRENCH ALONG THE UP SLOPE LINE OF THE FENCE FOR THE BOTTOM OF THE FABRIC TO BE ENTRENCHED.
- DRIVE 1.5m LONG STAR PICKETS INTO THE GROUND AT 2.5m INTERVALS AT THE DOWN SLOPE EDGE OF THE TRENCH IFF SAFETY CAPS.
- FIX ODOTECH STYLE SEDIMENT FENCING TO THE UP SLOPE SIDE OF THE POSTS WITH WIRE THES OR TO MANUFACTURERS RECOMMENDATIONS.
- JOIN FABRIC SECTIONS AT A SUPPORT POST WITH 150mm OVERLAP
- BACKFILL AND COMPACT THE TRENCH.

GEOTEXTILE INLET FILTER (SD6-12) CONSTRUCTION NOTES.

- USE GENTEXTILE TO SD64 MAXIMUM PICKET SPACING 1m.
- IN FLOW PATHS CREATE LOW POINT WITH SAND BAGS OR EARTHWORKS.
- DO NOT COVER THE INLET WITH GEOTEXTILE.

STABILISED SITE ACCESS (SD6-14) CONSTRUCTION NOTES

- STRIP TOPSOIL, LEVEL THE SITE AND COMPACT THE SUBGRADE
- COVER THE AREA WITH NEEDLE PUNCHED GEOTEXTILE.
- CONSTRUCT 200mm THICK PAD OVER GEOTEXTILE WITH 30mm GRAVEL
- 15m LONG X 3m WIDE.

STAR

PICKETS.

SANDBAGS

WATERWAY

EXCAVATION

EARTH

BAN

ROAL

CONSTRUCT A HUMP WHERE BEDIMENT FENCE JOINS

tm

MAX

770 0000

WY CONTRACTOR STORES

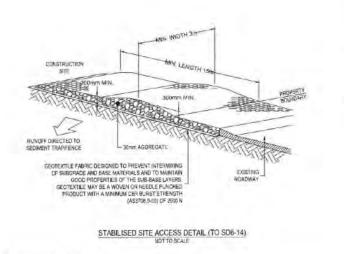
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THE

STATES?

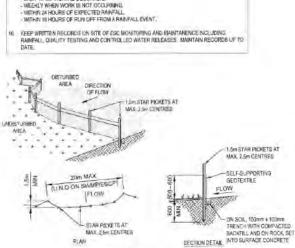
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CAM SCHIMEK

GULGONG

74 MAYNE STREET





BTE

FOR CONSTRUCTION

FOR DROP INLETS AT NON-SAG POINTS, SANDBAGS,

EARTH BANK OR EXCAVATION USED TO CREATE ARTIFICIAL SAG POINT

STAR PICKET FITTED

WITH SAFETY CAP

4111111

Л.

FL TERED

WATER

WIRE OR STEEL MESH (14 GUAGE x 150mm OPENINGS)

WOVEN GEOTEXTLE

RUNOFF WATER

WITH SEDMENT

00

2000

GEOTEXTLE

GROUND

EMBEDDED 150mm INTO

GEOTEXTILE INLET FILTER DETAIL (TO SD6-12)

NOT TO SCALE

WHERE GEOTEXTILE IS NOT SELF-SUPPORTING

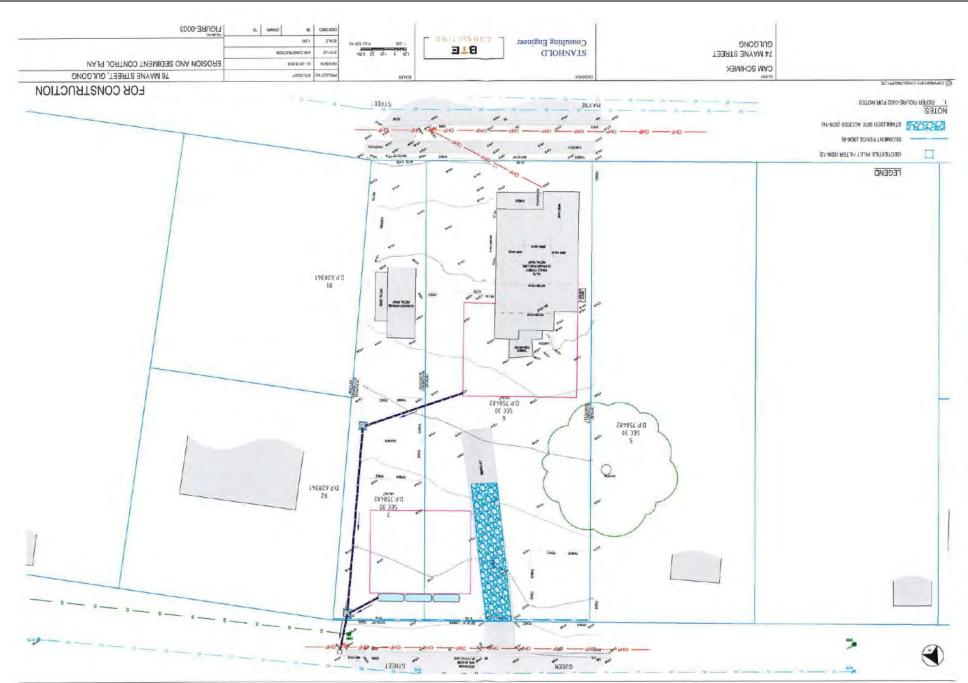
DROP INLET

WITH GRATE

WOVEN

GEOTEXTILE





BASI Certificate

Building Sustainability Index www.basix.nsw.gov.au

Alterations and Additions

Certificate number: A480977

This certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out below. Terms used in this certificate, or in the commitments, have the meaning given by the document entitled "BASIX Alterations and Additions Definitions" dated 06/10/2017 published by the Department. This document is available at www.basix.nsw.gov.au

Secretary

Date of issue: Thursday, 05, January 2023 To be valid, this certificate must be lodged within 3 months of the date of issue.



Description of project

Project address	
Project name	3796 - Schimek
Street address	74 Mayne Street Gulgong 2852
Local Government Area	Mid-Western Regional Council
Plan type and number	Deposited Plan 758482
Lot number	5
Section number	
Project type	
Dwelling type	Separate dwelling house
Type of alteration and addition	My renovation work is valued at \$50,000 or more, and does not include a pool (and/or spa).

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Certificate Prepared by (please complete before submitting to Council or PCA) Name / Company Name: Rohrs Refrigeration

ABN (if applicable): 37 101 256 320

BASIX Certificate number: A480977			page 2/6
Fixtures and systems DA F	Show on Show DA Plans CC/Cl Plans specs	° 0 9	Certifier Check
Lighting			
The applicant must ensure a minimum of 40% of new or altered light fixtures are fitted with fluorescent, compact fluorescent, or light-emitting-diode (LED) lamps.		5	5
Fixtures			
The applicant must ensure new or altered showerheads have a flow rate no greater than 9 litres per minute or a 3 star water rating.		5	5
The applicant must ensure new or altered toilets have a flow rate no greater than 4 litres per average flush or a minimum 3 star water rating.		<	<
The applicant must ensure new or altered taps have a flow rate no greater than 9 litres per minute or minimum 3 star water rating.		<	

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Building Sustainability Index www.basix.nsw.gov.au

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				metal clad)
			R1.30 (or R1.70 including construction)	external wall: framed (weatherboard, fibro,
			R1.3 (down) (or R2.00 including construction)	suspended floor with open subfloor: framed (R0.7).
		Other specifications	Additional insulation required (R-value)	Construction
<	<	in accordance with the specifications listed in uction is less than 2m2, b) insulation specified	The applicant must construct the new or altered construction (floor(s), walls, and ceilings/roofs) in accordance the table below, except that a) additional insulation is not required where the area of new construction is less t is not required for parts of altered construction where insulation already exists.	The applicant must construct the new or altered construction (floor(s), walls, at the table below, except that a) additional insulation is not required where the a is not required for parts of altered construction where insulation already exists.
				Insulation requirements
Show on Certifier CC/CDC Check Plans & specs	Show on DA Plans			Construction

flat ceiling, pitched roof

ceiling: R2.75 (up), roof: foil/sarking

light (solar absorptance < 0.475)

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Planning, Industry & Environment

Glazing requirements	uirements						Show on DA Plans	Show on CC/CDC Plans & specs	Certifier Check
Windows and glazed doors	ld glazed o	doors							
The applicant Relevant over	must install shadowing s	the windov specificatio	vs, glazed ns must t	doors and s be satisfied fo	The applicant must install the windows, glazed doors and shading devices, in accordance with the specification Relevant overshadowing specifications must be satisfied for each window and glazed door.	the specifications listed in the table below.	<	5	5
The following	requirement	s must als	o be satis	fied in relatio	The following requirements must also be satisfied in relation to each window and glazed door:			<	<
Each window have a U-valu must be calcu	or glazed do e and a Sola lated in acco	oor with sta ar Heat Ga ordance wi	indard alu in Coeffic th Nationa	minium or tir ient (SHGC) al Fenestratic	Each window or glazed door with standard aluminium or timber frames and single clear or tonec have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.	Each window or glazed door with standard aluminium or timber frames and single clear or toned glass may either match the description, or, have a U-value and a Solar Heat Gain Coefficient (SHGC) no greater than that listed in the table below. Total system U-values and SHGCs must be calculated in accordance with National Fenestration Rating Council (NFRC) conditions.		5	4
For projection above the heat		in millimet	the le	ading edge o	each eave, percola, verandah, ba	lcony or awning must be no more than 500 mm			
Pergolas with	s described ad of the win	NOW OI BIN	zed door	and no more	above the head of the window or glazed door and no more than 2400 mm above the sill.		4	<	5
Pergolas with	s described ad of the win polycarbona	ate roof or :	zed door similar tra	and no more nslucent mat	above the head of the window or glazed door and no more than 2400 mm above the sill. Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0	nt of less than 0.35.	4	< <	< <
windows a	s described ad of the win polycarbona fixed batten fixed batten vendicular wi	ate roof or a te roof or a s must hav indow. The doors (zed door similar tra e battens spacing	and no more nslucent mat parallel to th between batt	above the head of the window or glazed door and no more than 2400 mm above the sill. Pergolas with polycarbonate roof or similar translucent material must have a shading coefficien Pergolas with fixed battens must have battens parallel to the window or glazed door above wh shades a perpendicular window. The spacing between battens must not be more than 50 mm. Windows and glazed doors glazing requirements	above the head of the window or glazed door and no more than 2400 mm above the sill. Pergolas with polycarbonate roof or similar translucent material must have a shading coefficient of less than 0.35. Pergolas with fixed battens must have battens parallel to the window or glazed door above which they are situated, unless the pergola also shades a perpendicular window. The spacing between battens must not be more than 50 mm. Windows and glazed doors glazing requirements	5	< < <	~ ~ ~
Mindows a perp Mindows a Window / doc no.	s described ad of the win polycarbona fixed batten pendicular wi nd glazec r Orientatio	ate roof or s s must hav indow. The I doors g n Area of glass inc. frame (m2)	zed door: similar tra e battens spacing glazing Oversh Height (m)	d door and no more nilar translucent mat battens parallel to th pacing between batt azing requireme Overshadowing Height Distance (m) (m)	han 2400 mm above the sill. erial must have a shading coefficie e window or glazed door above wh ens must not be more than 50 mm. hts Shading device	nt of less than 0.35. ich they are situated, unless the pergola also Frame and glass type	5	~ < <	~ ~ ~
Windows a perp Window / doc no. Kitchen	s described ad of the win polycarbona fixed batten pendicular win nd glazec r Orientatio	ate roof or: s must hav indow. The d doors g d doors g glass inc. frame (m2) 1.62	similar tra similar tra spacing glazing Oversh Height (m)	and no more nslucent mat parallel to th between batt requireme adowing Distance (m)	han 2400 mm above the sill. rial must have a shading coefficie window or glazed door above wh rns must not be more than 50 mm. nts Shading device awning (fixed) >=900 mm	nt of less than 0.35. ich they are situated, unless the pergola also Frame and glass type standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)	5	< < <	< < <
Windows and glazed (Window / door Orientation no. Vientation Kitchen W Family W	s described ad of the win polycarbona fixed batten pendicular w nd glazec r Orientatio W	ate roof or i s must hav indow. The 1 doors g in Area of glass inc. frame (m2) 1.62	zed door similar tra e battens spacing glazing Oversh Height (m) 0	and no more nslucent mat parallel to th between batt requireme adowing Distance. (m) 0	han 2400 mm above the sill. rial must have a shading coefficie e window or glazed door above wh ens must not be more than 50 mm. Its Shading device awning (fixed) >=900 mm awning (fixed) >=900 mm	nt of less than 0.35. ich they are situated, unless the pergola also Frame and glass type standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75) standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)	5	< < <	< < <
Windows a perp Window / doc no. Kitchen Family Family	s described ad of the win polycarbona fixed batten pendicular w nd glazec r Orientatic W W	ate roof or a smust have roof or indow. The doors g ann Area of glass inc. frame (m2) 1.62 1.62	zed door similar tra e battens spacing Oversh Height (m) 0	and no more nslucent mat parallel to the between batter adowing Distance (m) 0	han 2400 mm above the sill. rial must have a shading coefficie a window or glazed door above wh ens must not be more than 50 mm. Its Shading device awning (fixed) >=900 mm awning (fixed) >=900 mm	nt of less than 0.35. ich they are situated, unless the pergola also Frame and glass type standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75) standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75) standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)	5	~ < <	55 5
shades a perpendicular window. The spacing between battiens Windows and glazed doors glass finc. Overshadowing finc. Window / door Orientation Area of glass finc. Overshadowing finc. Stance finc. Window / door Orientation Area of glass finc. Overshadowing finc. Stance finc. No. W 1.62 0 0 at an at a stance finc. Other finc. Kitchen W 1.62 0 0 at a stance finc. at	s described ad of the win polycarbona fixed batten pendicular w nd glazec r Orientatio W W W	ate roof or years must have indow. The indow. The glass finc. (m2) 1.62 1.62 1.62 4.32	zed door similar tra e battens spacing Oversh Height (m) 0	and no more nslucent mat parallel to th between batt requireme adowing Distance (m) 0 0	han 2400 mm above the sill. rial must have a shading coefficie window or glazed door above wh rns must not be more than 50 mm. Its Shading device Shading (fixed) >=900 mm awning (fixed) >=900 mm eave/verandah/pergola/balcony >=900 mm	rt of less than 0.35. ich they are situated, unless the pergola also Frame and glass type standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75) standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75) standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75) standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)	<	~ < <	55 5

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Planning, Industry & Environment

Building Sustainability Index www.basix.nsw.gov.au

Glazing	Window / no.	Family		Bed 4
Glazing requirements	Window / door Orientation Area of no. glass inc.	т		z
nts	ation Area o glass inc.	1.89		4.32
	and the second se	0		0
	Overshadowing Height Distance	0		0
	Shading device	eave/verandah/pergola/balconv		eave/verandah/pergola/balcony >=900 mm
	Frame and glass type	standard aluminium. single clear. (or	U-Value: 7.03, SHGC: 0.73)	standard aluminium, single clear, (or U-value: 7.63, SHGC: 0.75)
Show on DA Plans				
Show on CC/CDC Plans & specs				
Certifier Check				

MID-WESTERN REGIONAL COUNCIL | ORDINARY MEETING – 13 DECEMBER 2023 REPORT 8.1 – ATTACHMENT 1

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BABIX Certificate number: A480977

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Legend
In these commitments, "applicant" means the person carrying out the development.
Commitments identified with a " " " in the "Show on DA plans" column must be shown on the plans accompanying the development application for the proposed development (if a development application is to be lodged for the proposed development).
Commitments identified with a " " in the "Show on CC/CDC plans & specs" column must be shown in the plans and specifications accompanying the application for a construction certificate / complying development certificate for the proposed development.
Commitments identified with a " " " in the "Certifier check" column must be certified by a certifying authority as having been fulfilled, before a final occupation certificate for the development may be issued.

CLAUSE 4.6 VARIATION REQUEST CLAUSE 4.3 HEIGHT OF BUILDINGS

PROPOSED ALTERATIONS & ADDITIONS TO DWELLING HOUSE

74 MAYNE STREET, GULGONG NSW 2852 (LOTS 6 & 7 SEC. 30 DP758482)



CLIENT: CAM SCHIMEK

DATE: 23 November 2023

PREPARED BY:

de Witt Consulting Town Planning

ABN 23 104 067 405 7 Canberra Street Charlestown NSW 2290 | PO Box 850 Charlestown NSW 2290 87 Herbert Street Gulgong NSW 2852 | PO Box 232 Gulgong NSW 2852 02 4942 5441 | 02 6374 2911 admin@dewittconsulting.com.au www.dewittconsulting.com.au



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2. TO TH	WHAT IS THE NAME OF THE ENVIRONMENTAL PLANNING INSTRUMENT THAT APPLIES
3.	WHAT IS THE ZONING OF THE LAND AND WHAT ARE THE OBJECTIVES OF THE ZONE? .1
4. Appl	WHAT IS THE DEVELOPMENT STANDARD TO WHICH THIS CLAUSE 4.6 VARIATION IES AND WHAT ARE THE OBJECTIVES OF THE DEVELOPMENT STANDARD?
5.	WHAT IS THE EXTENT OF THE VARIATION?
6.	CLAUSE 4.6 EXCEPTION TO DEVELOPMENT STANDARDS
7.	JUSTIFICATION FOR PROPOSED VARIATION
7.1 7.2 7.3 7.3.1 No.1) 7.3.2 7.3.3 7.3.4 7.3.5	IS THE PROPOSAL CONSISTENT WITH THE ZONE OBJECTIVES? 5 IS THE PROPOSAL CONSISTENT WITH THE OBJECTIVES OF THE STANDARD? 6 IS COMPLIANCE WITH THE STANDARD UNREASONABLE OR UNNECESSARY? 6 Are the objectives of the standard are achieved notwithstanding non-compliance with the standard (Wehbe Test 7 7 The underlying objective or the purpose of the standard is not relevant to the development (Wehbe Test No.2) 8 The underlying object or purpose would be defeated or thwarted (Wehbe Test No.3) 8 The development standard has been virtually abandoned or destroyed (Wehbe Test No.4) 8 The zoning of the land is unreasonable or inappropriate (Wehbe Test No.5) 8
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9.1 9.2 9.3 SIGNII 9.4	IS THE VARIATION IN THE PUBLIC INTEREST?
10	CONCLUSION

Clouve 4,4 Variation Request (Height) - 44 Mayne' fried: Colouro (1.14) -October 2023 (1. Cur Ren 14020)



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Prepared by:	Reviewed by:	Released by:
Name: Harrison Drewer Position: Town Planner	Name: Emma Mason Position: Principal 1 Planner	Name: Emma Mason Position: Principal Town Planner Signed: Date: 23/11/2023

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Nº AU004875-1 Nº AU004876-1 Nº AU005201-1

1. OVERVIEW OF PROPOSAL

This submission has been prepared with regards to a development application (DA) for proposed alterations and additions and a new shed structure on land known as 74 Mayne Street Gulgong NSW 2852. The proposal involves a rear extension to the existing residence, to include a new kitchen, family room, bedroom and associated mud room and laundry. The variation relates to Lot 6 and 7, Section 30 DP758482. These will be known as 'the site'. It should be noted that the proposed ancillary shed will have a maximum height of 4.582m, which is lower than the maximum building height allowed under LEP 2012.

Measured in accordance with the definition of building height in the Mid-Western Regional LEP 2012, the proposal has a maximum height of 6.71 metres (m), resulting in a breach of 1.71 (or 34.2% exceedance).

WHAT IS THE NAME OF THE ENVIRONMENTAL PLANNING INSTRUMENT THAT APPLIES TO THE LAND?

The environmental planning instrument (EPI) that applies to the site is Mid-Western Regional Local Environmental Plan 2012 (LEP 2012).

3. WHAT IS THE ZONING OF THE LAND AND WHAT ARE THE OBJECTIVES OF THE ZONE?



The site is zoned R1 General Residential (refer to Figure 1).

Figure 1: Land Zoning Map - subject site outlined in yellow (Source: NSW Planning Portal)

The objectives of the R1 zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

As discussed in Section 7.1 of this report the proposed development is consistent with the objectives of the zone despite the variation.

4. WHAT IS THE DEVELOPMENT STANDARD TO WHICH THIS CLAUSE 4.6 VARIATION APPLIES AND WHAT ARE THE OBJECTIVES OF THE DEVELOPMENT STANDARD?

The development standard to which this variation relates to is Clause 4.3 Height of buildings, which reads as follows:

"4.3 Height of buildings

(1) The objectives of this clause are as follows—

(a) to establish a maximum height limit to which buildings can be designed in particular locations,

(b) to enable infill development that is of similar height to existing buildings and that is consistent with the heritage character of the towns of Mudgee, Gulgong, Kandos and Rylstone.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map."

A maximum building height of 5m applies to the subject site, as per Figure 2 below.



Figure 2: Height of buildings Map - subject site outlined in yellow (Source: NSW Planning Portal)

5. WHAT IS THE EXTENT OF THE VARIATION?

Referring to the Architectural Plans prepared by Giselle Denley Drafting Services, the maximum building height above existing ground level is displayed as 6.71m, being a 1.71m (34.2%) exceedance to the development standard. Refer to *Figure 3*.



Figure 3: Extract from Architectural Plans - Elevations (Source: Giselle Denley Drafting Services)

As shown by *Figure 3*, the proposed alterations and additions extend the general built form northwards. This includes the same floor level for the entire development, as well as a similar roof form. This ensures consistency with the existing building and retaining its general contributory nature in the Gulgong Heritage Conservation Area (HCA), demonstrated in the Statement of Heritage Impact that forms part of this application.

6. CLAUSE 4.6 EXCEPTION TO DEVELOPMENT STANDARDS

Development standards are a means to achieving an environmental planning objective and can be numerical or performance based. Some developments may achieve planning objectives despite not meeting the required development standards. The planning system provides flexibility to allow these objectives to still be met by varying development standards in exceptional cases.

As detailed in this request, the proposed development is considered to meet the requirements prescribed under Clause 4.6 of the Mid-Western Regional LEP 2012, as the development standard is considered unreasonable, the development displays sufficient environmental planning grounds to warrant contravention of the development standard, and the development will be in the public interest because it is consistent with the objectives of the standard and the subject zone.

Clause 4.6 states the following:

"4.6 Exceptions to development standards

(1) The objectives of this clause are as follows-

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

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(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless—

(a) the consent authority is satisfied that-

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Planning Secretary has been obtained.

(5) In deciding whether to grant concurrence, the Planning Secretary must consider-

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Planning Secretary before granting concurrence.

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone C2 Environmental Conservation, Zone C3 Environmental Management or Zone C4 Environmental Living if—

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note-

When this Plan was made it did not include all of these zones.

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).

(8) This clause does not allow development consent to be granted for development that would contravene any of the following—

1008-

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(c) clause 5.4,

(caa) clause 5.5,

(ca) clause 2.8, 6.1 or 6.2

7. JUSTIFICATION FOR PROPOSED VARIATION

There is jurisdictional guidance available on how variations under Clause 4.6 of the Standard Instrument and LEP should be assessed contained in *Initial Action Pty Ltd v Woollahra Municipal Council* [2018] NSWLEC 11 & Samadi v Council of the City of Sydney [2014] NSWLEC 1199.

Paragraph 27 of the judgement states:

"Clause 4.6 of (the LEP) imposes **four preconditions** on the Court in exercising the power to grant consent to the proposed development. The first precondition (and not necessarily in the order in cl 4.6) requires the Court to be satisfied that the proposed development will be **consistent with the objectives of the zone** (cl 4.6(4)(a)(ii)). The second precondition requires the Court to be satisfied that the proposed development will be **consistent with the objectives of the standard in question** (cl 4.6(4)(a)(ii)). The third precondition requires the Court to consider a **written request that demonstrates that compliance with the development standard is unreasonable or unnecessary** in the circumstances of the case and with the Court finding that the matters required to be demonstrated have been adequately addressed (cl 4.6(3)(a) and cl 4.6(4)(a)(i)). The fourth precondition requires the Court to consider a written request that demonstrates that there are **sufficient environmental planning grounds** to justify contravening the development standard and with the Court finding that the matters required to be demonstrated have been adequately addressed (cl 4.6(3)(b) and cl4.6(4)(a)(i))." [paragraph 27] [emphasis added by author]

This written request satisfies the four preconditions in the following way:

- Precondition 1: Consistency with zone objectives: As described in Section 7.1.
- Precondition 2: Consistency with the objectives of the standard: As described in Section 7.2. Consistency with the objectives of the standard is demonstrated when establishing that compliance is unreasonable or unnecessary (specifically the first invocation of the "5 Part Test").
- Precondition 3: Compliance with the development standard is unreasonable or unnecessary: As described in Section 7.3 utilising the accepted "5 Part Test".
- Precondition 4: Sufficient environmental planning grounds: As described in Section 8

As demonstrated throughout this report, the use of Clause 4.6 to enable an exception to this development standard is appropriate in this instance and the consent authority should be satisfied that all requirements of the clause have been suitably addressed via the content in this formal request.

1.1 IS THE PROPOSAL CONSISTENT WITH THE ZONE OBJECTIVES?

The objectives of the R1 General Residential zone are:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

In relation to the first zone objective, the proposed alterations and additions continue the orderly and economic use of the land. Additionally, it continues to provide for the housing needs of the community, within

a built form that will be more accommodating to larger families, or those seeking for an improved and more modern built outcome.

In relation to the **second zone objective**, the proposed development provides for an appropriate density of development on the subject site, by utilising more of the land area for housing, as well as providing ancillary shed space. The proposed alterations and additions will result in a larger dwelling, resulting in an increased level of dwelling diversity in the area, whilst remaining consistent with the existing character.

In relation to the **third zone objective**, this is not applicable, given the proposed development relates to an existing, residential land use.

Therefore, the development is entirely consistent with the objectives of the R1 General Residential zone.

7.2 IS THE PROPOSAL CONSISTENT WITH THE OBJECTIVES OF THE STANDARD?

The development standard to which the development relates is Clause 4.3 Height of buildings. The objectives of this clause are as follows-

(1) The objectives of this clause are as follows-

(a) to establish a maximum height limit to which buildings can be designed in particular locations.

(b) to enable infill development that is of similar height to existing buildings and that is consistent with the heritage character of the towns of Mudgee, Gulgong, Kandos and Rylstone.

In relation to **objective A**, the proposed built form remains largely consistent with the current streetscape appearance of the existing building, albeit enlarged. The proposal represents a high quality design, proving an improvement over the existing dwelling. The proposed alterations and additions will not adversely impact the bulk and scale of the existing dwelling on the site.

In relation to **objective B**, the existing dwelling is a local heritage item, and the site is located within the Gulgong Heritage Conservation Area (HCA). Due to these factors, a Statement of Heritage Impact was prepared to support the DA for alterations and additions. It found:

"Overall, the additions respect the original Federation era house, keeping the heritage impact minimal to positive. All aspects of the aesthetic significance of this house are retained, while the house is modernized and extended for comfortable passive solar living. This will retain the positive visual impact this house contributes to the streetscape of Mayne Street and to the Gulgong Conservation Area."

It should be noted that the existing dwelling has a maximum height of 6.69m, and the proposed development stays faithful to the roofline of this building. A split-level design may not result in the same neutral to improved heritage impacts as the proposed design.

Additionally, it should be noted that the proposed development is on a site with a secondary frontage, along Queen Street. The proposed development is not considered to adversely impact the significance of the Gulgong HCA from Queen Street.

7.3 IS COMPLIANCE WITH THE STANDARD UNREASONABLE OR UNNECESSARY?

The proposed variation from the development standard is assessed against the accepted "5 Part Test" for the assessment of a development standard variation established by the NSW Land and Environment Court (LEC) in Wehbe v Pittwater Council (2007) NSWLEC 827.

In the decision of *Wehbe v Pittwater Council (2007) NSWLEC 827*, Chief Justice Preston expressed the view that there are five (5) different ways in which an objection may be well founded, and that approval of the objection may be consistent with the aims of the policy. This attributes to determining whether compliance with the standard is unreasonable or unnecessary in the circumstances of the case as set out below:

Table 1: "5 Part Test" established under Wehbe v Pittwater Council ((2007)	NSWLEC 827	
--	--------	------------	--

Test	Description
1	The most commonly invoked way is to establish that compliance with the development standards is unreasonable or unnecessary because the objectives of the development standard are achieved notwithstanding non-compliance with the standard. The rationale is that development standards are not ends in themselves but means of achieving ends. The ends are environmental or planning objectives. If the proposed development provides an alternative means of achieving the objective, strict compliance with the standard would be unnecessary and unreasonable.
2	The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary.
3	The underlying objective or purpose would be defeated or thwarted if compliance was required with the consequence that compliance is unreasonable.
4	The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.
5	"The zoning of particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land" and that "compliance with the standard in that case would also be unreasonable or unnecessary".

Satisfactorily demonstrating that compliance with a development standard is unreasonable or unnecessary in any one of these ways is sufficient for meeting the requirement in Clause 4.6(3)(a) of LEP 2012.

This variation determines compliance is unnecessary and unreasonable considering the first and third tests in particular. The following discussion is provided in response to each of the above tests.

7.3.1 Are the objectives of the standard are achieved notwithstanding non-compliance with the standard (Webbe Test No.1)

The objectives supporting the height of buildings control identified in Clause 4.3 are discussed below. Consistency with the objectives and the absence of any environmental planning impacts, would demonstrate that strict compliance with Clause 4.3 would be unreasonable in this instance.

As previously stated, the objectives of the standard are:

- (a) to establish a maximum height limit to which buildings can be designed in particular locations.
- (b) to enable infill development that is of similar height to existing buildings and that is consistent.

As discussed in Section 7.2 the proposed development is consistent with **objective (a)** as the proposed built form remains largely consistent with the current streetscape appearance of the existing building, albeit enlarged. The proposal represents a high quality design, proving an improvement over the existing dwelling. The proposed alterations and additions will not adversely impact the bulk and scale of the existing dwelling on the site.

Objective (b) is achieved notwithstanding the variation. The existing dwelling is a local heritage item, and the site is located within the Gulgong Heritage Conservation Area (HCA). The Statement of Heritage Impact found the proposal to have neutral to positive impacts on the heritage character of the building and HCA.

Strict compliance with the height of building development standard is unreasonable and unnecessary in the circumstances of the case as the objectives of the standard have been achieved. The proposed alterations and additions create a built form that is largely consistent with existing development on site and in the surrounding area. It will not adversely impact the scale of the dwelling as a whole. The proposed development also contributes positively to the Gulgong Heritage Conservation Area, as demonstrated by the Statement of Heritage Impact. The proposed alterations and additions facilitate appropriate development of the site with the variation of the height of building developments standard justified on the basis that the proposed design better meets the objectives of this clause in the LEP.

Adhering strictly with the height of building development standard would result in a potentially degraded visual character, since the proposed addition improves the aesthetic qualities of the existing development. The proposed development does not require strict adherence to the development standard to meet the clause objectives.

To summarise, strict compliance with Clause 4.3 would be unreasonable in this instance as the proposed building height will achieve the intent of **objective (a)** and **(b)** notwithstanding the variation.

7.3.2 The underlying objective or the purpose of the standard is not relevant to the development (Wehbe Test No.2)

The underlying objective or purpose of the standard is relevant to the development and is achieved as outlined in 7.3.1 above. Therefore, this clause is not applicable.

7.3.3 The underlying object or purpose would be defeated or thwarted (Wehbe Test No.3)

Compliance with the development standard would be overly restrictive and could result in outcomes that are both unsuitable to the locality and of lesser or poor quality. On balance, the proposed development provides a better means to achieve the object of the standard, when compared with a compliant built form.

As previously established, the height of the building responds appropriately to the existing built form on the site. The proposed development retains the existing roof ridge line, whilst also not adversely impacting important view corridors or the significance of the HCA from the Queen Street elevation. As a result, a compliant development would be required to be split levelled, which would not result in the same complementary heritage outcome, which is of high importance in an HCA and a site containing a local heritage item.

The proposal in its current form is more appropriate in its context than a development that complies with the standard.

7.3.4 The development standard has been virtually abandoned or destroyed (Webbe Test No.4)

Council has approved several DAs throughout the Mid-Western Regional local government area (LGA) with height variations. Whilst Council encourages compliance with standards, the previous variations indicate Council has historically applied a suitable level of flexibility to the standards where appropriate. We would argue that the same level of flexibility is being sought here.

The strength of the proposed development's ability to meet the objectives of the standard notwithstanding the variation warrants a level of flexibility suited to this development. Therefore, the development can be supported without abandoning the standard. In this instance, compliance with the standard is unnecessary and unreasonable in the context of the locality.

7,3.5 The zoning of the land is unreasonable or inappropriate (Wehbe Test No.5)

Not applicable as the zoning of the site is appropriate. We contend that the underlying issue for this particular case is that the objectives of the zone and the development standard can be achieved notwithstanding the variation.

8. ARE THERE SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS?

Having regard to Clause 4.6(3)(b) and the need to demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard, Preston CJ in *Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118* (paragraph 24) states:

"The environmental planning grounds relied on in the written request under cl 4.6 must be "sufficient". There are two respects in which the written request needs to be "sufficient". First, the environmental planning grounds advanced in the written request must be sufficient "to justify contravening the development standard". The focus of cl 4.6(3)(b) is on the aspect or element of the development that contravenes the development standard, not on the development as a whole, and why that contravention is justified on environmental planning grounds. The environmental planning grounds advanced in the written request must be sufficient.

standard, not simply promote the benefits of carrying out the development as a whole: see Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248 at [15]. Second, the written request must demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard so as to enable the consent authority to be satisfied under cl 4.6(4)(a)(i) that the written request has adequately addressed this matter: see Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90 at [31]." [paragraph 24]

In this regard, the justification contained within Section 7 of this Clause 4.6 variation has focused on the ability of the elements of the development that are outside the height plane to demonstrate compliance with the objectives of the standard, and why, despite the height exceedance, the proposal is nonetheless able to achieve these standards.

Further, in Initial Action Pty Ltd v Woollahra Municipal Council [2018] NSWLEC 118, Preston CJ clarified what a Clause 4.6 variation request does and does not need to satisfy. Importantly, there does not need to be a "better" planning outcome:

"It is not necessary, contrary to what the Commissioner held, that the non-compliant development has no view loss or less view loss than a compliant development". [paragraph 86]

"I find that the Commissioner applied the wrong test in considering this matter by requiring that the development, which contravened the height development standard, result in a "better environmental planning outcome for the site" relative to a development that complies with the height development standard (in [141] and [142] of the judgment). Clause 4.6 does not directly or indirectly establish this test. The requirement in cl 4.6(3)(b) is that there are sufficient environmental planning grounds to justify contravening the development standard, not that the development that contravenes the development standard have a better environmental planning outcome than a development that complies with the development standard." [paragraph 86]

The assessment in the preceding sections and as shown throughout the supporting documentation demonstrates that the resultant environmental impacts of the proposal will be satisfactory, subsequently providing the justification for contravening the development standard. The proposal is consistent with the relevant objectives of the zone and the development standard, and it has been established that compliance with the standard is unreasonable or unnecessary.

There are sufficient environmental and planning grounds to justify contravening the development standard and are summarised from the preceding sections as follows:

- The proposed development meets the zone objectives (Section 7.1) and the height control objectives (Section 7.2).
- The proposed development is compatible with existing and future built form within the surrounding locality.
- The proposed development will provide a high level of internal and external environmental amenity
 for future residents of the building. The proposed development does not result in unfavourable or
 negative visual impact resulting from density, height or scale, and the works are expected to
 significantly improve the visual perception of the site. The development both maintains and
 enhances the neighbourhood character, landscape character, streetscape and amenity of the
 locality.
- The additional height will have a negligible effect on solar access. The shadows created by the development are considered to be satisfactory in regard to impacts to adjoining sites, the public domain and also within the development site.
- The additional height will not impact privacy of adjoining residents considering the height exceedance.
- The additional height will not impact on view sharing.
- Substantial components of the development are compliant with the maximum building height.

The proposal will not result in any unreasonable amenity or environmental impacts as detailed in the supporting documentation and this request. Notwithstanding the variation, the proposed works represent a

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well-considered development that addresses the unique character of the site, streetscape appearance and public domain interface, solar access, privacy, and relevant objectives of both the development standards and the R1 General Residential zone. Given the nature of the variation, the proposal will maintain high levels of amenity within the development and to the surrounding context including the nearby recreation land. The proposal continues to make a positive contribution to streetscape and has been skilfully designed in consideration of its surrounding context and land uses.

As outlined above, it is considered that the proposal will provide for a better planning outcome than a strictly compliant development. In this case, we submit that there are sufficient environmental planning grounds to justify contravening the development standard.

9. OTHER MATTERS THAT MUST BE SATISFIED

9.1 IS THE VARIATION IN THE PUBLIC INTEREST?

As detailed above, Clause 4.6 (4)(a)(ii) of the LEP requires demonstration that the proposed development will be in the public interest because it is consistent with the objectives of the particular development standard (described and addressed in Section 7.2 above) and the objectives for the zone in which the development is proposed to be carried out (as described and addressed in Section 7.1). The demonstration of compliance with both the objectives of the standard and the land zone in turn confirm that the proposal is in the public interest.

9.2 CONCURRENCE OF THE PLANNING SECRETARY

Clause 4.6(4)(b) requires that a development consent must not be granted for development that contravenes the development standard unless the concurrence of the Planning Secretary (of the Department of Planning and Environment (DPE)) has been obtained.

Planning Circular PS 20-002 states that the consent authority may assume the Secretary's concurrence, subject to conditions attached to the circular. The conditions are not appliable to this development, being decisions made by independent hearing and assessment panels (of which this DA would not be assessed by) and therefore, the secretary's concurrence can be assumed by Council.

9.3 WHETHER CONTRAVENTION OF THE DEVELOPMENT STANDARD RAISES ANY MATTER OF SIGNIFICANCE FOR STATE OR REGIONAL ENVIRONMENTAL PLANNING

The variation sought does not raise any matter of significance for State or regional environmental planning.

9.4 PUBLIC BENEFIT OF MAINTAINING THE STANDARD?

It is considered that there is no benefit to the public or the community in maintaining the development standard. As established, there are no unreasonable or adverse impacts resulting from the development including the height exceedance. As such, there would be no public benefit in maintaining strict numerical compliance the standard.

10 CONCLUSION

The proposal does not comply with the 5m height of buildings control prescribed by Clause 4.3 of the Mid-Western Regional LEP 2012. Having evaluated the likely effects arising from this non-compliance, we are satisfied that the objectives of Clause 4.6 of LEP 2012 are met, as compliance with the maximum height development standard are unreasonable and unnecessary in the circumstances of this case as the development meets the objectives of both the development standard and the land zone. Further, this request has demonstrated that there are sufficient environmental planning grounds to support the exceedance.

Based on the above, it is reasonable to conclude that strict compliance with the maximum building height is not necessary and that a better planning outcome is achieved for this development by allowing flexibility in the application of the development standard. Consequently, the use of Clause 4.6 of the LEP 2012 to vary this development control is appropriate.

The consent authority should be satisfied that all requirements of the clause have been suitably addressed via the content in this formal request and the proposal is worthy of favourable consideration.



Proposed additions to an existing residence at

74 Mayne Street

Gulgong

Lot 6 and 7 Section 30 DP 758482

Statement of Heritage Impact



Figure 1 Front elevation. BjH December 2022.

Report Date: 16 December 2022

Prepared by BJ Hickson Heritage adviser PO BOX 610 Mudgee 2850

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This **Statement of Heritage Impact** is required because the development application applies to an existing <u>heritage listed house</u> located within the <u>Gulgong Heritage Conservation Area</u>. This house will be altered and extended, principally with a new roof and the addition to the rear. The front portion of the house, that which contributes to the streetscape, and most of its original fabric, will not change.

By 'Impact' the report covers any effect that may alter the historic significance of the heritage listed place, or the Conservation Area. It can be a visual or physical effect. It can be a small effect or large. Having an 'impact' on a heritage item or place does not mean that such a proposal cannot proceed. The description of the impact will enable council staff to determine whether to approve such a development, and if the impact is acceptable.

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Figure 2 Aerial view of Gulgong showing proposed development site, No 74, highlighted. Courtesy of Six maps.





Figure 3 Side view of house at 74 Mayne St. Image 13 December 22

SUMMARY

This is an existing heritage listed house set close to the front boundary. The proposal is to retain most of the house but remove a small rear verandah, the back wall and a skillion roof.

The roof structure will then be replaced behind the front ridge line, and this will provide a new hipped roof that can extend out over the proposed additions, allowing the additions to have a matching ceiling height, eaves and character throughout. The plan allows for the existing chimney to be retained.

There will be some adjustment (up) of the walls in the kitchen area to meet the new, level ceiling and eaves line.

An 'L' shaped verandah to the rear will allow for generous outdoor living with a northern aspect.

Overall, the additions respect the original Federation era house, keeping the heritage impact minimal to positive. All aspects of the aesthetic significance of this house are retained, while the house is modernised and extended for comfortable passive solar living. This will retain the positive visual impact this house contributes to the streetscape of Mayne Street and to the Gulgong Conservation Area.



Figure 4: Figure 5 Rear view of residence showing hipped roof and chimney that will be retained. The small rear verandah , partially enclosed, and rear linings and wall will be removed. Image 13 December 22.

HERITAGE OBJECTIVES

The MWRC LEP 2012 provides the following information with respect to the management of Environmental Heritage. Relevant clauses are highlighted as follows:

- 5.10 Heritage conservation
 - (1) Objectives The objectives of this clause are as follows-
 - (a) to conserve the environmental heritage of Midwestern Regional local government area,

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent Development consent is required for any of the following-

(a) **demolishing or moving** any of the following or altering the exterior of any of the following (including, **in the case of a building, making changes to its detail, fabric**, finish or appearance)—

- (i) a heritage item,
- (ii) an Aboriginal object,
- (iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land-

 (i) on which a heritage item is located or that is within a heritage conservation area, or

(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(3) When consent not required However, development consent under this clause is not required. (omit)

(4) Effect of proposed development on heritage significance. The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment: The consent authority may, before granting consent to any development—

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans: The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <u>Heritage Act</u> <u>1977</u> applies)—

(a) notify the Heritage Council of its intention to grant consent, and

(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

In this case the proposal is in keeping with Council's Heritage Objectives. The heritage significance of the existing listed Federation house at 74 Mayne Street, and the area in which it is located, will not be adversely affected by the proposed works. There is some small loss of fabric in terms of the roof replacement to the rear of the house, but these are areas with low or no significance. The work allows the house to fully retain its Federation period appearance and fabric. This will provide a positive visual impact to the streetscape and the Gulgong Conservation Area.

The context and curtilage of the house is a simple single residence in a residential zone.



Figure 6 Mayne Street Streetscape

SIGNIFICANCE

The affected property is a listed item and is located within the Gulgong Conservation Area. There are other listed items in Mayne Street but not in the immediate vicinity.

The Statement of significance for the Gulgong Conservation Area reads:

Gulgong is an excellent example of gold rush era town where the layout still reflects the social and economic forces that created it. It has outstanding aesthetic qualities due in part to its hilltop location, narrow winding streets, variety of building styles, original stone kerbing and ever-changing glimpses of the landscape beyond.

Key remnant buildings in brick, stone and numerous lightweight materials relate back to the mid-Victorian era of the 1870s when the town sprung up quickly and gold seekers flocked to the locality. The Gulgong Pioneer Museum utilises and interprets some of the earliest structures in the town.

Gulgong has important cultural connections to Bernhardt Otto Holtermann (1838-1885), a gold miner, and sponsor of historic photography; to Thomas Alexander Browne, alias Rolf Boldrewood famous for writing Robbery Under Arms; and one of Australia's most famous poets and short-story writers, Henry Lawson to name a few.

The many resident descendants of the gold miners and business suppliers to the Gold Rush, representing numerous nationalities, have a strong sense of community and pride in the past.

Alterations and additions to this fine Federation residence, will not affect the significance of the Gulgong Conservation Area, but retain and maintain this valuable house.

The house at No 74 Mayne Street is Listed item 273 on the Mid-Western Regional Council LEP 2012. Its statement of significance reads:

Good example of early 20Th century weatherboard house with hipped and gabled corrugated iron roof including Dutch gables and decorative front gable facing the street, finished with vertical strapping. The front verandah is an extension of the main roof and supported on

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timber posts with deep curved federation brackets. Awnings over windows which are generally timber framed casements with fanlights and small coloured glass lights at base of each main sash.

Set behind a timber fence this house contributes to the stock of house types in Gulgong and to the streetscape of Mayne Street.

Alterations and additions to this Federation residence, will not affect the significance of the residence itself.

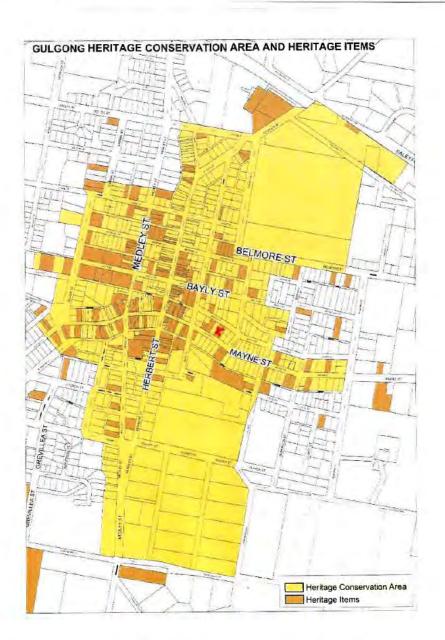


Figure 6 Gulgong Conservation Area showing location of 74 Mayne Street marked 🗴

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PHYSICAL DESCRIPTION.

The dwelling at 74 Mayne Street is a painted weatherboard late Edwardian cottage, probably dating from 1915-1925. The house addresses Mayne Street. It has a hipped corrugated roof with Dutch Gables. The front façade illustrates quality details of the period. It features a side set verandah in an asymmetrical façade with a picket balustrade, timber posts and deep curved federation brackets. Corrugated iron awnings over windows. The windows are triple paned decorative casements with small fixed coloured glass lights at the base of the main panes, and fanlights over. The half gables of the vernadah are infilled with vertical timber spaced straps. The front door and windows appear to be original fabric.

Well maintained the house sits behind a picket fence and is a strong contributor to the streetscape.



Figure 7 Front window detail

Figure 8 Front verandah detail

HISTORY

This property at Lot 6 was first owned by Alfred Blanchard. Walter Blanchard was in the next lot, Lot 8 with a long drive through between then as Lot 7. Lot 7 is now joined to Lot 6.

Alfred Blanchard, a butcher, was also the Mayor of the Municipality of Gulgong from c. 1893- 1894. In 1891-93 he was an Alderman and the Returning Officer of the council. He died in 1894.

The notice of his funeral stated

ON Saturday last the remains of the late Mayor Alf Blanchard, whose death occurred under especially sad circumstances, was interred in their last resting place in the Gul-

Barbara Hickson Heritage Adviser PO Box 610 Mudgee

gong cemetery. As a last tribute of public respect and regret, some five hundred residents of Gulgong and surrounding localities, representing all classes, assembled for the mournful occasion.

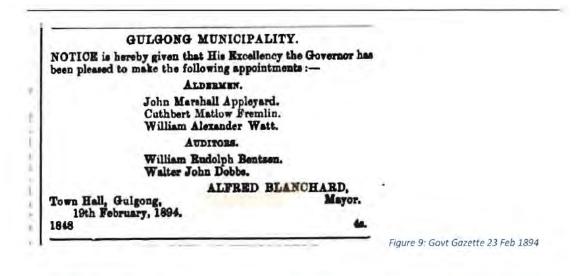




Figure 10: Parish Map of Gulgong (1904) showing the property at Lot 6 was first owned by Alfred Blanchard.

However, the house at 74 Mayne was built at a later date than Blanchard's time in Gulgong. There is some suggestion that the house was a church manse. That would normally suggest a home for the Presbyterian clergy. On the 8th May 1919 a new Manse was opened in Gulgong; however its actual address is unknown.¹

Barbara Hickson Heritage Adviser PO Box 610 Mudgee

¹ Mudgee Guardian: 8 may 1919: J. Gudgeon will open the Manse at 3 p.m. The Manse will be open for inspection. Refreshments will be served by the ladies.

STATEMENT OF HERITAGE IMPACT (SOHI) page 1

Address and property description: of the Proposed development

74 Mayne Street Gulgong

Prepared by:

Barbara Hickson PO Box 610 Mudgee. Mobile 0409368133.

Office at 103 Market St Mudgee.

Client:

C. and P. Schimek

Owners and residents at 74 Mayne Street Gulgong

A brief description of proposal

The existing residential building is proposed to be extended towards the rear, renovating the Kitchen area to form part of a large family area, with new amenities. An additional Bedroom 4 will be added.

To the rear, and the north of the house, a large deck forms an outdoor living space with good solar access. The roof is to be replaced. It will follow the lines of the existing Federation residence, continuing with hipped roof lines allowing a continuous high ceiling height, generally matching the original. The additions will however reflect their modernity with large aluminium windows and modern wide elevated verandah.

While the new roof will extend slightly higher than the original roof, it is set back and in perspective will not affect the streetscape.

Date: 16 December 2022

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Statement of Heritage Impact 74 Mayne Street Gulgong NSW

STATEMENTS OF HERITAGE IMPACT (SOHI) page 2

1. why the item is of	The house is significant because it is a very good example of early		
heritage significance	20 Th century weatherboard house with hipped and gabled		
	corrugated iron roof including Dutch gables and decorative front		
	gable facing the street; finished with vertical strapping. The front		
	verandah is an extension of the main roof and supported on timber		
	posts with deep curved federation brackets. Awnings over windows		
	which are generally timber framed casements with fanlights and		
	small coloured glass lights at base of each main sash.		
	The residence contributes to streetscape.		
	The Gulgong Conservation Area is significant because Gulgong is		
	an excellent example of gold rush era town where the layout still		
	reflects the social and economic forces that created it. It has		
	outstanding aesthetic qualities due in part to its hilltop location,		
	narrow winding streets, variety of building styles, original stone		
	kerbing and ever-changing glimpses of the landscape beyond.		
	Key remnant buildings in brick, stone and numerous lightweight		
	materials relate back to the mid-Victorian era of the 1870s when		
	the town sprung up quickly and gold seekers flocked to the locality.		
	The Gulgong Pioneer Museum utilises and interprets some of the		
	earliest structures in the town.		
	cumest structures in the town		
	The many resident descendants of the gold miners and business		
	suppliers to the Gold Rush, representing numerous nationalities,		
	have a strong sense of community and pride in the past.		
2. what positive impact	The listed heritage house can be extended to accommodate excellent		
will the proposed works have on its significance.	modern living without altering the front and sides of the existing house- maintaining the streetscape.		
3. what negative impact will the proposed works	There appears to be no negative effect for the alterations.		
have on its significance.			
4. what measures are	The negative effects are mitigated by the new rear roof being set back		
proposed to mitigate the negative impacts	and at a level that will not be noticed from the streetscape view.		
5. why were more	This is an acceptable solution and will enable the house to be better lived		
sympathetic solutions not viable.	in and maintained.		

6. Demolition	Only a small back, partially enclosed, vernadah, the back wall and skillion ceiling, will be demolished.
7. Has the advice of a heritage consultant been sought	Yes.
8. Archaeology	Unlikely,
9 Colours	The proposed additions are to match the existing colour scheme

Barbara Hickson Heritage Adviser

aboa Shhe

RECOMMENDATIONS

 Collect any additional information about the history of the house as this will continue to inform its significance.





Statement of Enviromental Effects

Expand Use Temporary Workers Accommodation

Client: Long Necks Developments Site Address: Lot 32 DP 750773

24 November 2023

Our Reference: 17239-PR02_B

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DISCLAIMER

This report has been prepared solely for Long Necks Developments Pty Limited (the client) in accordance with the scope provided by the client and for the purpose(s) as outlined throughout this report.

Barnson Pty Ltd accepts no liability or responsibility for or in respect of any use or reliance upon this report and its supporting material by anyone other than the client.

Report Title:	DA Modification supporting information		
Project Name:	Expand existing temporary workers accommodation		
Project Location:	Lot 32 DP 75077	Lot 32 DP 750773	
Client:	Long Necks Developments		
Project Number:	17239		
Report Reference:	17239-PR02_B		
Date:	21/11/2023		
Prepared by:		Reviewed by:	

unehen

Seb Minehan B. Human Geog UOW, U/G Urb. Reg. Plan U/G Town Planner

Jim Sarantzouklis B. Arts, Grad. Dip. Urb. Reg. Plan, Dip. EH&B Surveying, MAIBS (Assoc.) MEHA **RPIA** Director

1.0 INTRODUCTION

1.1 Background

Barnson Pty Ltd has been engaged by Long Necks Developments to prepare information in support of a Section 4.55(1A) Development Application (DA) modification to DA0135/2012 to expand a temporary workers accommodation at Lot 32 DP 750773, commonly known as Ulan Village Green on 94 Main Street, Ulan NSW 2850.

The subject site is located on the eastern side of Main Street, and western side of the Goulbourn River with an approximate area of 4.05ha. The subject site is generally flat and includes an existing temporary workers accommodation.

The proposed development shall consist of the use of fourteen (14) additional transportable buildings each containing four (4) units for temporary accommodation purposes. Each unit consists of a bedsit area and ensuite.

The purpose of the expansion is to provide additional rooms for workers primarily supporting the local mining industry in Ulan. Ulan Village Green is in proximity to three (3) large coal mines that are currently undergoing expansion and employ over 1,000 mine workers and contractors.

The site is zoned RU1: Primary Production under the *Mid-Western Regional Local Environmental Plan 2012.* The proposed expansion is for a 'Temporary Workers Accommodation', which was originally approved in DA0135/2012, and modified in MA0036/2019 and ME0024/2023.

The proposed development as modified would remain substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified.

This application consists of:

One (1) PDF of this written statement, including plans.

1.2 Proponent

The proponent for the DA is Long Necks Developments.

1.3 Consultant

Barnson Pty Ltd Jim Sarantzouklis Riverview Business Park Unit 1, 36 Darling Street Dubbo NSW 2830

2.0 EXISTING ENVIROMENT

2.1 Location and Title

The subject site of this application is Lot 32 DP 750773, known as 94 Main Street, Ulan. The site is located on the eastern side of Main Street, and the western side of the Goulburn River.

Please refer to Figure 1 below.



Source: Sixmaps 2021

Figure 1 – Site Location

The site is leased from the Crown.

The site has an overall area of approximately 4.05ha (Please refer to DP and latest detailed survey in Appendix A). The site is currently used for the existing Temporary Workers Accommodation and maintains the Ulan Community Hall. Please refer to Plates 1-3 for photos of the site and the locality.

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Plate 1 - Aerial Photo of facility location.



Plate 2 – Proposed Development Site.

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Plate 3 - View of Access and existing Structures.

2.2 Land Use

The subject land is part of the Ulan township. The site comprises existing buildings, amenities, car parking, gymnasium and eatery; all associated with the temporary workers accommodation.

The Ulan Hall has been improved and remains part of the site and available to the community.

The surrounding area involves mixed uses including rural; residential; Ulan Water and mine related land activities.

2.3 Topography

The subject site is relatively flat throughout, falling slightly towards the east towards the Goulburn River.

2.4 Flora and Fauna

The subject site is part of a reserve formerly used for recreation (cricket oval) and still as a meeting place for the Ulan community.

The original temporary workers approval required an asset protection area of 40m which required a small amount of clearing and ongoing maintenance.

The proposed expansion shall occur within a maintained cleared area. No significant trees need to be removed nor is any significant risk posed to fauna.

Further landscaping is proposed to enhance the overall amenity of the development.

2.5 Natural Hazards

The subject site is not on land that has been identified as impacted by the Flood Planning Area.

The subject site is considered Category 2 bushfire prone land pursuant to the *Mid-Western Regional Local Environmental Plan 2012* (the LEP) and the ePlanning Spatial Viewer. Refer to Figure 2 below and Appendix B for Bush Fire Assessment Report (BFAR).



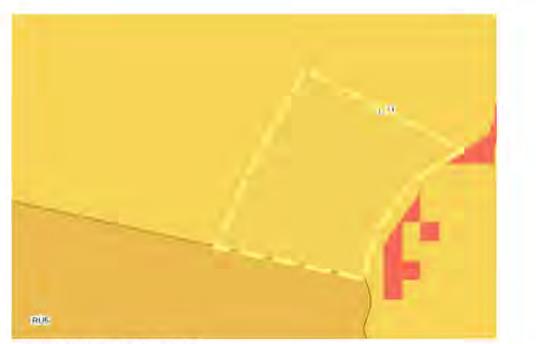


Figure 2 Bush Fire Prone Land Map

Source: (ePlanning Spatial Viewer, 2023)

2.6 Visual Amenity

The character of the site and surrounding area is defined by rural lands with scattered buildings and infrastructure.

2.7 Services

All required services are available to the site.

2.8 Access and Traffic

The subject site fronts Main Street. Main Street has wide verges is bitumen sealed with table drains.

2.9 Heritage

The subject site has not been listed as containing a heritage item under Schedule 5 of the Mid-Western Regional Local Environmental Plan 2012 (the LEP).

Following an online search on the Aboriginal Heritage Information Management System (AHIMS), it was concluded that there are eight (8) Aboriginal Sites located within 200m of the subject site. All identified sites have been located in a northerly direction of the subject site. Given the current use of the subject site and the nature of the development being wholly located with the site's boundaries. It can be considered that the proposed development will not impact on the existing Aboriginal Sites located outside the property's boundaries.

Please refer to Appendix C for the AHIMS Report.

3.0 PROPOSED DEVELOPMENT

The proposed development involves the expansion of temporary workers accommodation to serve needs of nearby mining operations at Lot 32 DP 750773, 94 Main Street, Ulan.

The proposal involves the use of fourteen (14) buildings each containing four (4) bed units with an ensuite for temporary workers accommodation. The buildings are sited to follow existing rows in an orderly manner within a clear and maintained area. This will result in an overall total of 200 bed units.

It is not intended to alter hours of operation, which is currently in keeping with mining operation requirements; and staff numbers are to be managed at current levels. Meals and crib will continue to be provided.

Further details include:

- Each accommodation building to have approximate dimensions of 14.4m long x 3.3m wide x 3m high, constructed of steel; colorbond wall cladding and zincalume roofing;
- Each accommodation unit to have approximate dimensions of 3.45m long x 3.3m wide x 2.4m high, with space for king size bed, desk and cupboard, and small fridge; and ensuite with shower, basin and toilet;
- Addition of verandah 1.8m wide along full length of building with awning over constructed of steel and supported by steps according to height above ground;
- Extension and connection of proposed buildings to existing water, sewer and power services, noting that a generator exists to provide back-up supply;
- Roofwaters to be harvested with any overflow directed to existing stormwater system;
- Concrete footpaths to connect to existing pathways and community facilities and parking areas;
- Final construction of car park area, total of 163 off-street parking spaces including accessible spaces;
- Water deliveries will be maintained below two (2) carts maximum requirement;
- Minor expansion of onsite effluent irrigation area and continued maintenance;
- Fire extinguishers to support each building;
- Existing landscaping to be enhanced and maintained; and
- Implementation of Erosion and sediment control measures.

The development remains substantially the same development as originally approved.

Refer to Development Plans in Appendix D of this report. Refer also to Servicing Plans in Appendix E and updated Management Plans in Appendix F.

4.0 LAND ZONING

The subject site is zoned RU1: Primary Production pursuant to the provisions under the *Mid-Western Regional Local Environmental Plan 2012* (the LEP). The proposed development is to support the expanded use of an existing approved 'temporary workers accommodation' which is defined (separately to the Dictionary) under the LEP as follows:

"...any habitable buildings and associated amenities erected on a temporary basis for the purpose of providing a place of temporary accommodation for persons employed to carry out large-scale infrastructure, including development for the purposes of an extractive industry, mining, renewable energy or an electricity transmission or distribution network."

We note that Clause 6.11 of the LEP enables the 'temporary workers accommodation' to be permissible with consent at the site.

Further permissibility of the proposed development is assessed in terms of the heads of consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979, which incorporates consideration of the LEP, and the objectives and permissible uses outlined in the RU1 Zone, as outlined in Section 5 of this report.



5.0 PLANNING CONSIDERATION

5.1 Biodiversity Conservation Act 2016

5.1.1 Is the development likely to significantly affect threatened species?

Clause 7.2 of the Biodiversity Conservation Act 2016 (BC Act) identifies the following circumstances where a development is likely to significantly affect threatened species:

- (a) It is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in Section 7.3, or
- (b) The development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or
- (c) It is carried out in a declared area of outstanding biodiversity value.

Each of these is addressed below.

5.1.1.1 Section 7.3 Test

To determine whether a development is likely to significantly affect threatened species or ecological communities, or their habitats, the following is to be taken into account in accordance with Section 7.3 of the BC Act:

- (a) in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,
- (b) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:
 - (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
 - (ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,
- (c) in relation to the habitat of a threatened species or ecological community:
 - the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and
 - (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and
 - (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality
- (d) whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),
- (e) whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.

Comment: The subject site is largely cleared and manipulated to support the existing temporary workers accommodation and before that as a community and recreational facility. The site does not include any vegetation considered significant within the general area to be developed. Given the nature of the works, the proposed development poses little threat to any threatened species or ecological communities, or their habitats.



5.1.1.2 Section 7.4 Test

Section 7.4 of the BC Act states:

- (1) Proposed development exceeds the biodiversity offsets scheme threshold for the purposes of this Part if it is development of an extent or kind that the regulations declare to be development that exceeds the threshold.
- (2) In determining whether proposed development exceeds the biodiversity offsets threshold for the purposes of this Part, any part of the proposed development that involves the clearing of native vegetation on category 1-exempt land (within the meaning of Part 5A of the Local Land Services Act 2013) is to be disregarded.

Comment: The proposed development shall not require any significant clearing of native vegetation, as the area to be developed is already cleared and in a degraded state as a result of previous landuse and servicing requirements.

5.1.1.3 Declared Area of Outstanding Biodiversity Value

The proposed development shall not encroach on land with biodiversity value mapped on the Biodiversity Value Map as defined by the BC Act. Please refer to Map below.



Figure 3 Biodiversity Values Map

5.1.2 Biodiversity Development Assessment Report

As outlined in Section 5.1.1, the proposed development is not likely to significantly affect threatened species as defined by Section 7.2 of the BC Act. Therefore, a Biodiversity Development Assessment Report is not required to accompany the application for development consent.

5.2 Fisheries Management Act 1994

5.2.1 Applicability

The Fisheries Management Act 1994 (FM Act) applies to:

- (a) in relation to all waters that are within the limits of the State, and
- (b) except for purposes relating to a fishery, or a part of a fishery, that is to be managed in accordance with the law of the Commonwealth pursuant to an arrangement under Division 3 of Part 5 and except for purposes prescribed by paragraph (d)—in relation to any waters of the sea not within the limits of the State that are on the landward side of waters adjacent to the State that are within the Australian fishing zone, and
 - (c) for purposes relating to a fishery, or a part of a fishery, that is managed in accordance with the law of the State pursuant to an arrangement under Division 3 of Part 5—in relation to any waters to which the legislative powers of the State extend with respect to that fishery, whether pursuant to section 5 of the Coastal Waters (State Powers) Act 1980 of the Commonwealth or otherwise, and
 - (d) for purposes relating to recreational fishing activities engaged in otherwise than by use of a foreign boat (other than recreational activities prohibited or regulated under a plan of management determined under section 17 of the Commonwealth Act)—in relation to any waters to which the legislative powers of the State extend with respect to such activities.

Comment: The Fisheries Management Act does not apply to the subject proposal.

5.2.2 Is the development likely to significantly affect threatened species, population or ecological community?

Section 221ZV of the FM Act requires the following matters to be taken into consideration to determine whether a proposed development or activity is likely to significantly affect threatened species, populations, or ecological communities (unless it is carried out in critical habitat):

- (a) in the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,
- (b) in the case of an endangered population, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species that constitutes the endangered population such that a viable local population of the species is likely to be placed at risk of extinction,
- (c) in the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:
 - (i) is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
 - (ii) is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,
- (d) in relation to the habitat of a threatened species, population or ecological community:
 - the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and
 - (ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and



- (iii) the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the threatened species, population or ecological community in the locality,
- (e) whether the proposed development or activity is likely to have an adverse effect on any critical habitat (either directly or indirectly),
- (f) whether the proposed development or activity is consistent with a Priorities Action Statement,
- (g) whether the proposed development constitutes or is part of a key threatening process or is likely to result in the operation of, or increase the impact of, a key threatening process.

The assessment quidelines under section 220ZZA apply to the determination of whether any such proposed development or activity is likely to significantly affect threatened species.

Comment: The proposed development is to occur over previously disturbed area that shall not impact on threatened species or ecological communities.

5.3 Environmental Planning & Assessment Act 1979

5.3.1 Evaluation

Section 4.15 of the EP&A Act (as amended) requires the Council to consider various matters in regard to the determination of the Development Application.

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

- a) The provisions of:
 - any environmental planning instrument, and
 - ii. any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and
 - iii. any development control plan, and
 - any planning agreement that has been entered into under section 7.4, or any draft IV. planning agreement that a developer has offered to enter into under section 7.4, and
 - ٧. the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and
 - any coastal zone management plan (within the meaning of the Coastal Protection Act vi. 1979), that apply to the land to which the development application relates,
- b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- c) The suitability of the site for the development,
- d) Any submissions made in accordance with this act or the regulations,
- e) The public interest.

The proposed development has been designed with consideration to the following matters, as outlined below.

5.3.2 Integrated development

It is noted the original DA was considered integrated development by virtue of Section 4.46 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and required both development consent and authorisation under Section 100B (Bushfire Safety Authority) of the *Rural Fires Act 1997* in order for it to be carried out. Therefore, the proposed modification is required to be referred back to the Rural Fire Service (RFS) under Clause 109 of the Environmental Planning and Assessment Regulation 2021 seeking authorisation. Refer also to BFAR in Appendix B.

5.4 Environmental Planning Instruments

5.4.1 State Environmental Planning Policies (SEPP)

While a number of SEPPs apply to the subject land and development thereon, there is unlikely to be any significant implications in terms of the requirements of the SEPPs on the proposed development. The following SEPPs are considered as part of this proposal.

5.4.1.1 SEPP (Resilience and Hazards) 2021

Clause 4.6(1) of State Environmental Planning Policy (Resilience and Hazards) 2021 requires Council to consider the following before granting consent to a DA:

- a. It has considered whether the land is contaminated, and
- b. If the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- c. If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Comment: The subject site operated as a community and recreational purpose prior to now providing temporary workers accommodation. An inspection on 10 April 2023 indicated no evidence of contaminating related activities having taken place onsite. The site does not appear to have been subject to any of the materials listed in Appendix A of the Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (NSW Department of Urban Affairs and Planning and Environment Protection Authority, 1998). In accordance with the SEPP the site is not considered to be contaminated.

5.4.2 Mid-Western Regional Local Environmental Plan 2012

5.4.2.1Land Use Table

The subject site is zoned RU1 Primary Production pursuant to the Mid-Western Regional Local Environmental Plan 2012 (the LEP). The objectives of the RU1 Zone are as follows:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

- To maintain the visual amenity and landscape quality of Mid-Western Regional by preserving the area's open rural landscapes and environmental and cultural heritage values.
- To promote the unique rural character of Mid-Western Regional and facilitate a variety of tourist land uses.

Comment: The site of the proposal has a relatively small area of approximately 4.05ha in context of larger rural land holdings in the region. It is located on the edge of Ulan Village. The subject proposal is considered to remain consistent with the objectives of the RU1 zone, in that it will: (a) not significantly impact on natural resources, (b) not fragment or alienate resource lands, (c) shall not conflict surrounding landuses, (d) shall not significantly impact on visual amenity and landscape quality of the locality, and (e) the proposal continues to support the mining industry.

5.4.2.2 Earthworks

Clause 6.3 'Earthworks' applies to the subject application as earthworks are included as part of the development works. The site is relatively flat throughout. There shall be no significant disruption on existing drainage patterns or soil stability in the area. Appropriate erosion and sediment controls will be undertaken on the site during development works to prevent and reduce any soil erosion that would occur on the site.

5.4.2.3 Groundwater Vulnerability

Clause 6.4 'Groundwater Vulnerability' does not apply to the subject land according to Groundwater Vulnerability Map on ePlanning Spatial Viewer. Notwithstanding we note the proposal does not involve any groundwater contaminating activities and appropriate consideration has been given to treating onsite effluent generated by the development. Refer to revised Site and Soil Assessment for On-site Effluent Management and Groundwater Quality Management Plan in Appendix F.

5.4.2.4 Essential Services

Clause 6.9 of the LEP states:

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required

- (a) The supply of water,
- (b) The supply of electricity,
- (c) The disposal and management of sewerage,
- (d) Stormwater drainage or on-site conservation, and
- (e) Suitable road access.

Comment: The current operation incorporates the above essential services. In relation to the expansion services are to be managed as follows:

Water – is carted from Ulan Water which is located on an adjoining property. It is a
conditional requirement that no more than two (2) deliveries be permitted per day. The
operation is currently fully contracted, and management advises that on average 5-6
deliveries are received per week normally on a Monday (2); Wednesday (1 or 2); and
Friday (2). An increase of 56 units or approximately 39% shall add 2-3 deliveries per week.
Assuming a maximum of nine (9) deliveries per week in total to support 200-man facility
this can be spread over weekdays to ensure there is no reason to modify the two (2)
maximum water cart requirement.

- Electricity mains power is supplied to the site and is capable of supporting demand expected by the expansion. A generator provides backup power in the event of any outage.
- Sewerage is managed by an onsite effluent system providing secondary treatment utilising an Ozzi Kleen Sewage Treatment Plant and irrigation area. Further details are provided in Site and Soil Assessment for On-site Effluent Management in Appendix F.
- Stormwater is directed via a series of pipes and pits to a detention basin. Roof water is
 harvested and directed to tanks. It should be noted that the existing basin is already
 approved with additional capacity for a slight increase in impervious area as a result of
 completing the car park area.
- Roads current network and arrangement is considered satisfactory to manage expected traffic generation from the proposed development.

Refer also to Servicing Plans in Appendix E.

5.4.2.5 Temporary workers' accommodation

Clause 6.11 of the LEP is applicable and states:

(1) The objectives of this clause are as follows—

(a) to enable development for temporary workers' accommodation if there is a demonstrated need to accommodate employees due to the nature of the work or the location of the land on which that work is carried out,

(b) to ensure that temporary workers' accommodation is appropriately located,

(c) to ensure that the erection of temporary workers' accommodation is not likely to have a detrimental impact on the future use of the land or to conflict with an existing land use,

(d) to minimise the impact of temporary workers' accommodation on local roads and infrastructure.

Comment: The proposal involves an expansion of an existing temporary workers accommodation facility which is supporting local mines in an appropriate location with minimal impact.

(2) Development consent must not be granted to development for the purposes of temporary workers' accommodation unless the consent authority is satisfied of the following—

(a) the development is to be located—

(i) if the development relates to a mine—within 5 kilometres of the relevant mining lease under the Mining Act 1992, or

(ii) in any other case—within 5 kilometres of the large-scale infrastructure in which persons are to be employed,

Comment: The proposal involves an expansion to an existing approved temporary workers accommodation facility that serves mines within 5kms of the site.

(b) there is a need to provide temporary workers' accommodation due either to the largescale infrastructure or because of the remote or isolated location of the land on which the large-scale infrastructure is being carried out,

Comment: The local mining industry are supporting the facility.

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(c) the development will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument,

Comment: The proposed expansion is within current building curtilage and shall not prejudice other development on the land.

(d) water reticulation systems and sewerage systems will be provided to adequately meet the requirements of the development,

Comment: There are current systems in place at the facility to adequately meet water and sewerage requirements.

(e) when the development is no longer in use, the land will, as far as practicable, be restored to the condition in which it was before the commencement of the development.

Comment: There is an approved decommissioning plan in place. The plan has been updated to match the proposal and amended Crown lease. Refer to Appendix F.

(3) In this clause—

temporary workers' accommodation means any habitable buildings and associated amenities erected on a temporary basis for the purpose of providing a place of temporary accommodation for persons employed to carry out large-scale infrastructure, including development for the purposes of an extractive industry, mining, renewable energy or an electricity transmission or distribution network.

Comment: Noted

5.4 Draft Environmental Planning Instruments

No draft Environmental Planning Instruments are applicable to the subject site or development.

5.5 Development Control Plans

The Mid-Western Regional Council Development Control Plan 2013 (DCP) applies to the subject application. Relevant provisions of the DCP have been addressed in Table 1 below.

Provision	Requirements	Comment
Definition: mea accommodatio	emporary Workers Accommodation ans any habitable buildings and associated amenities erected on a temporary basis fo n for persons employed to carry out large- scale infrastructure, including developme rgy or an electricity transmission or distribution network.	
Location	 (i) if the development relates to a mine—within 5 kilometres of the relevant mining lease under the Mining Act 1992, or (ii) in any other case—within 5 kilometres of the large-scale infrastructure in which persons are to be employed Provision of suitable arrangements for the disposal of waste water and the provision of a water supply. It should be noted that proposals relying on the provision of water transported by tankers will not be supported. Design of the facility to ensure that there is no adverse visual impact discornible from outside the provision of water support of the support of the facility to ensure that there is no adverse visual impact discornible from outside the provision of water support of the support of the facility to ensure that there is no adverse visual impact discornible from outside the provision of water support of the support of the provision of th	The proposed development supports an existing temporary workers accommodation facility located within 5 kms of mining operations. The existing facility includes a secondary onsite treatment system to deal with effluent. The facility is conditionally permitted to transport water by tanker up to 2 times per day. Currently it averages less than 1 per day and the addition of 56 bed units should not bring about a non-compliance or require modifying. The current facility does not cause any significant visual impact. The proposed building will be situated behind
	 discernible from outside the project site. Submission of a plan of management to address the social concerns having regard to the particular location of the accommodation. The application should address health and residential amenity issues that arise due to the location near the major infrastructure project site. 	existing buildings and advanced landscaping therefore street appearance shall not change. The facility has operated for several years without major incident or community complaints. It is a dry mess not offering alcohol. Refer to Site Management Plan and Rules in Appendix F. The facility is situated well enough away from mining operations so as to not raise any ongoing health and residential amenity issues.

and strength

		A signed noise impact agreement between the lessee/owner and Ulan Mine (which adjoins the subject site) remains in place. Refer to Mine Noise agreement in Appendix G.
	 Provision of additional access and parking infrastructure commensurate with the additional demand. 	The facilities access and parking arrangements are considered satisfactory. The car parking pavement recently underwent an upgrade due to impacts from wet weather. A higher standard of pavement was provided to ensure appropriate access and longevity.
	Provision of a Social Impact Assessment.	A new SIA is not considered necessary given the facility has operated successfully and without community complaint. The proposed development is a result of local mining industry encouragement to make additional rooms available, Refer to updated Site Management Plan in Appendix F.
Need	The proponent shall demonstrate the need for the facility by providing an analysis of the number of major infrastructure project (including mining) jobs currently approved and the total number of temporary workers accommodation beds approved. The expected life of the Temporary Workers Accommodation facility shall be included in the Statement of Environmental Effects indicating the expected timing of decommissioning to relate to the life of the major infrastructure project.	The need of the facility is proven by current contracts with local mines. The expected life of the facility has been dealt with in a recent modification application and should be reflected again in any further conditional consent by matching the Crown lease arrangement which with options concludes in 2057.
Social Impact Assessment	 There are many definitions of social impact. A contemporary definition (Armour, 1992) defines social impacts as changes that occur in: People's way of life (how they live, work, play and interact with one another on a day-today basis); Their culture (shared beliefs, customs and values); and 	The current facility has operated in a positive social manner for several years. The proposed expansion is not considered significant being an increase of 56 units and unlikely to introduce any concerning social impacts. Refer also to Appendix F for site practices.

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 Their Community (its cohesion, stability, character, services and facilities). 	
Key Principles of Assessing Social Impacts	
To achieve a useful and appropriate framework for assessing social impacts, a number of key principles are important.	
 The purpose of assessing social impacts is to provide focused relevant details on the significant or problematic impacts. It is essential to consider the positive and negative social aspects of the development Persons and groups that may be affected by the proposal should be consulted. Community consultation should identify the possible impacts and mitigating measures that may be introduced. Community consultation should occur early in the process and should lead to the formulation of the terms of reference of the Social Impact Statement. It is a requirement that the proponent consult the NSW Police Local Area Command and local health providers (including General Practitioners and Dentists operating in the local area) during the preparation of the Social Impact Statement. It is recommended that the proponent consult Council after the terms of reference are formulated. The proponent should incorporate practical measures that will enhance the positive aspects, may improve the development and limit any possible negative social impacts. 	
The Social Impact Statement should include but is not limited to the following:	
 Identification and an in-depth analysis of social impacts of the proposal. Outline the process of community consultation and address issues raised by the community. Consideration of cumulative impacts, intergenerational equity, impacts on the provision of all services and identify ways to address these impacts. 	

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	 The results of consultation with relevant service providers including police and health providers Identification of a strategy to mitigate impacts, encourage integration with the community, and permanent relocation to the area, timeframe for implementation of the strategy and a monitoring program. Identify and implement provisions that will address the needs identified by the SIS and the demands generated by the development in a way that will not adversely impact upon the existing community. 	
Transportable Dwellings	The application must illustrate that all transportable buildings can be permanently affixed to the site by footings in accordance with the requirements of the National Construction Code and associated Engineer's Certification.	The transportable buildings shall match the type and appearance of existing buildings and meet NCC requirements.
	 Detail that all buildings and structures will have adequate form and appearance, including material and colours in soft earth browns, creams and greens, which do not detract from the visual amenity of the area. The use of reflective cladding material on walls will not be permitted. Where the use of second hand buildings is proposed the application must accompanied by the following information: Photographs clearly showing the condition from all four elevations of the building. An inspection report from a certified structural engineer or accredited building surveyor that the buildings are suitable for the proposed use and relocation. 	
Accessibility	Accessibility requirements established by Access to Premises Standard, the National Construction Code and the associated Australian Standards are to be addressed in the application.	The current development has four (4) accessible units and associated parking as supported by an access consultant in a performance solution report. Refer to Access report in Appendix H.

		To date no disabled person has needed to attend the facility or occupy an accessible unit, therefore the existing number of accessible units are considered satisfactory.
Density	Development shall be limited to a maximum of 100 beds per hectare.	The subject site is 4.05ha. The proposed number of units is 200 which equates to 50 units per hectare and complies with the density standard.
Facilities	The accommodation facility is to provide the following facilities as a minimum:	
	 Ablution facilities to be provided in each accommodation room including shower, toilet and wash basin connected to an approved effluent disposal system; 	Ensuite facilities form part of each accommodation unit they currently are and shall be connected to an onsite effluent disposal system.
	 Communal laundry and associated facilities connected to an approved effluent disposal system; A covered/ sheltered entry for each building; An outdoor activity area of which part shall be shaded; Adequate and secure storage space for workers, equipment and other material associated with the management and maintenance of the 	Communal laundries exist and are connected to onsite effluent system, however laundry services were recently contracted offsite with success and now a permanent arrangement.
		Awnings shall provide cover to entrances of each building to match existing.
		An outdoor area is located near the community hall.
		Adequate storage space exists at office area.
	 Adequate Lighting for pedestrian and vehicular safety and security throughout the complex. 	Lighting exists and shall be extended to proposed units.
	 Paved internal pedestrian access to and between all buildings and facilities is to be provided. 	Pathways exist and shall be extended to proposed unit.
Trattic and Parking	 Internal road and vehicular access provided in accordance with Australian Standard No. AS2890 Council standard. 	No significant changes to road and vehicular access arrangements are proposed with this development.
Ċ.	 Provision of one car parking space per room and one space per staff member in accordance with the car parking section of this DCP. 	The proposal is for an increase to 200 units and there shall be a maximum of eight (8) staff onsite at any one time. Therefore, based on the development standard 208 parking spaces are required.

The proposed site plan indicates a total of 163 formal offstreet parking spaces shall be made available. A departure is sought to the development standard for parking and is considered justified based on the following:

• A parking study was prepared for March 2023.

The survey period was carried out over March 2023 and includes peak times and is considered an appropriate reflection of parking demand.

The Parking study included both accommodation and staff take up rates. The study revealed that a maximum 63.8% of parking spaces were occupied during the survey period. Refer to Image below typical example showing there are an abundant of available spaces.



The reasons given for the reduced take up rate include workers arriving by means other than their own vehicles eg. flights and shuttle buses; workers coming to site in shared vehicles; workers parking at mine sites and standard occupancy rates.

Refer to Appendix I for Traffic and Parking Study.

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	 Designated bus parking and collection/drop off area located within the development area with sufficient manoeuvring area to allow the bus to enter and leave the site in a forward direction. Designated delivery areas. 	Therefore, based on a rounded-up demand of 75% in parking a total of (0.75 x 208) or 156 spaces is required and the proposed number of spaces at 163 comfortably meets the expected demand. The facility supports a small shuttle bus which operates twice a day morning and evening. One of the mines and a contractor also have shuttle buses. All buses are known to be 12 seaters and able to manoeuvre onsite to enter and leave in a forward direction. An existing delivery area is designated behind the kitchen/dining building.
Services	 Provision of a potable water supply capable of providing a minimum of 140 litres per person per day. A lower daily minimum may be acceptable where the proposed development includes water saving measures such as recycling systems or non-potable water supply sources. A water balance is to be submitted demonstrating that the proposed provisions for water and sewer services can be met by the development. Demonstration of adequate water supply to maintain the accommodation facility including landscaping. Where the facility is to connect to a reticulated system proved by the local authority, the applicant must demonstrate that the reticulated system can support the additional demand generated by the Temporary Workers Accommodation whilst allowing adequate capacity to service existing demand, demand to meet land already zoned within the Mid-Western Regional Development Control Plan Page 69 	The existing operation is provided with an approved and reliable water supply capable of meeting minimum standard, as currently taking place. Adequate services provision exists. The existing operation is supplemented by rainwater to assist with irrigating landscaping areas. N/A

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	 catchment, uses already approved to connect to the reticulated service and land identified in the Comprehensive Land Use Strategy. Provision of waste collection and where necessary entering into a waste disposal agreement with Council or an approved waste collection operator. First aid facilities. 	There is a private waste arrangement. The existing development consists of an appropriately stocked first aid room.
Landscaping	 A landscape plan should be provided with the application. Where possible, remnant vegetation should be retained. Landscaping should focus on: Providing a buffer to surrounding land, in this case vegetation should consist a combination of mature trees and shrubs to achieve a visual buffer; Providing privacy within the development; Improving the residential amenity through the provisions of shade, Consist mainly of native species or species that thrive in this locality. At least 25% of the site should be open space. It will be a requirement of any development consent that the landscaping is to be maintained for the life of the development in accordance with the approved landscaping plan. 	The accommodation units are not clearly visible from the street and currently satisfactorily screened with existing landscaping. Landscaping is currently located between accommodation buildings. It is proposed to expand landscaping around proposed buildings for aesthetic as well as privacy impact. Shade is available, as required for workers. Existing landscaping focuses on native species that are water efficient. Open space area is at approximately 73% and therefore compliant. Landscaping is maintained by a groundsman and suitably qualified landscaper.
Plan of Management	 The applicant shall provide a Plan of Management that shall form part of any approval granted by Council. The Plan shall address, but is not limited to, the following issues: Identification of measures introduced to mitigate social impacts Management of security and safety of tenants, community and surrounding residents. Noise, dust, odour, light spill and litter 	A plan of management was submitted as part of the original development application. An operating manual is maintained by facility management. It is noted that the facility has been operating without any significant conflicts. Refer to management details in Appendix F.

	 Potential conflict with adjoining owners/occupiers that may be affected by the operation of the accommodation facility. The method of transport of the workers to the project site. The consumption of alcohol at the accommodation facility (if applicable). Where adjacent to a town or village, access to facilities. Access to medical services Method for the collection of waste within the site. Emergency response procedures. Soil, groundwater and surface water protection methods. Details of signage at the entrance to the accommodation which is to include the following: Site Manager / Operator Specific Rules of the Accommodation site Emergency Contact Details Complaints Handling Procedure that will be publicly available and include a compliant contact phone number. 	
Decommissioning	 The application shall be accompanied by a Decommissioning Plan that shall form part of any approval granted by Council. The Plan shall address the following issues: When the facility shall be decommissioned; Works or facilities that shall remain in place following decommissioning Details of the clean -up and rehabilitation of the site; The proposed use of the site after decommissioning; and The transfer to public ownership of any legacy infrastructure. 	A decommissioning plan was prepared as part of the original application. The Plan has been updated to reflect the proposed development and also the current lease arrangement with the Crown which is set to end in 2057. Refer to Appendix F.
Developer Contributions	Council will seek to negotiate planning agreements for major developments in accordance with s93F of the Environmental Planning and Assessment Act 1979. Proposal involving less than 50 beds will be assessed in accordance with Council Section 94 Contributions Plan as commercial development.	It is expected that contributions will be levied as originally conditioned, being 1% of the proposed contract value of the expansion.

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5.6 Any Planning Agreement entered into

No Planning Agreements entered into are known to exist in relation to the development or site.

5.7 Any Matters Prescribed by the Regulations

For the purposes of Section 4.15(1)(a)(iv) of the EP&A Act, Clause 61 of the *Environmental Planning and Assessment Regulations 2021* (EP&A Regulations) specifies the additional matters a consent authority must take into consideration when determining a DA. No prescribed matters are considered relevant at this stage.

5.8 Any Likely Impacts of the Development

5.8.1 Context & Setting

The subject site is in an established environment which is characterised by an existing temporary workers accommodation.

The proposed development shall occur within the properties boundaries and maintain appropriate setbacks to ensure minimal impacts on neighbouring properties.

The existing facility appears to operate well within the Ulan community.

Therefore, the proposed development is considered to be consistent with existing developments and uses in the area shall not impact on the context or setting in the locality.

5.8.2 Access, Transport & Traffic

The proposed development is able to utilize existing access arrangements.

In terms of transport, the longest vehicles accessing the site shall continue to be the water tanker (a large rigid truck) from next door followed by the 12 seater shuttle buses both of which are able to enter and leave the site in a forward direction.

The proposed development is likely to result in a slight increase in traffic, however within the capacity of the existing road network and with sufficient off-street parking as described in Section 5.5 of this report. Refer also to Traffic Study in Appendix I.

5.8.3 Utilities

All required services including water supply, onsite effluent management, electricity, stormwater management, and telecommunication infrastructure are available to the site and are capable of being extended to support the proposed use of the additional units. Refer to Servicing Plans in Appendix E.

5.8.4 Noise

The likelihood of noise becoming offensive can be minimised by adopting good work practices and adhering to normal construction hours.

The operation is unlikely to introduce any significant noise impacts, keeping in mind the nature of shifts requires careful management of noise to ensure occupants receive adequate sleep at all hours.

5.8.5 Social & Economic Impacts in the Locality

Social impacts of the proposal are considered to be positive, with up to 200 mining workers able to be accommodated nearby to the mines (within 5 - 10 minute's drive) in a self-sufficient facility with all meals provided and recreational facilities on-site. Individual accommodation cabins allow staff to have privacy for rest when required whilst the recreational facilities shall enable them to enjoy sport and barbecues with fellow staff.

Improved accessibility to the mines and road safety for occupants of the proposal is another positive outcome. Given the potential for 12-hour duration of work shifts at the mine, a fully serviced accommodation facility operation in this regard is considered highly favourable to workers compared with the alternative of existing accommodation in Mudgee approximately 40km – 50km / up to 45 minutes' drive away, or Gulgong at 30km – 40km away / up to 30 minutes drive. In particular, the mine camp will enhance road safety for mine workers and locals, eliminating the elevated risks of driver fatigue.

Residents of Mudgee and Gulgong also benefit from potentially less pre-dawn traffic noise associated with mine workers leaving their accommodation in the early hours to drive to the mines for early shift start. Likewise, night shift mine workers staying in the proposed workers accommodation may be less likely to be disturbed by daytime noise whilst asleep, than compared with accommodation in Mudgee and Gulgong.

The facility has operated without any significant incident and in harmony with the local community.

Economic impacts – The proposal shall generate employment for the construction and trade sectors with the additional development of the accommodation camp and its associated infrastructure. The development maintains job opportunities for its management and maintenance as a 24-hour operation, and provides occupant services including catering / cooking, health, fitness and transport.

5.8.6 Bushfire

The subject site is considered Category 2 bushfire prone land pursuant to the *Mid-Western* Regional Local Environmental Plan 2012 (the LEP) and the ePlanning Spatial Viewer.

A BFAR has been prepared considering the proposed expansion against the latest *Planning for Bushfire Protection 2019* (PBP) guidelines. The report recommends support of the proposal subject to recommendations much in line with the original General Terms of Approval issued by the Rural Fire Service.

Refer to BFAR in Appendix B.

5.8.7 Other

There are no other issues such as flooding, flora/fauna, or heritage that would significantly impact upon the development.



5.9 Suitability of the Site for the Proposed Development

The suitability of the site for the proposed development has been addressed in the above sections of this report. There are no prohibitive constraints posed by adjacent developments. There does not appear to be any zoning, planning, or environmental matters that should hinder the proposed development of the site. In this regard, it can be concluded that the proposal fits into the locality and the site attributes are conducive for the development.

There are no prohibitive constraints posed by the site which is cleared land with existing sealed road access and no land use conflict with adjacent development; utilities and services are available and considered adequate for the site; the adjacent mine operation and associated development does not pose any known environmental or health hazards to the proposed site and noise levels will not affect the development or adjoining lands.

5.10 The Public Interest

The proposal is unlikely to create any negative impacts on the amenity of the area and is therefore deemed to be positive in terms of the public interest.

The temporary mine workers accommodation camp and its location near existing mines in the Ulan area is considered beneficial to the local community by reducing high demand on the local housing market for short term accommodation.

The proposal importantly shall reduce traffic along Ulan Road associated with mine workers travelling to and from the mines and reduce associated risk of driver fatigue related accidents.

Accordingly, the proposal is considered within the public interest.

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6 CONCLUSION

Since opening Ulan Village Green as the temporary workers accommodation is known has operated successfully without any significant incident. Reviews from clients are complimentary and long-term accommodation leases with nearby mining operations have been secured.

It is recommended that the proposed modification to DA0135/2012 to support the use of an additional units at the existing Ulan Village Green temporary workers accommodation, on Lot 32 DP 750773, commonly known as 94 Main Street, be supported as the development as modified would remain substantially the same development as the development for which consent was originally granted on the following grounds:

- The proposal is considered acceptable in terms of the provisions of Section 4.55(1A) of the Environmental Planning and Assessment Act 1979;
- The proposal is permissible with consent and consistent with the relevant development standards and provisions of the Mid-Western Regional Local Environmental Plan 2012;
 - The proposal complies with the relevant provisions of the Mid-Western Regional Development Control Plan 2013;
 - The proposed development is expected to create job opportunities and a positive economic impact for Ulan, and Mid-Western areas; and
 - The proposed development is considered suitable for the surrounds.

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7 REFERENCES

The following key references were utilised as part of this assessment:

- AHIMS
- Mid-Western Regional Council Development Control Plan 2013
- Mid-Western Regional Local Environmental Plan 2012
- NSW Government Spatial Services 2021
- State Environmental Planning Policy ((Industry and Employment) 2021

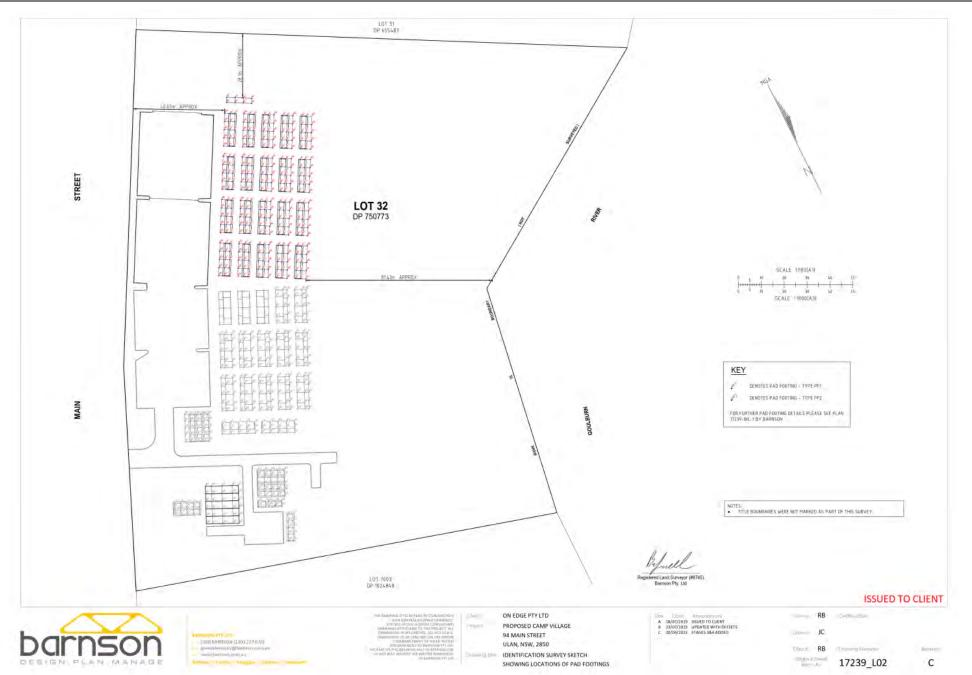


APPENDIX A DP & Survey Plan

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MID-WESTERN REGIONAL COUNCIL | ORDINARY MEETING – 13 DECEMBER 2023 REPORT 8.2 – ATTACHMENT 1



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APPENDIX B Bush Fire Assessment Report (BFAR)



Bush Fire Assessment Report

Temporary Workers Accommodation 94 Main Street Ulan

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Disclaimer

This report has been prepared solely for Long Neck Developments (the client) in accordance with the scope provided by the client and for the purpose(s) as outlined throughout this report. Barnson Pty Ltd accepts no liability or responsibility for or in respect of any use or reliance upon this report and its supporting material by anyone other than the client.

Report Title:	Bush Fire Assessment Report – DA modification	
Project Name:	Temporary Mine Workers Accommodation	
Client:	Long Neck Developments	
Project No.	17239	
Report Reference	17239-BR02_A	
Date:	15/5/2023	
Revision:	Final	

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1 INTRODUCTION

1.1 Background

This Bush Fire Assessment Report (BFAR) has been prepared to accompany a Development Application (DA) modification for the expansion of an existing temporary workers accommodation camp on Lot 32 DP750773, known as 94 Main Street, Ulan. Refer to latest Survey Plan in **Appendix A**. The purpose of this report is to provide a bushfire assessment for the proposed development in accordance *Planning for Bushfire Protection 2019* (PBP).

1.2 Proposed Development

The Subject Site is afforded with existing approval relating to Temporary Workers Accommodation (DA0135/2012) which supported 144 single bedroom residential units provided in blocks of 4 units per accommodation block building and other communal infrastructure. Please refer to the original consent in **Appendix B**. The proposed development involves the construction of 56 additional accommodation rooms and associated infrastructure on the subject site. The site plan of the proposed development has been provided in **Appendix C** of this report.

1.3 Legislative Requirements

1.3.1 Environmental Planning and Assessment Act 1979

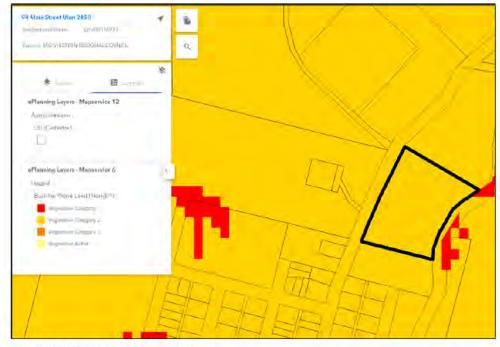
1.3.1.1 Integrated Development

It is noted the original DA was considered integrated development by virtue of Section 4.46 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and required both development consent and authorisation under Section 100B (Bushfire Safety Authority) of the *Rural Fires Act 1997* in order for it to be carried out. Therefore, the proposed modification is required to be referred back to the Rural Fire Service (RFS) under Clause 109 of the Environmental Planning and Assessment Regulation 2021 for authorisation.

1.3.1.2 Bush Fire Prone Land

The subject site is designated as bush fire prone land, pursuant to Section 10.3 of the EP&A Act. The site is identified as containing Vegetation Category 2 on the Bush Fire Prone Land Map as shown in **Figure 1** below.





Source: (NSW Planning & Environment, 202)

Figure 1 – Bush Fire Prone Land Map

1.3.1.1 Rural Fires Act 1997

Section 100B of the *Rural Fires Act 1997* (RF Act) requires a Bush Fire Safety Authority to be obtained before developing bushfire prone land for certain purposes. These purposes include development of bush fire prone land for a Special Fire Protection Purpose, which encompasses the proposed development.

Clause 45 of the *Rural Fires Regulation 2022* outlines the requirements for inclusion in any application for a Bush Fire Safety Authority. This report has been prepared to provide the information required by Clause 45. A checklist for the Clause 45 matters is provided in **Appendix C**.

1.3.1.2 Planning for Bush Fire Protection

The New South Wales's Rural Fire Service's (RFS) *Planning for Bush Fire Protection 2019* (PBP) applies to DAs in bush fire prone land.

This report has been prepared to address the requirements of PBP, specifically as a Special Fire Protection Purpose (SFPP). Considering the nature of the development proposal, a merits-based assessment of PBP has also been undertaken.



2 THE SITE & ITS SURROUNDS

2.1 Site Location

The site is located in the Ulan locality north-east of Gulgong, as shown in **Figure 2** below in the Mid-Western Regional Local Government Area.



Figure 2 – Site Location

2.2 Site Details

The site is comprised of Lot 32 DP 750773 and has an approximate area of 4ha. Refer to the Detail Survey provided in **Appendix A** of this report.

The site has direct frontage to Main Street. The site is populated with buildings and structures associated with the existing temporary workers accommodation.

The site is zoned RU1 – Primary Production pursuant to the provisions under the *Mid-Western Regional Local Environmental Plan 2012* (the LEP) as shown in **Figure 3**. The surrounding area is general primary production, village land uses, and the Goulburn River.





Figure 3 - Zoning Map

2.3 Environmental Considerations

2.3.1 Environmentally Significant Features

No matters of environmental significance have been identified for the site and there are no known areas of high biodiversity on the site or within proximity.

2.3.2 Threatened Species, Populations and Ecological Communities

No ecological assessments are known to have been undertaken for the site. The site is however heavily disturbed as a result of the current land uses.

2.3.3 Indigenous Heritage

An Aboriginal Heritage Information Management System (AHIMS) search was undertaken for the site which revealed that no items of Indigenous heritage have been recorded as being identified on the site, however eight (8) Aboriginal Sites were located within 200m of the Subject Site. All identified sites have been located in a northerly direction of the subject site. Given the current use of the subject site and the nature of the development being wholly located within the site's boundaries. It can be considered that the proposed development will not impact on the existing Aboriginal Sites located outside the property's boundaries.





3 BUSH FIRE ASSESSMENT

3.1 Methodology

The methodology utilised for the bush fire assessment is outlined in A1.1 of the PBP. The following provides the required information in accordance with the methodology.

3.2 Bush Fire Fuels

Pursuant to Appendix 1 of PBP, all vegetation within 140m of the site (assessment area) has been classified in accordance with *Ocean Shores to Desert Dunes* (Keith, 2004) and Figure 2.3 of AS3959. Photographs of the vegetation from the site inspection carried out on 26 April 2023 as identified in **Figure 4** are provided in the following plates for each assessment plot.

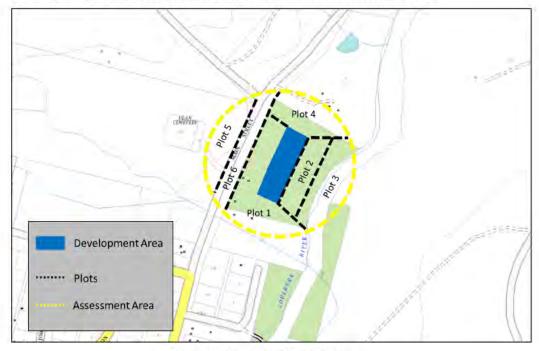


Figure 4 – Vegetation Classification



Plot 1	
Existing Classification:	Managed Vegetation
Post Development Classification:	Managed Vegetation
Description:	Car Park, entrance to site, and part of the Ular Water depot.
Plate 1 – Plot 1	Plate 2 – Plot 1
Plot 2	
Existing Classification:	Managed vegetation
Post Development Classification:	Managed vegetation
Description:	50m of managed vegetation between start or buildings and vegetation associated with Goulburn River. Land partially includes septic irrigation area

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Plot 3	
Existing Classification:	Woodland
Post Development Classification:	Woodland
Description:	Existing vegetation along the boundary bordering the Goulburn River. Land also partially includes managed septic irrigation area.
Plot 4	Plate 5 – Plot 3
Existing Classification:	Managed Vegetation
Post Development Classification:	Managed Vegetation
Description:	Existing dwelling to the north and cleared area between development and northern fence line.
	Plate 7 - Plat 4

Plate 6 – Plot 4

Plate 7 – Plot 4



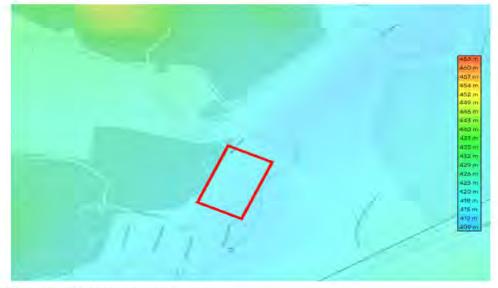
Plot 5	
Existing Classification:	Woodland
Post Development Classification:	Woodland
Description:	Vegetation west of the Main Street Road reserve.
Plot 6 Existing Classification:	Plate 8 – Plot 5 Managed Vegetation
Post Development Classification:	Managed Vegetation
Description: Managed vegetation within Road Reserve.	
	Contraction of the local division of the loc

3.3 Topography

Pursuant to Appendix 1.4 of PBP, contour data has been sourced from the NSW Spatial Information Exchange Mapping system. The contour data was verified by ground truthing during the site inspection. The land has a slight slope from west to east, towards the Goulburn River. Refer also to **Figure 5**.







Source: (NSW Government Spatial Services, 2023)

Figure 5 – Topography

3.4 Fire Weather Area

The subject site is located within the Mid-Western Regional LGA. Pursuant to Table A1.6 of the PBP, the relevant Forest Fire Danger Index (FFDI) for the site is 80.

3.5 Asset Protection Zone Determination

The relevant Asset Protection Zones (APZ) are to be determined based on Table A1.12.1 of PBP (minimum distances for APZs – SFPP developments). Accordingly, an assessment is provided in **Table 1** below.

Plot	Vegetation Class	Effective Slope	APZ
1	Managed vegetation	Downslope 0-5°	N/A*
2	Managed vegetation	Downslope 0-5°	N/A*
3	Woodland	Downslope 0-5°	50m
4	Managed vegetation	Upslope/flat	N/A*
5	Woodland	Upslope/flat	42m
6	Managed vegetation	Upslope/flat	N/A*



Plots 1, 2, 4, and 6, are considered urban environments (Road Reserve, temporary miners accommodation/car parking, dwelling, and managed vegetation associated with the accommodation) and are managed, therefore an APZ is generally not required for these plots. As per the existing development, an existing APZ is approved which is 40m (in perpetuity). The existing 40m is achieved by the following; to the north and east, land within 40m is currently cleared managed space. To the south, land within 40m is managed land, being the Ulan Water business premises; and to the west land within 40m of the development comprises parking hardstand to service the development.

3.6 Bushfire Attack Level Assessment

Table 6.8a of PBP 2019 (Page 56) states that a construction level of BAL-12.5 under AS3959 is applied for SFPP developments. However, considering that nature of the development, an assessment against Table A1.12.6 of PBP is considered necessary.

The inputs used in the calculation of the BAL are outlined in **Table 2** below. The relevant BAL is applicable to the proposed buildings on the site.

Table 2 – BAL Inputs		
Requirement	Input Used	
Relevant FD) (table 2.1 of AS3959)	80	
Classified vegetation	As per Section 3.2 of this report, Keith (2004) and Figure 2.3 of AS3959.	
Separation Distance	As provided below.	
Effective Slope	As per Table 1.	

Using the inputs outlined above, the BAL has been calculated for each of the Plots identified in Section 3.2.

Plot	Vegetation Class	Separation Distance (adopted 20m APZ)	Effective Slope	BAL	
1	Managed Vegetation	N/A	Downslope 0-5°	N/A	
2	Managed vegetation	N/A	Downslope 0-5°	N/A	
3	Woodland	50m	Downslope 0-5°	BAL-12.5	
4	Managed vegetation	N/A	Upslope/flat	N/A	
5	Woodland	42m	Upslope/flat.	BAL-12.5	
6	Managed vegetation	N/A.	Upslope/flat	N/A	
			Worst Case BAL	BAL-12.5	



The worst case and therefore the applicable BAL for the proposed development is **BAL-12.5**. The relevant construction standards for BAL-12.5 are outlined in Sections 3 and 5 of AS3959.

The BAL does not apply to any class 10a storage sheds/structures unless they are positioned within 6m of the Temporary Workers Accommodation.



4 BUSH FIRE PROTECTION MEASURES

4.1 Introduction

The proposed development is similar to being a Special Fire Protection Purpose (SFPP) (hotel, motel or other tourist accommodation), however noting that the workers are generally assigned to the same accommodation room for extended periods and are familiar with the environment and existing fire safety measures, which was not realised during the original application, notwithstanding the development is required to comply with the Bush Fire Protection Measures (BFPM) outlined in Section 6.8 of PBP. This section of the report assesses the relevant BFPMs. There are eight key BFPMs outlined by PBP for SFPP development:

- Asset Protection Zones;
- Landscaping;
- Construction Standards;
- Access;
- Water Supply;
- Electrical Services;
- Gas Services; and
- Emergency management Planning.

The relevant BFPMs are addressed throughout Section 4 of this report.

4.2 Aims and Objectives of PBP

The aim of PBP is:

to provide for the protection of human life and minimise impacts on property from the threat of bush fire, while having due regard to development potential, site characteristics and protection of the environment.

The specific objectives of PBP are to:

- afford buildings and their occupants protection from exposure to a bush fire;
- provide for a defendable space to be located around buildings;
- provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings;
- ensure that appropriate operational access and egress for emergency service personnel and occupants is available;
- provide for ongoing management and maintenance of BPMs;
- and ensure that utility services are adequate to meet the needs of firefighters.





The proposal has considered radiant heat levels of less than 29W/m² to avoid flame contact, that would provide for appropriate separation to the hazards. The development in conjunction with the bush fire protection measures will provide for safe operational access and egress for emergency services personnel and patrons as well as sufficient water supply. Therefore, the proposed development is considered to be consistent with the objectives of PBP.

4.3 Objectives for SFPP Developments

Section 6.2 of PBP contains the specific objectives for special fire protection purposes:

- Minimise levels of radiant heat, localised smoke and ember attack through increased APZ, building design and siting;
- Provide an appropriate operational environment for emergency service personnel during firefighting and emergency management;
- Ensure the capacity of existing infrastructure (such as roads and utilities) can accommodate the increase in demand during emergencies as a result of the development; and
- Ensure emergency evacuation procedures and management which provides for the special characteristics and needs of occupants.

In being consistent with the BFPMs, the proposed development complies with objectives for SFPP developments, as outlined above.

4.4 Asset Protection Zones

The following table outlines the Performance Criteria and associated Acceptable Solutions for the APZ BFPM in accordance with Table 6.8a of PBP. A merit based assessment has been undertaken below.

Table 4 Asset Protection Zones		
Performance Criteria	Acceptable Solution/Comment	Compliance
Radiant heat levels of greater than 10kW/m² (calculated at 1200k) will not be experienced on any part of the building,	As discussed in Section 3.5 of this report, the following APZs are applied for: Plot 3 – 50m Plot 5 – 42m Plot 3 is situated between the Goulburn River and Plot 2 (which is approximately 50m of managed land which also includes land utilised for an irrigation area, which will continue to be required). Therefore, Plot 2 can be considered to form a suitable asset protection zone on the eastern side of the development. Plot 5 is located on the western side of the Main Street Road reserve (Plot 6) and it measures at a distance of approximately 30m from Plot 1 (Managed Area – Car Park).	



	Therefore, the road reserve in addition to Plot 1 are considered to be existing APZs and deemed sufficient protection for the development. The road is frequently maintained by council.	
	Along with the above recommendations, the existing APZ which is provided to the existing development will be retained for future development. All other areas/Plots are appropriately managed in accordance with the <i>Managed Land</i> requirements under PBP (Page 112).	
APZ maintenance is practical, soil stability is not compromised and the potential for crown fires is minimised.	There are no lands within the proposed APZ with a slope exceeding 18 degrees.	*
APZs are maintained to prevent the spread of fire to the building. The APZ is provided in perpetuity.	The applicable APZs are considered as urban development uses, being a car park/road reserve, managed land, and further manoeuvring areas/Ulan Water Depot. Therefore, it is assumed that these areas will continue to be managed in accordance with APZ requirements to ensure appropriate protection for the proposed development.	×

4.5 Landscaping

The following table outlines the Performance Criteria and associated Acceptable Solutions for Landscaping in accordance with Table 6.8a of PBP. A merits based approach of the PBP 2019 has been undertaken given the circumstances of the development.

Table 5 Landscaping		
Performance Criteria	Acceptable Solution/Comment	Compliance
Landscaping is designed and managed to minimise flame contact and radiant heat to buildings, and the potential for wind- driven embers to cause ignitions.	Landscaping on site is established and maintained in accordance with Appendix 4 of the PBP. There shall be no branches overhanging roofs, and continuous tree canopies are to be avoided. Any proposed fencing shall be constructed in accordance with Section 7.6 of PBP.	~

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4.6 Construction Standards

The following table outlines the Performance Criteria and associated Acceptable Solutions for Construction Standards in accordance with Table 6.8a of PBP. A merits based approach of the PBP 2019 has been undertaken given the circumstances of the development.

Table 6 Construction Standards		
Performance Criteria	Acceptable Solution/Comment	Compliance
The proposed building can withstand bush fire attack in the form of embers, radiant heat and flame contact.	As detailed in Section 3.6, the worst case and therefore the applicable BAL for the proposed development is BAL-12.5 . BAL 12.5 Construction (Section 3 and 5 of AS3959) is required for the development OR in accordance with the NASH Standard and Section 7.5 of PBP.	1

4.7 Access Standards

The following table outlines the Performance Criteria and associated Acceptable Solutions for Access in accordance with Table 6.8b of PBP. It has been considered on a Merits Based approach.

Table 7 Access		
Performance Criteria	Acceptable Solution/Comment	Compliance
Firefighting vehicles are provided with safe, all- weather access to structures and hazard vegetation.	 Access throughout the site shall be designed and constructed as follows: Two-wheel drive, all weather access roads and internal driveways; Any traffic management devices shall not prohibit access for emergency service vehicles; Turning areas shall be established in accordance with Appendix 3 of PBP; Existing access is sufficient for firefighting vehicles. 	•
The capacity of access roads is adequate for firefighting vehicles.	The capacity of the proposed driveways and parking/manoeuvrability areas will be sufficient to carry fully loaded firefighting vehicles up to 23 tonnes. No bridges or causeways are required.	.e
There is appropriate access to water supply.	Water is available to the development.	×
Perimeter Road	Given the urban locality of the proposed development, it is considered that a perimeter road is not required in this instance. The proposed access point and onsite manoeuvrability shall provide for safe access for fire fighting vehicles and evacuation for residents and staff.	N/A



Non-Perimeter Road	An internal road is proposed within the carparking and	1
	manoeuvrability area. This road shall provide suitable access	
	and egress for firefighting vehicles while occupants are	
	evacuating. A dedicated evacuation point is recommended	
	to ensure this internal road is kept clear at all times.	

4.8 Water Supplies

The following table outlines the Performance Criteria and associated Acceptable Solutions for Water supply in accordance with Table 6.8c of PBP.

Tank of there a supply	Table 8 Water Supply		
Performance Criteria	Acceptable Solution/Comment	Compliance	
An adequate water supply is provided for firefighting purposes.	The proposed development site has been afforded with existing water supply through tanks which are utilised to harvest stormwater. It is utilised to irrigate garden areas surrounding buildings; and grey water recycling for laundry and toilet flushing. An onsite effluent irrigation area is situated to the east which provides further potential fire protection. Further, there is an existing agreement with Ulan Water (neighbouring lot) to which potable water is supplied to the site. The existing system in place will be retained and is considered suitable for the expansion proposed.	.1	
Water supplies are located at regular intervals; and the water supply is accessible and reliable for firefighting operations.	The water supply shall be easily accessible for fire fighting vehicles.	4	
Flows and pressure are appropriate.	The existing systems in place are considered suitable for the proposed expansion. The buildings are all below 500m ² and separated allowing access for fire fighting purposes.	1	
The integrity of the water supply is maintained.	All above-ground water service pipes including taps etc shall be constructed of metal material.	*	
Water supplies are adequate in areas where reticulated water is not available.	Adequate supply of water has been made available via existing water tanks, and potable water supply from Ulan Water. In the event of a fire, there is adequate connection available to the water tanks with some water reserved for firefighting.	.v	



4.9 Electricity and Gas Services

The following table outlines the Performance Criteria and associated Acceptable Solutions for the Electricity and Gas Services in accordance with Table 6.8c of PBP.

Table 9 Electricity and Gas Services.		
Performance Criteria	Acceptable Solution/Comment	Compliance
Location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings.	No new powerlines are required. Power connection to units shall be underground. Vegetation around existing/new transmission lines are to be maintained in accordance with the specifications in <i>ISSC3</i> <i>Guideline for Managing Vegetation Near Powerlines</i> .	4
Location and design of gas services will not lead to ignition of surrounding bushland or the fabric of buildings.	 The structures are to be connected to bottled gas (if required). The following recommendations are provided: Installed and maintained in accordance with AS/NZS 1596:2004 with metal piping used; All fixed cylinders are to be kept clear of flammable materials to a distance of 10m; All connections to be metal construction; Safety valves are to be directed away from the building and at least 2m away from any combustible material; Polymer-sheathed flexible gas supply lines are to be used; Aboveground gas service pipes external to the building are to be metal. 	

4.10 Emergency Management Planning

The following table outlines the Performance Criteria and associated Acceptable Solutions for Construction Standards in accordance with Table 6.8d of PBP.

Table 10 Construction Standards		
Performance Criteria	Acceptable Solution/Comment	Compliance
A Bush Fire Emergency Management and Evacuation is prepared.	A Bush Fire Emergency Management and Evacuation Plan is to be prepared in accordance with RFS requirements, AS3745:2010 and AS4083:2010. The plan should include planning for early relocation of occupants. Refer to existing Fire Plan in Appendix E.	*
Appropriate and adequate management arrangements are	An Emergency Planning Committee is required to be established for the facility who will consult with residents	1



established for	and staff in developing and implementing an Emergency
consultation and	Procedures Manual.
implementation of the	Details of all emergency assembly areas including on site and
Bush Fire Emergency	off-site arrangement shall be established, and an annually
Management and	emergency evacuation is to be conducted. Refer to existing
Evacuation Plan.	Fire Plan in Appendix E.



5 RECOMMENDATIONS

The assessment of the proposed development carried out in this report has assumed the development will be carried out in accordance with a number of bush fire protection measures (BFPMs). The following provides a summary of the BFPMs that must be incorporated into the development to ensure it best protects the development from the effects of bushfire in accordance with the requirements of PBP and other best practice guidelines.

- Asset Projection Zone/Defendable Space:
 - It is recommended that at least 42m of managed land be maintained as an Asset Protection Zone in a westerly direction of the development;
 - It is recommended that 50m of managed land in an easterly direction (towards plot
 3) continue to be managed as an Asset Protection Zone;
 - The site is to be managed in accordance with Appendix 4 of PBP;
- Landscaping:
 - Landscaping shall be established and maintained in accordance with Appendix 4 of PBP and the applicable Asset Protection Zone Standards;
 - There shall be no branches overhanging the roof of any proposed structures and new plantings shall be established to ensure that there is no continuous tree canopies;
 - Any proposed fencing shall be constructed in accordance with Section 7.6 of PBP.
 - Any future proposed landscaping should aim to; prevent flame impingement on the buildings; provide a defendable space for property protection; reduce fire spread; deflect and filter embers; provide shelter from radiant heat; and reduce wind speed.
- Construction Standards:
 - The proposed development is to be constructed to a BAL-12.5 standard and in accordance with PBP/AS 3959:2009. The BAL does not apply to class 10a storage structures unless positioned within 6m of any proposed accommodation buildings.
 - Any class 10a structure positioned within 6m of the temporary accommodation buildings shall be constructed in accordance with BAL-12.5 standards.

Access

- Access to water connections shall be kept clear at all times;
- Any traffic management devices shall not prohibit access for emergency vehicles;
- Turning areas as shall be established in accordance with Appendix 3 of PBP;



- The access roads shall be constructed to be capable of carrying a fully loaded firefighting vehicle up to 23 tonnes;
- All internal roads are to be at least 3.5m in width and no bridges or causeways are to be constructed, however if required, shall be constructed and maintained in accordance with PBP provisions.
- A dedicated evacuation point is recommended to ensure this internal road is kept clear at all times;
- No tree plantings or obstructions shall occur on either side of the access roads that would prohibit access to and from the site in the event of fire.
- Services
 - " Water:
 - Adequate supply of water onsite from tanks is be provided for firefighting purposes at all times.
 - Water supply will continue to be utilised from existing water tanks and is considered suitable to service the additional development.
 - All aboveground water service pipes including taps etc shall be constructed of metal material.
 - ⁱⁱ Electricity and Gas:
 - It is recommended that any new powerlines are to be constructed underground;
 - Vegetation around existing/new transmission lines are to be maintained in accordance with the specifications in *ISSC3 Guideline for Managing* Vegetation Near Powerlines;
 - Any proposed gas bottles shall be installed and maintained in accordance with AS/NZS 1596:2004 with metal piping used;
 - All fixed cylinders are to be kept clear of flammable materials to a distance of 10m (or appropriately shielded);
 - All connections are to be of metal construction.
- Bushfire Danger Period:
 - Before the commencement of the Bushfire Danger Period, a review of the vegetation on the site and applied BFPMs is recommended to be undertaken.
 Fuel reduction measures are recommended throughout the site.
- Emergency Evacuation Plans:
 - The Fire Management Plan (FMP) is to be reviewed and updated annually.



6 CONCLUSION

The proposed development, on completion, will ensure that the proposed development is located in an area that has a low to moderate bushfire hazard level. With the implementation of the recommendations, as outlined in **Section 5**, it is considered that the proposed development is appropriately protected from bushfire and complies with the requirements of PBP. The proposed development is not expected to increase the bushfire risk.



7 REFERENCES

NearMaps. (2021, July 6). NearMaps. Retrieved from http://maps.au.nearmap.com/

- NSW Government Spatial Services. (2023, May 17). *Six Maps.* Retrieved from http://maps.six.nsw.gov.au/
- NSW Planning & Environment. (2023, May 17). *Planning Viewer*. Retrieved from https://www.planningportal.nsw.gov.au/spatialviewer/#/find-a-property/lot
- NSW Rural Fire Service. (2019). Planning for Bush Fire Protection: A Guide for Council's, Planners, Fire Authorities and Developers. Sydney: NSW RFS.

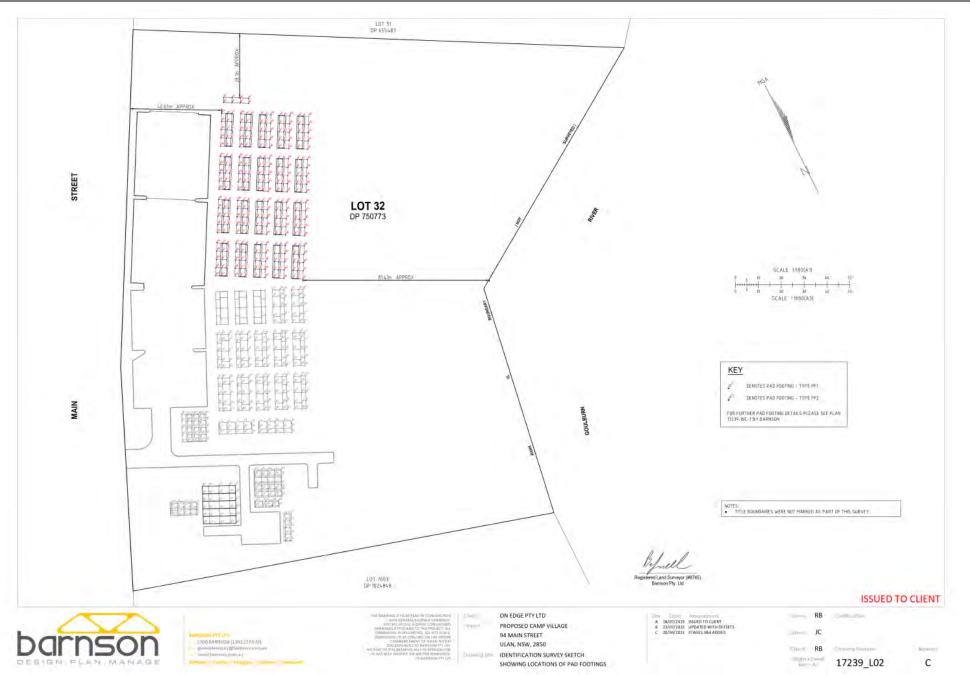


Appendix A - Survey Plan

Reference: 17239-BR02_A 23

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MID-WESTERN REGIONAL COUNCIL ORDINARY MEETING – 13 DECEMBER 2023 REPORT 8.2 – ATTACHMENT 1





Appendix B - Original DA consent

Reference: 17239-BR02_A 24



PO BOX 156 MUDGEE NSW 2850

86 Market Street MUDGEE 109 Herbert Street GULGONG 77 Louee Street RYLSTONE

Ph: 1300 765 002 or (02) 6378 2850 Fax: (02) 6378 2815 email: council@midwestern.nsw.gov.au

Gary Bruce:ah P1411461 22 February 2012 \mwrcprod\T1\pro1\data\proprod\T1_PropertyRating\ProForma_Doc\RULES\DevelopmentApplication\DAAllApproval\Application DAllApp 599406.docx

Barnson Pty Ltd Unit 3/108-110 Market Street MUDGEE NSW 2850

Dear Sir/Madam

DEVELOPMENT APPLICATION DA0135/2012 TEMPORARY WORKERS ACCOMMODATION LOT 32 DP 750773 - 94 MAIN STREET ULAN NSW 2850

I am pleased to advise that your application has been approved by Council.

Attached is Council's formal Development Consent No. DA0135/2012.

It is important that you read the consent and understand the requirements of any conditions imposed. Certain requirements may need to be satisfied prior to proceeding with the development.

The consent is a legal document and should be kept for your future reference as the development proceeds. It should be noted that commencement of the development implies your acceptance of the conditions of consent.

Please Note: No work can commence until a Construction Certificate has been issued, a Principal Certifying Authority (PCA) appointed and Council notified of commencement of work at least 2 days in advance.

Should you have any query regarding the consent or associated conditions, do not hesitate to contact myself or the appropriate Council officer.

Yours faithfully

J. CATHERINE VAN LAEREN GROUP MANAGER DEVELOPMENT & COMMUNITY SERVICES

www.midwestern.nsw.gov.au



PO BOX 156 MUDGEE NSW 2850

86 Market Street MUDGEE 109 Herbert Street GULGONG 77 Louee Street RYLSTONE

Ph: 1300 765 002 or (02) 6378 2850 Fax: (02) 6378 2815 email: council@midwestern.nsw.gov.au

and the second		
Our Ref:	Gary Bruce:ah P1411461	DA No: DA0135/2012
Applicant:	Barnson Pty Ltd Unit 3/108-110 Market Street MUDGEE NSW 2850	Land to be Lot 32 DP 750773 Developed: 94 Main Street ULAN NSW 2850
	Development: Workers Accommodation	Building Code of Australia Classification:
Date of Det Determinat	ermination: 15 Februar	y 2012 GRANTED subject to conditions set out below

CONDITIONS

APPROVED PLANS

 Development is to be carried out generally in accordance with stamped plans (Drawing No. 17239_L01, 17239_A01, Revision C, 17239_A02, Revision C, 17239_A03, Revision C and 17239_A04 Revision C, dated 18 October 2011, drawn by Barnson) and statement of Environmental Effects prepared by Barnson, received by Council on 21 October 2011 except as varied by the conditions listed herein. Any minor modification to the approved plans will require the lodgement and consideration by Council of amended plans. Major modifications will require the lodgement of a new development application.

AMENDMENTS

- 2. Seven (7) accessible units are to be provided within the development site in accordance with AS 1428.1 2009, the Building Code of Australia and the Access to Premises Code.
- 3. All communal facilities are to be provided with accessible features in accordance with the AS 1428.1 2009, the Building Code of Australia and the Access to Premises Code

PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE

The following conditions must be complied with prior to the Principal Certifying Authority (PCA) issuing a Construction Certificate. The conditions are required to satisfy the PCA that the proposal is consistent with the applicable development consent, the Building Code of Australia and any Australian Standards that are relevant.

4. The applicant is to demonstrate that there is the ability to provide a water supply to the development from roof storm water. This assessment is to be undertaken by a professional

DEVELOPMENT CONSENT ISSUED BY MID-WESTERN REGIONAL COUNCIL

PAGE NO. 2

engineer report and is to indicate the harvest potential available, the likely water supply demand for the development and alternate supplies should the demand exceed the harvest potential.

- 5. Separate written application must be made under Section 68 of the Local Government Act 1993, as amended, to Council for all water supply, sewerage and drainage work associated with the development. Full details of the method of disposal of the sewerage/grey water must be submitted to the Council for approval prior to the issue of the Construction Certificate.
- 6. The proposed sewerage treatment system and irrigation areas are to comply with the Environmental Guidelines – Use of Effluent for Irrigation by the Department of Environment and Conservation. A report shall be prepared and submitted to Council for approval with the application under Section 68 of the Local Government Act for an onsite sewage management system. Note: The floor level of the Sewerage Treatment Plan shall be 418.5 AHD.
- 7. A registered Surveyors Certificate showing the boundaries of the site and the proposed building plotted thereon being submitted to the Principal Certifying Authority before construction is commenced.
- 8. Details of the engineered designed reinforced concrete slab/s and the wall and roof framing structural components of the building must be submitted with the required Construction Certificate.
- 9. In accordance with the provisions of section 94A of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Council Section 94A Development Contributions Plan, a levy of 1% of the cost of carrying out the development shall be paid to Council in accordance with this condition for the purpose of:

The levy is: \$28,000.00 based on the estimated cost of development of \$2,800,000.00.

- 10. Prior to the issue of the Construction Certificate, the Principal Certifying Authority (PCA) is to be supplied with certificates from telecommunications and energy service providers stating that suitable arrangements have been made for provision of underground telephone and electricity supplies for the proposed development.
- 11. The Principal Certifying Authority (PCA) is to be provided with details regarding the provision of essential fire safety services in accordance with the BCA and relevant Australian Standards.
- 12. If the *Construction Certificate* is not issued, for any reason whatsoever, within twelve (12) months of the date of determination, then the charges and contributions contained in this consent, may be increased to the current rate at the time of payment.

A site supervisor is to be nominated by the applicant prior to issue of the *Construction Certificate*.

13. A Traffic Control Plan (TCP) completed by a "Certified Person" for implementation during works is to be submitted to Mid Western Regional Council prior to any work commencing. Contractor's insurance cover for a minimum of \$10,000,000 (Ten million dollars) is to be sighted and to be shown to Mid Western Regional Council as an interested party.

DEVELOPMENT CONSENT ISSUED BY MID-WESTERN REGIONAL COUNCIL	PAGE NO. 3
DEVELOPMENT CONSENT ISSUED BY MID-WESTERN REGIONAL COUNCIL	PAGE NO. 3

- 14. Complete landscaping plans are to be submitted to Council for approval prior to issue of a Construction Certificate. All landscaping is to be established prior to occupation of the development and consist of advanced trees and shrubs. Tree and shrub species should be endemic to the Mid-Western Regional Local government Area, require minimal watering and be salt resistant.
- 15. The applicant is to submit a Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off to the Principal Certifying Authority for approval prior to the release of the Construction Certificate. The report must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 100-year ARI. All storm water detention details including analysis shall be included with the drainage report.

PRIOR TO THE COMMENCEMENT OF WORKS

These conditions are required to ensure that the site is ready for construction works to commence and satisfy the provisions of the Environmental Planning and Assessment Act 1979 and the Building Code of Australia.

- A sign must be erected in a prominent position on any work site on which the erection of a building is being carried out;
 - a) stating that unauthorised entry to the work site is prohibited, and
 - b) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- 17. Prior to the commencement of any construction works, the following provisions of the Environmental Planning and Assessment Act 1979 (the Act) are to be complied with:
 - A Construction Certificate is to be obtained in accordance with Section 81A(2)(a) of the Act.
 - b) A Principal Certifying Authority is to be appointed and Council is to be notified of the appointment in accordance with Section 81A(2)(b) of the Act.
 - c) Council is to given at least 2 days notice of the date intended for commencement of building works, in accordance with Section 81A(2)(c) of the Act.
- 18. Run-off and erosion controls must be installed prior to clearing the site and incorporate:
 a) diversion of uncontaminated upsite run-off around cleared and/or disturbed areas
 - and areas to be cleared or disturbed.
 - sediment fences at the downslope perimeter of the cleared or disturbed areas to prevent sediment and other debris escaping from the land to pollute water ways and collection areas.
 - maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilised.
- 19. During construction temporary toilet facilities are to be provided at or in the vicinity of the nominated work site and for this purpose provide either a standard flushing toilet or an approved sewage management facility.
- 20. If the work involved in the erection/demolition of the building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or building involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.
- 21. The proposed method(s) of compliance with the Building Code of Australia are to be clarified by documentation to be submitted with the Construction Certificate Application. In

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this regard, it appears that the Development Application plans do not comply with the following deemed-to-satisfy provisions of the BCA;

- a) Section F2.4 -Facilities for people with disabilities.
- b) Part D3 Access for people with disabilities.
- c) Section E in particular, E1 Fire fighting equipment, specifically the provision of fire hydrants and fire hose reels compatible to on-site water storage for fire fighting.
- d) E4 Emergency lighting and exit signs.
- e) Section J Energy efficiency (offices)
- f) Section C Fire resistance, in particular Type C Fire Resisting Construction of walls within 3 metres of the boundary (including front & rear return walls)
- 22. The developer is to make arrangements with an archaeologist or indigenous group representing the locality to have people available onsite during any works that require disturbance to the surface or sub surface of the site. This is required to ensure that no indigenous objects are disturbed or destroyed during construction activities.
- 23. A construction management plan is to be prepared for the development that has considered the impact of the construction phase of the project on adjoining properties.

BUILDING CONSTRUCTION

These conditions are provided to ensure that adequate standards are being observed during the construction phase of the development.

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

Monday to Friday	-	7.00am to 6.00pm
Saturday	-	8.00am to 1.00pm

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

- 25. All building work must comply with the requirements of the Building Code of Australia 2011, Volume One, together with the relevant Australian Standards and also the Environmental Planning and Assessment Act, 1979, as amended, and Regulations.
- 26. All mandatory inspections required by the Environmental Planning and Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority must be carried out during the relevant stages of construction.
- 27. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of AS 3500 (National Plumbing & Drainage Code) and the NSW Code of Practice Plumbing & Drainage. The selected plumber/drainer must provide Council with a drainage diagram detailing the location of the drainage system and the relevant connections. All plumbing and drainage inspections must be carried out by Council prior to the covering of any trenches or wall/ceiling linings.
- 28. The development must be provided with car parking spaces and with adequate means of access for persons with disabilities in order to comply with Australian Standard 2809.6 2009 (Parking facilities Off street parking for people with disabilities) the Building Code of Australia and the Access to Premises Code. Full details must be provided with the Construction Certificate.
- The development must be provided with sanitary facilities for people with disabilities in order to comply with Australian Standard 1428 2009 (Design for access and mobility), the Building

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Code of Australia and the Access to Premises Code. Full details must be provided with the required Construction Certificate

- 30. All areas not provided with natural ventilation in accordance with the provisions of the Building Code of Australia being provided with an approved mechanical ventilation and/or air conditioning system complying with Australian Standard 1668, Parts 1 and 2.
- 31. The rainwater tanks used as a potable water supply for human consumption, in particular, the supply to the amenities within the building, must be protected from contamination from industrial and urban traffic emissions, dead animals, mosquitoes, dust, pesticides, bushfires and any other form of contamination.
- 32. Details of the method of protection of the water supply from contamination and the method of the subsequent implementation of a testing regime of the water supply must be designed by an approved hydraulic engineer and submitted to Council's Health & Building section prior to the issue of an Occupation Certificate.
- 33. A copy of the Final Fire Safety Certificate is to be provided to the Commissioner of NSW Fire Brigades and a further copy of the Certificate is to be prominently displayed in the building.
- 34. For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council with a copy of an Annual Fire Safety Statement certifying that specified fire safety measure is capable of performing to its specification.
- 35. Smoke detector units are to be installed in accordance with the requirements of the Building Code of Australia. The smoke detectors are to be interconnected and connected to a permanent 240 volt power supply and provided with battery backup to activate the alarm units in the event of power failure. A detail of the system is to be submitted to Council for approval prior to installation.
- 36. All building work must be carried out in accordance with the requirements of the Building Code of Australia. This includes but is not limited to the following:
 - Part C1 Fire Resistance and Stability
 - Part D3 Access for People with Disabilities -
 - Part F2 Sanitary and Other Facilities
 - Part F2.4 Facilities for people with disabilities
 - Part F5 Sound Transmission and Insulation
 - Section J Energy efficiency

ENGINEERING CONSTRUCTION

- 37. All earthworks, filling, building, driveways or other works, are to be designed and constructed (including stormwater drainage if necessary) so that at no time will any ponding of storm water occur on adjoining land as a result of this development.
- 38. Vehicular entrances comprising concrete driveways and footway crossings are to be provided to the development. These should be constructed in accordance with Aus-Spec #1 and Council standard drawing M525-Rural Access, as outlined in Council's "Access to Properties Policy".

Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting

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Council's Development Engineer between 8.00am and 4.30pm Monday to Friday, giving at least twenty four (24) hours notice. Failure to have the work inspected may result in the access being removed and reconstructed at the contractors/owners expense.

- A total of 150 car parking spaces are to be provided within the site of the development and 39. comply with the following requirements:
 - Each parking space is to have minimum dimensions of 5.5m x 2.6m; a)
 - Each disabled car parking space is to be in accordance with the provisions of b) Councils Development Control Plan - Design for Accessibility.
 - All car parking spaces are to be line-marked and provided with a two coat bitumen c) seal and must be maintained in a satisfactory condition at all times;
 - Off street parking is to be encouraged by the placement of prominent signs d) indicating the available of parking.
- 40. The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Traffic Authority (RTA) guidelines and Australian Standard AS 2890.1 – 1993. Details of compliance are to be shown on the relevant plans and specifications.
- 41. The developer is to upgrade the school zone signage of the Ulan Public school such that it is provided with flashing lights during designated school zone times. All installation and approval requirements through the Local Traffic Committee shall be carried out by the developer sat full cost to the developer.
- 42. The developer is to upgrade Main Street for the full frontage of the proposed development, such that it has the following characteristics:

ltem	Requirement
Half Road Pavement Width	6.5 metres
Concrete Footpaths	N/A
Seal	Two-coat flush seal -14/7 mm (Double/ Double) as required
Table Drains	Austroads
Subsoil Drainage	N/A
Underground Drainage	N/A

- The Developer shall provide a 1.2 metre wide concrete footpath from the development site 43. to the centre of the Ulan village. Full details are to be provided with the application for Construction Certificate.
- Internal Roads shall be sealed with a minimum of 6 metres for two way traffic and 3.5 for 44. one way. Turning heads shall be a minimum radius of 8.5 m. Provision of Kerb and Gutter is optional for internal access roads, but if provided shall comply with Council's Residential Standards.
- Internal roads shall be designed to a 40km/h minimum speed. Actual speed limits within the 45. development should be limited to 10km/hr for shared zones and signposted accordingly. Traffic regulatory, warning and guide signs throughout the development should be in accordance with AS1742.

PRIOR TO ISSUE OF THE OCCUPATION CERTIFICATE

The following conditions are to be completed prior to occupation of the building and are provided to ensure that the development is consistent with the provisions of the Building Code of Australia and the relevant development consent.

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- 46. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building. An application for an Occupation Certificate must be set out in the form of the relevant part of Form 12 of the Environmental Planning and Assessment Regulations and must be accompanied by the relevant information required by Form 12.
- 47. On completion of the building work, the owner/agent of the building must cause the Council to be provided with a Final Fire Safety Certificate from a competent person with respect to each essential service nominated in the Fire Safety Schedule issued with the Construction Certificate.
- 48. All building or site works or other written undertaking or obligation indicated in the submitted plans and supporting documentation or otherwise required under the terms of this consent being carried out or implemented prior to the occupation of the premises.
- 49. The developer and landowner (Crown) shall enter into a Mine Impact Agreement with Ulan Coal Mine Limited prior to the occupation of the development due to the location of the site potentially exceeding noise criterion.

GENERAL

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

- 50. This approval is limited to twenty (20) years from the issue of the Occupation Certificate and the facility shall be decommissioned in accordance with the approved Decommissioning Plan within six (6) months of the closure of the facility.
- 51. The proposed development is not to rely on any other water supply other than treated water from the onsite sewerage treatment facility and capturing roof water. Should the development run out of water, then it will close down until water supplies have been supplemented by further rain fall. The proposed development has provided that the water supply will be gained by capturing roof water for a potable water supply and can also be supplemented by treated water for toilets and laundry water supplies.
- 52. A Decommissioning Plan in accordance with Council's Temporary Workers Accommodation DCP is to be prepared and approved by Council prior to the issue of the Occupation Certificate for the development.
- 53. A Management Plan, including the identification of social impacts, in accordance with Council's Temporary Workers Accommodation DCP is to be prepared and approved by Council prior to the issue of the Occupation Certificate for the development.
- 54. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site.
- 55. All loading and unloading in connection with the premises shall be carried out wholly within the site.
- All exterior lighting associated with the development shall be designed and installed so that 56. no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".

DEVELOPMENT CONSENT ISSUED BY MID-WESTERN REGIONAL COUNCIL PAGE NO. 8

- 57. All waste generated by the proposed development shall be disposed of to an approved location in accordance with the Waste Minimization & Management Act 1995.
- 58. Security fencing is to be provided to the site and is to be a maximum of 2.1 metres in height and of pre coloured steel fencing. Full details of proposed fencing are to be included on the landscaping plan.
- 59. Adequate facilities being provided in a screened location within the premises for the storage of garbage, discarded or returnable packaging or other forms of trade wastes and arrangements being made for the regular removal and disposal of same.
- 60. There being no interference with the amenity of the neighbourhood by reason of the emission of any " offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
- 61. A public address system or sound amplifying equipment shall not, without the consent of Council, be installed in or upon the premises so as to cause or permit the emission of sound onto any public place or nearby residential area.
- 62. The proposed sewerage treatment plant is to be located at least 100 metres from the Goulburn River to ensure compliance with the Environmental Planning and Assessment Regulations 2000.
- 63. 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 would be required to be present during earthworks to identify whether any artefacts were uncovered).
- 64. The existing community facilities (tennis court, grandstand and community building) are to be made available to the local community for community events at no cost for the life of the development.

OTHER APPROVALS

N/A

ADVISORY NOTES

- 1 The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning Public Places".
- 2 The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
- 3 Section 82A of the Environmental Planning and Assessment Act (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 Planning and Development Department for more information or advice.
- 4 If you are dissatisfied with this decision section 97 of the EP&A Act 1979 gives you the right to appeal to the Land and Environment Court within 12 months after the date on which you receive this notice.

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- 5 To ascertain the date upon which the consent becomes effective, refer to Section 83 of the EP&A Act.
- 6 To ascertain the extent to which the consent is liable to lapse, refer to Section 95 of the EP&A Act.

Signed on behalf of Mid-Western Regional Council by:

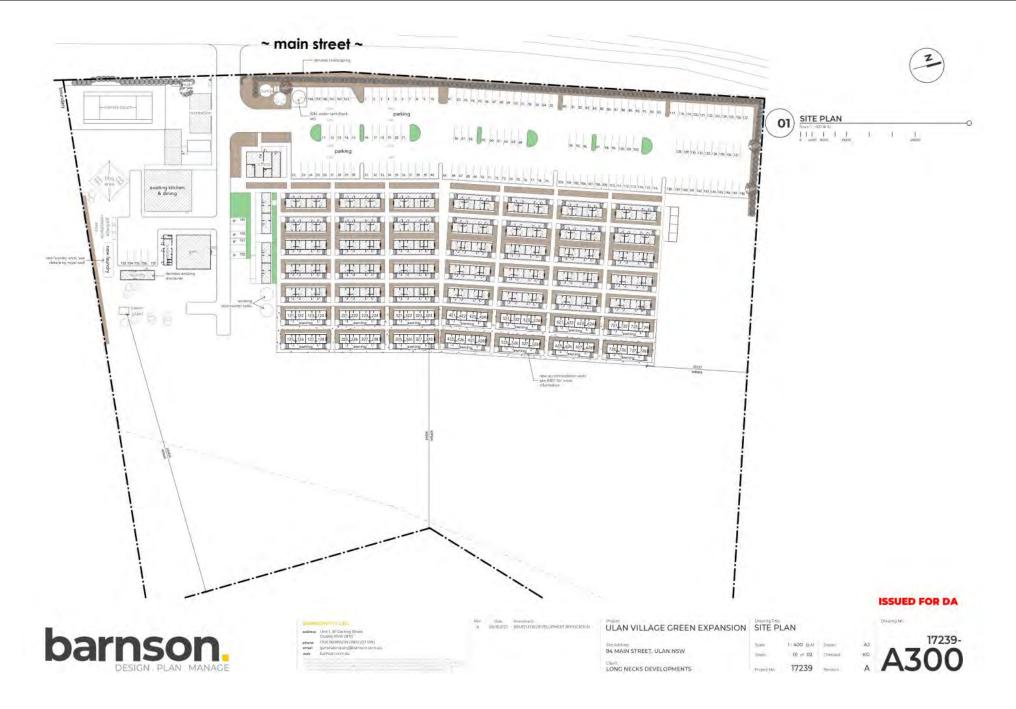
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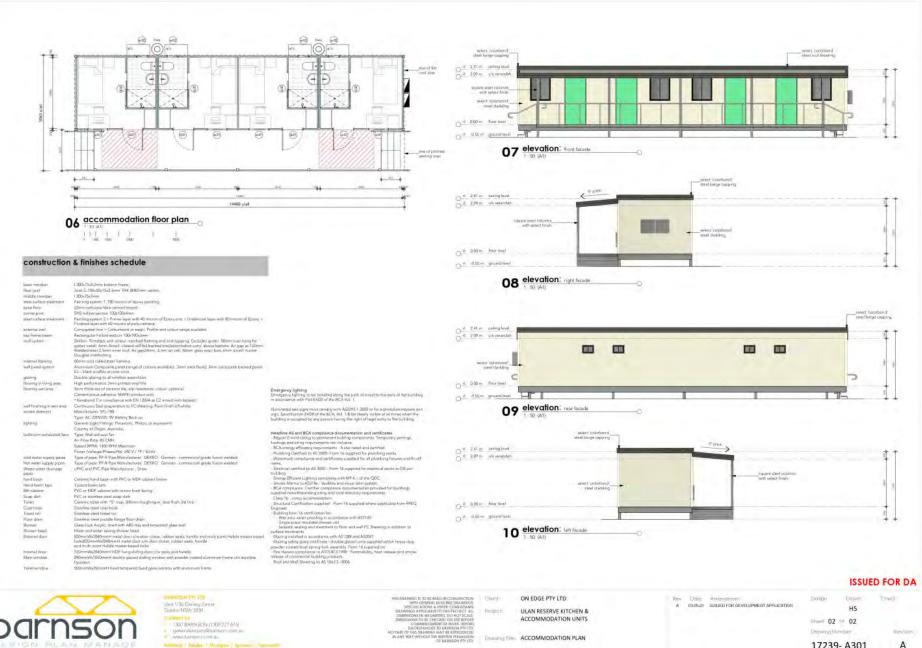
CATHERINE VAN LAEREN GROUP MANAGER DEVELOPMENT & COMMUNITY SERVICES 22 FEBRUARY 2012



Appendix C - Development Plans

Reference: 17239-BR02_A 25





17239-A301 A



HYDRAULIC DESIGN FOR STAGE 5 OF MINING CAMP AT 94 MAIN STREET, ULAN, NSW 2850

DRAWING REGISTER

17329 - H030	TITLE PAGE, GENERAL NOTATIONS & SPECIFICATIONS
17529-H031	EXISTING APPROVED PLAN, STAGES 1+4
17329 - HD32	SURFACE STORMWATER MANAGEMENT PLAN
17329 - HD33	ROOF STORMWATER MANAGEMENT PLAN
17329 - HD34	STORMWATER SPECIFICATION SHEET
17329 - HD35	SEWER COLLECTION MANAGEMENT PLAN
17329 - 11036	SEWER DISPOSAL PLAN
17379 - H037	SEWER SPECIFICATION SHEET
17329 - H038	POTABLE WATER RETICULATION PLAN
17329 - H039	POTABLE WATER SPECIFICATION SHEET

SITEWORKS NOTES 1 ORIGIN OF LEVELS - LOCAL BENCH MARK 7 CONTRACTOR MUST VERIFY ALL DIMENSIONS AND EXISTING LEVELS ON SITE PRIOR TO COMMENCEMENT OF WORK 3 ALL WORK & TO BE UNDERTAKEN IN ACCORDANCE WITH THE DETAILS SHOWN ON THE ORAWINGS. THE SPECIFICATIONS AND THE DIRECTIONS OF THE SUPERINTENDENT. A EXISTING SERVICES HAVE BEEN OBTAINED FROM SURFACE INSPECTION ONLY IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ESTABLISH THE LOCATION AND THE LOVEL OF ALL EXISTING SERVICES PROFITD THE COMMENCEMENT OF MUY WORK, MAY DISCREPANCIES SHALL BE REPORTED TO THE SUPERINTENDENT CLEARANCES SHALL BE OBTAINED FROM THE RELEVANT SERVICE AUTHORITY WHERE NEW WORKS ABUT EXISTING THE CONTRACTOR SHALL ENSURE THAT A SMOOTH EVEN PROFILE, FREE FROM ABRUPT CHANGES IS OBTAINED. 5 THE CONTRACTOR SHALL ARRANGE ALL SURVEY SETOUT TO BE LARRED OUT BY A QUALIFIED SURVEYOR 7 CARE IS TO BE TAKEN WHEN EXCAVATING NEAR EXISTING SERVICES, NO NECHANICAL EXCAVATIONS ARE TO BE UNDERTAKEN OVER TELECOM OR ELECTRICAL SERVICES, HAND EXCAVATE IN THESE AREAS 1. ON EOMPLETION OF CONSTRUCTION ALL DISTORBED AREAS HUST BE RESTORED TO ORIGINAL, INCLUDING KERBS FOOTPATHS, CONCRETE AREAS, GRAVEL AND BRASSED AREAS AND ROAD PAVEMENTS 9. MAKE SMOUTH TRANSITION TO EXISTING AREAS 10 THE CONTRACTOR SHALL PROVIDE ALL TEMPORARY DIVERSION DRAWS AND MOUNDS TO ENSURE THAT AT ALL TIMES EXPOSED SURFACES ARE FREE DRAINING AND WHERE NETESSARY EXCAVATE SUMPS AND PROVIDE PUMPING EQUIPMENT TO DRAIN EXPOSED AREAS ALL WORK TO BE UNDERTAKEN WITH ADHERENCE TO THE REQUIREMENTS OF THE SOIL AND WATER MANAGEMENT PLAN 11 THESE PLANS SHALL BE READ IN CONJUNCTION WITH APPROVED ARCHITECTURAL, STRUCTURAL, HYDRAULIC AND MECHANICAL BRAWINGS AND SPECIFICATIONS BEQUING NOTES 1 THE MINIMUM DEPTH TO TUP OF PIPE SHALL BE MOONIN, EXCEPT. UNDER ROAD PAVENENT WHERE MINIMUM LOVER TO TOP OF FIPE SHALL BE BODING MINIMUM UNLESS SHOWN OTHERWISE, PIPES WITH LESS COVER TWAN THESE LIMITS TO BE CONCRETE ENCASED AND DICLUMBER ROADS. GRADES OF GRAVITY MAINS NOT TO BE FLATTER THAN TIN 266 (0.5%) FOR YOUND DIAMETER PIPES AS PER DESIGN UNLESS APPROVED BY COUNCIL 3 MANHOLES SHALL BE REACED AT EACH TRANSF IN DIRECTION OR

GENERAL NOTES 1 ALL SEWER MAINS SHALL BE 1500 CLASS SNB RAJ UPVC PIPE IUN OF ALL GRAVITY LINES TO USE SEWER GRADE FITTINGS WHERE RECLURED

2. LONSTRUCTION OF SEWER MAINS AND MANHOLES SHALL BE CARRIED OUT IN ACCORDANCE WITH THE WSA SEWERAGE CODE. WSA-02, 2002.

ANY OTHER SERVICES INCLUDING TELSTRA, 645, POWER, WATER AND STORMWATER MUST BE LOCATED BEFORE WORK COMMENCES. ALL SEWER MAINS TO BE PRESSURE TESTED A2002 5 ALL SEWER LINES PASSING THROUGH CONTRECT EDUTINGS TO BE

INSTALLED WITH 'ABLEFLEX OR SIMILAR TO ACCOMODATE **EXPANSION** WHERE REQUIRED, PENETRATIONS THROUGH CONCRETE FOOTINGS

ARE TO BE INSTALLED WITHIN CENTRAL 1/3 DF FOUTING AND TO RE APPROVED BY STRUCTURAL ENGINEER PRIOR TO POURING OF LONDATE

SEWER NOTES 1 ALL FLUMBING WORKS SHALL BE IN ACCURDANCE WITH AS 3500. LOCAL WATER AUTHORITY. THE BUILDING CODE OF AUSTRALIA. AND WATER GUIDELINES 3 LIASE WITH THE LOCAL WATER AUTHORITY AND PLUMINIS NDUSTRY COMMISSION AND ALLOW TO PAY ALL REQUIRED.

PEES/LEVIES FTC. ASSOCIATED WITH THE WORKS. 3. FIXTURES TAP WARE AND FITTINGS SHALL BE SUPPLIED AND INSTALLED AS PER ARCHITECTS SELECTION REFER GUILDING WORKS SPECIFICATIONL CONCEAL ALL PIPES WITHIN WALLS NO SURFACE MOUNTED PIPING IS ACCEPTABLE. NO, UDE RETICULATION OF DOMESTIC HOT AND COLO WATER TO ALL

FIXTURES - REFER ARCHITELT'S PLANS 4 LODRDNATE ALL WORKS WITH ALL OTHER SERVICES CHEIN LEVELS OF ALL PIPES PROFITD WORKS 5 THE PUMBING CONTRACTOR SHALL LAWRY OUT ALL EXCAVATION, SHORING AND BACKFILLING BACK FILL WITH

CONSOLIDATED OLASS 2 CRUSHED ROCK WHERE STRVICES ARE BELOW PATHS, ROADS ETC. 98% COMPACTION DRY DENSITY 5 PIPING LISCATED UNDERGROUND SHALL WHERE REQUIRED BE WRAPPED WITH AN APPROVED MATERIAL 1. THE PLUMBING CONTRACTOR SHALL SUPPLY AND INSTALL

TEST AND COMMISSION ALL PLUMBING SYSTEMS AS NOTED ON DRAWINGS ALL WORKS TO BE IN ACCORDANCE WITH AS 3500. RELEVANT PARTS, LOCAL WATER AUTHORITY, FIRE AUTHORITY AND BUILDING CODE OF AUSTRALIA PROVIDE 4100 CONNECTION TO SEWER FROM EACH WO

MATERIALS, - SEWER TO BE IN UPVE IN ACCORDANCE WITH AS/NZS 3500 Z Z - 1996 TUNDISH TO BE PROVIDED TO ALL MECHANICAL SERVICES. MANHOLES SHALL BE PRECAST CONCRETE FROM A SUPPLIER APPROVED BY COUNCIL AND HAVE STEP IRONS AT 300nm.

SPACINGS: A ROUND REMOVABLE GRADE OF THE PIPE LINE AT INTERVALS ALONG THE LINE NOT EXCEEDING.

ENAMTER OF 1020mm

LIGHT DUTY GATIC COVERTUNDLAND A MINIMUM INTERNA

SURFACE LEVEL ARE TO BE CONCRETE ENCASED. SURVER NOTES I CONTOURS SHOWN DEPICT THE TOPOGRAPHY EXCEPT AT

MAX, DRY DENSITY

STORMWATER NOTES

T ALL DOWNPPE LINES SHALL BE SEWER GRADE UPVE WITH SOLVENT WITO JOINTS IUN OF

Z EQUIVALENT STRENGTH VCP OR FEV PIPES MAY BE USED 3 MINIMUM GRADE TO STORHWATER LINES TO BE 0.5% MINIMUM

& CONTRACTORS YO SUPPLY AND INSTALL ALL FITTINGS AND

SPECIALS INCLUDING VARIOUS PIPE ADAPTORS TO ENSURE

ALL CONNECTIONS TO EXISTING DRAINAGE PITS SHALL BE

WALL OF THE PIT AT THE POINT OF ENTRY SHALL BE LEMENT

WHERE TRENCHES ARE IN ROCK. THE PIPE SHALL BE BEDOLD

ON A MIN SOME CONCRETE BED (75mm THEK BED OF 12mm

BLUE METALI UNDER THE BARREL OF THE PIPE. THE PIPE.

COLLAR AT NO POINT SHALL BEAR THE ROCK. IN OTHER THAN

ROCK, PIPES SHALL BE LAID ON A 75mm THEE SAND BED IN

ALL LASES BACKED I THE TRENCH WITH THE SAND FO 200mm

ABOVE THE PIPE WHERE THE PIPE IS UNDER PAVENENTS.

8 WHERE STORNWATER LINE'S PASS UNDER FLOOR SLABS.

9 ALL PIPES IN THE ROADWAY AND FOOTPATH AREAS, WHERE

THE DEPTH OF PIPE IS LESS THAN SOOME FROM THE FINISHED

SEWER GRADE RUBBER RING JOINTS ARE TO BE USED.

BACKELL DEMAINDER OF TRENCH WITH SAND OF APPROVED

CRANULAR BADKFILL COMPACTED IN 150mm LAVERS TO 48%

MADE IN A TRADESMAN, I KE MANNER AND THE INTERNAL

PROPER FORNECTION BETWEEN DISSINILAR PREFWORK

RENDERED TO ENSURE A SMOOTH FINISH.

6 APPROVED PRELAST PITS MAY BE USED.

SPOT LEVELS SHOWN THE # DO NOT REPRESENT THE EXACT LEVEL AT ANY PARTICULAR POINT 2 SERVICES SHOWN HEREON HAVE BEEN DEVERMINED FROM VISUAL EVIDENCE AND ARE INDICATIVE ONLY PRIOR TO ANY DEHOLITION, EXCAVATION OF CONSTRUCTION ON THE SITE THE RELEVANT AUTHORITY SHOULD BE CONTACTED TO ESTABLISH DETAILED LOCATION AND DEPTH

PIPE TRENCH - FUL NOTES

1. BEDDING SAND BEDDING SAND SHALL BE GRANULAR MATERIAL HAVING A LOW PERMEABILITY AND HIGH STABILITY WHEN SATURATED. CONFORMING TO THE BRADING LIMITS FOR BEDDING SAND AS INDICATED IN THE CONTRACT DOCUMENTS. BEDDING SAND SHALL BE COMPACTED TO A DENSITY INDEX OF 95% AS DETERMINED IN ACCORDANCE WITH AS1289

APPROVED INPORTED GRANULAR FILL ONLY IMPORTED GRANULAR FILL MATERIAL APPROVED BY THE SUPERINTENDENT SHALL BE USED. THIS FILL MATERIAL SHALL BE COMPACTED IN LAYERS NOT EXCEEDING 300mm THER TO A DRY DENSITY OF 100% OF THE STANDARD MAXINUM DRY DENSITY OF THE MATERIAL AND WITH A MOISTURE CONTENT NO MORE THAN 11 ABOVE OFTIMUM MOISTURE CONTENT AS DETERMINED IN ACCORDANCE WITH A51289

ORDINARY EXCAVATED FILL MATERIAL

ORDINARY EXCAVATED FILE MATERIAL IS EXCAVATED THENCH MATERIAL THAT IS FREE OF VEGETABLE MATTER, HUMUS LARGE CLAY LUMPS AND ROCK BOLLDERS. THIS FILL MATERIAL SHALL BE COMPACTED IN LAYERS NOT EXCEEDING 300mm THICK, TO A DENSITY OF 95% OF THE STANDARD MAXIMUM DRY DENSITY OF THE MATERIAL WITH A MOISTURE CONTENT OF NOT MORE THAN 1% ABOVE THE UP FOULH MOISTURE CONTENT AS DETERMINED IN ACCORDANCE WITH A51289

BASE PREPARATION FILL NOTES: 1 PILLING VISTO IN THE CONSTRUCTION OF A SLAR, EXCEPT WHERE (HE SLAR IS SUSPENDED) SHALL CONSIST OF CONTROLLED FILL AS FOLLOWS CONTROLAED FILL AT MAXIMUM SODIUM DEEP. FILL SHALL BE WELL COMPACTED IN 150nn LATERS BY AMECHANICAL ROLLER TO A MINIMUM PEX STANDARD COMPACTION FOR A SINGLE STORY DWELLING AND 9852 STANDARD FOMPACTION FOR A DUIRLE STORY OWELLING FILL SHALL BE OF LESS REACTIVITY THAN NATURAL SOF 2. FEL WITH A GREATER DEPTH JHAN THAT SPECIFIED ABOVE SHALL BE INSTALLED AND CERTIFIED BY A MATA REDISTERED LABORATORY IN ACCORDANCE WITH ASS/798-7007, LEVEL 2 3 FLL SHALL BE EXTENDED PAST THE EDGE OF THE RESIDENCE AND SHALL BE RETAINED OP BATTERED BY A SLUPE.

> SUBMISSION FOR TION

> > Revisio

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PROPOSED CAMP VILLAGE STAGE 5 SA 94 MAIN STREET ULAN NSW 2850

LONGNECKS Ptv Ltd

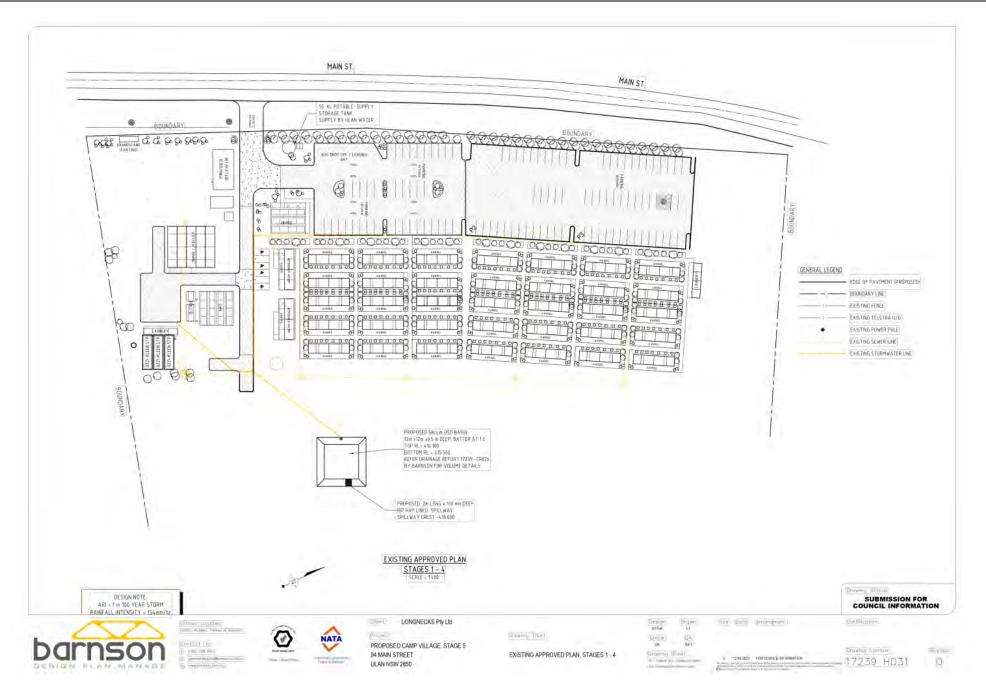
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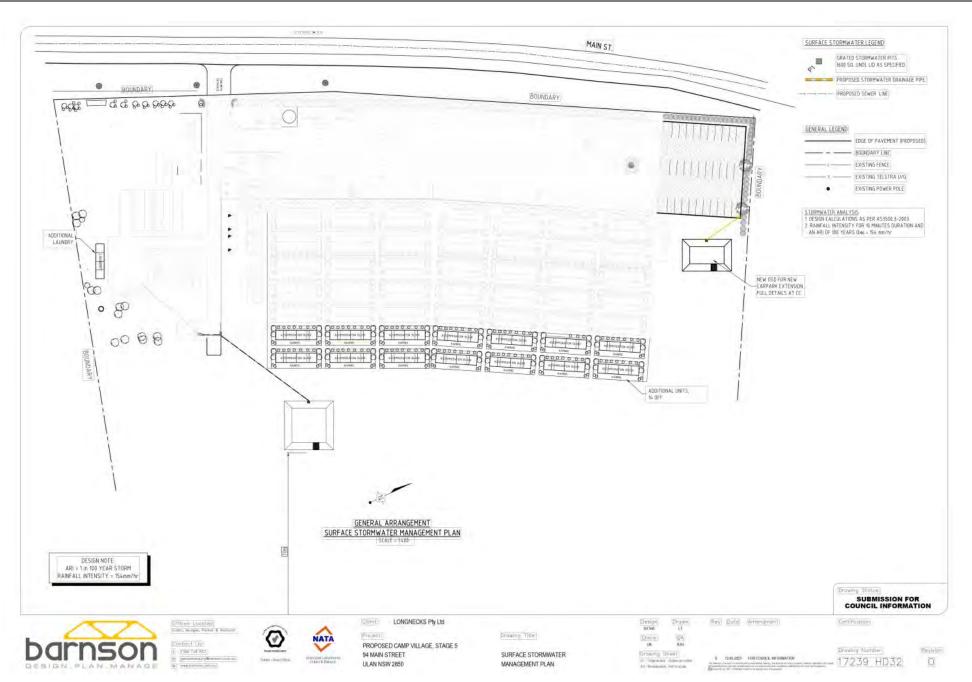
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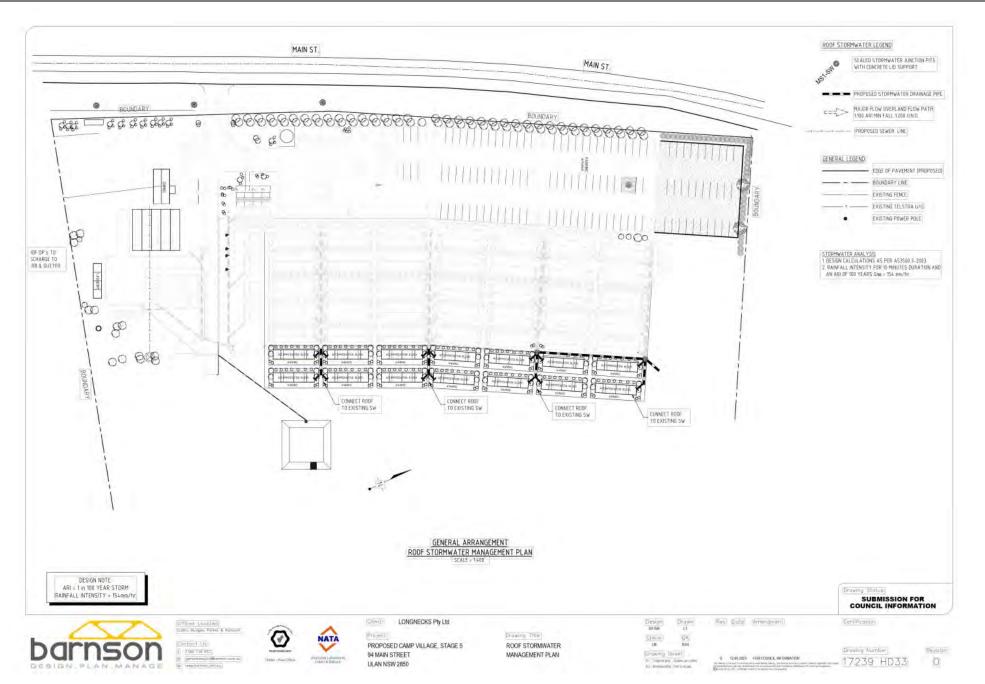
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MID-WESTERN REGIONAL COUNCIL | ORDINARY MEETING - 13 DECEMBER 2023 **REPORT 8.2 – ATTACHMENT 1**

STORMWATER NOTES

1 CONTRACTOR IS TO ADEQUATELY INFORM HIMSELF AS TO THE DEPTH AND LOCATION OF ALL EXISTING SERVICES PACEN TO COMMENCENENT OF LODG TRUCTION

PRESS TO BE LADE AT UNFORM GRADE OF TWEEN NYERT_ LEVELS SHOWN MITH MEMORY COVER MARKTAINED UNLESS DTHEIN SE APPROVED BY THE SUPERIVIENDENT

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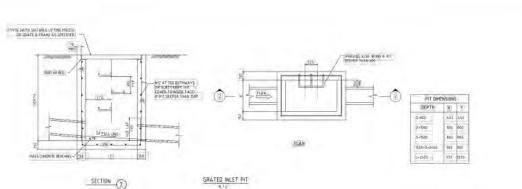
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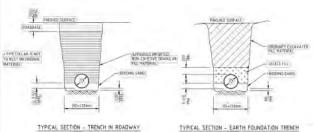
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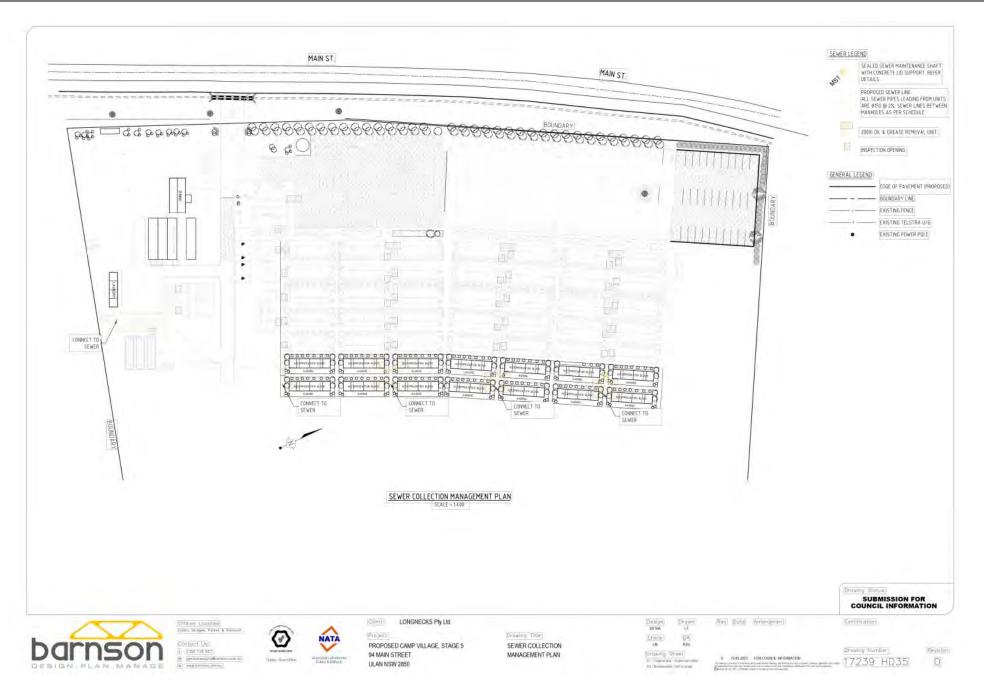
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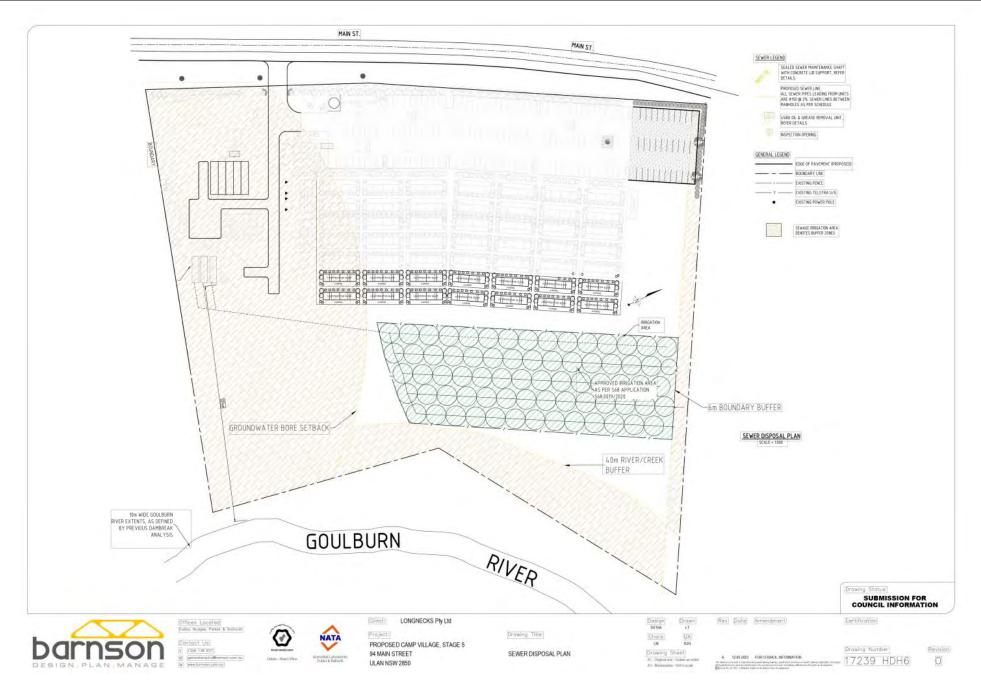
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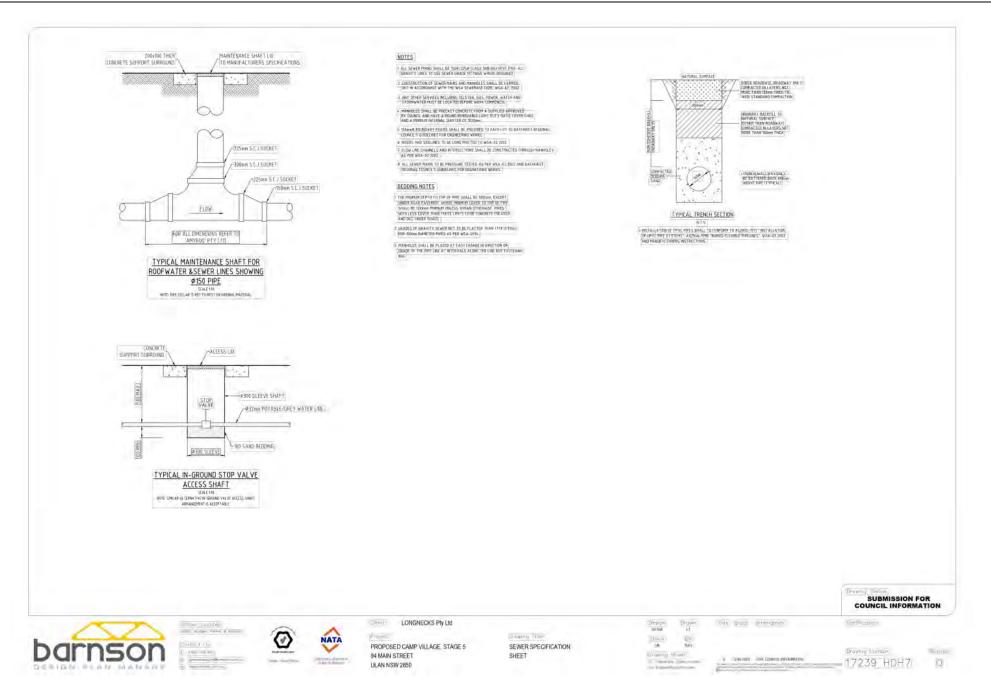
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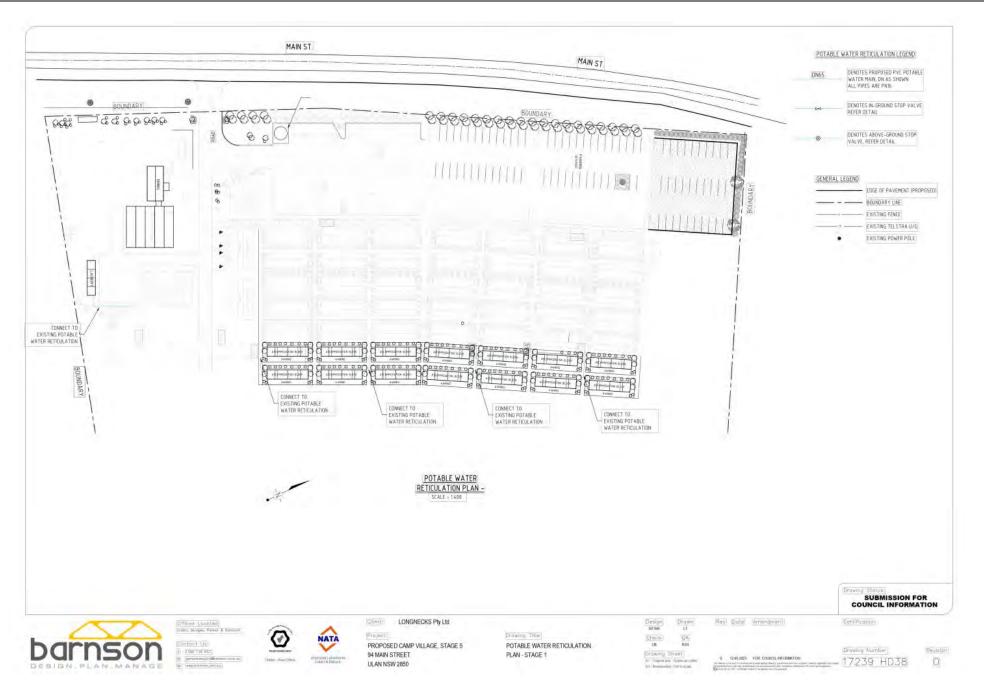
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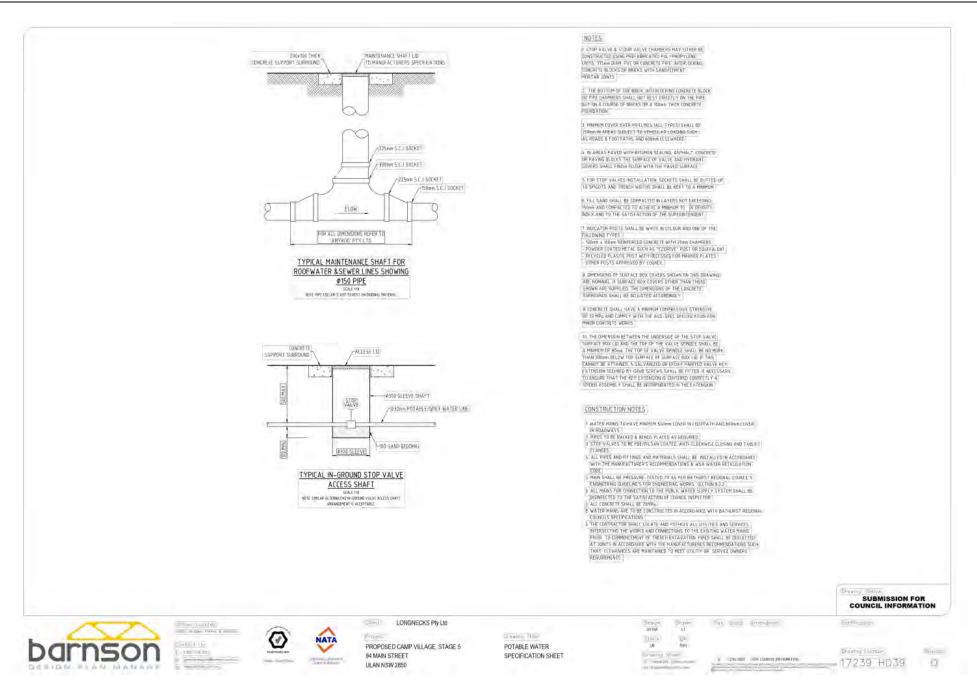


MID-WESTERN REGIONAL COUNCIL ORDINARY MEETING – 13 DECEMBER 2023 REPORT 8.2 – ATTACHMENT 1





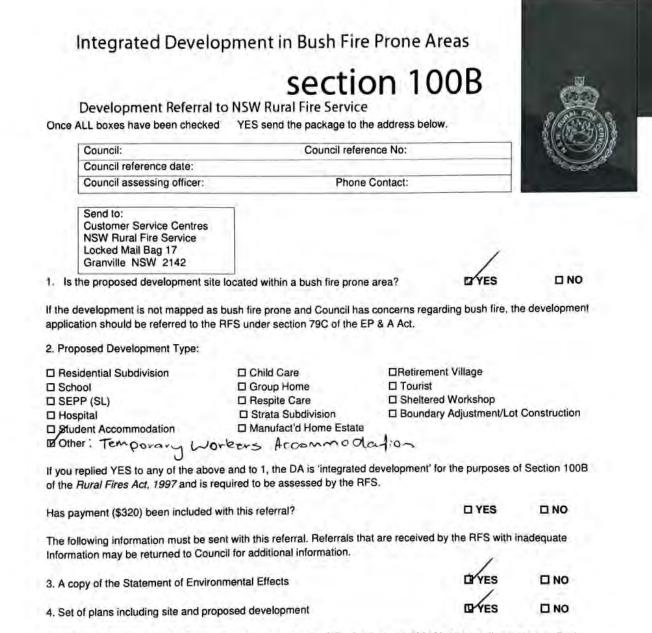






Appendix D - Clause 45 Checklist

Reference: 17239-BR02_A 26



If applicant provides a bush fire assessment report, has the following been provided by the applicant or consultant (original colour report)?

5. A description of the property

Provide Lot No., DP of subject land,

- Proposed lot sizes,
- Street address with locality map,

Zoning of subject land and any adjoining lands,

Staging issues, if relevant, and description of the proposal, and

Aerial or ground photographs of subject land including contours along with the existing and proposed cadastre

Page 1 of 2

TYES

D NO

7. The classification of development consistent	vegetation out to 140 metres from the t with the identification key in PBP 2006 (page 54-5)	07 YES 5).	
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10. Details of threatene	d species populations, endangered ecological	D'YES	DNO
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11. Details of aboriginal	heritage known to the applicant.	YES	
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	f water (in relation to reticulation rates or where ded	icated water storage will t	pe required), a
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Appendix E - Fire Evacuation Plan

Reference: 17239-BR02_A 27





FIRE SAFETY & EVACUATION PLAN

October 2021

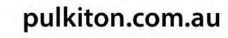






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1.3.	FIRE DANGER RATING
1.4.	ALERT LEVELS
1.5.	EVACUATION
1.6.	ALERT
1.7.	ASSEMBLY
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1.9.	CHECK
1.10.	REPORT
1.11.	EVACUATE
1.12.	RECORDS
1.13.	CONTACTS



FIRE SAFETY EVACUATION PLAN

The Fire Safety Evacuation Plan serves to provide assistance in the rapid removal of a large number of people in a safe and orderly manner in the event of immediate or threatened fire danger.

1.1. PURPOSE

The purpose of the Fire Safety Evacuation Plan is to ensure the safety of guests and staff in the event the property may come under threat of potential fire.

1.2. OBJECTIVE

The objective of the Fire Safety Evacuation Plan is to assist in meeting our obligation to ensure management and staff know what to do in the event of a bush fire emergency.

1.3. FIRE DANGER RATING

Management will advise verbally to all guests and staff when Fire Ratings reach

• Very High

Management will advise by written communication to all guests when Fire Ratings reach

• Severe, Extreme or Catastrophic

1.4. ALERT LEVELS

During a bush fire, Alert Levels are used to provide an indication of the level of threat from a fire.

Advice

A fire has started. There is no immediate danger. Stay up-to-date in case the situation changes

Watch and Act

There is a heightened level of bush fire threat. Conditions are changing and you need to start taking action now to protect guests and staff

Emergency Warning

An Emergency Warning is the highest level of Bush Fire Alert. You may be in danger and need to take action immediately. Any delay now may put lives at risk.

Some fires start and spread so quickly there may not be any time for a warning. If you get a Bush Fire Alert, you must take it seriously.



1.5. EVACUATION

The key to a successful evacuation is to remain calm and not panic.

A member of management will be identified as the Chief Warden. If reception is unattended then staff on duty in the kitchen will act as the Chief Warden.

Senior management may give direction as to who the Chief Warden is at any particular time.

1.6. ALERT

Alert the Chief Warden on visual site of any bush fire activity close to the property.

The Chief Warden is to notify emergency services by calling 000.

1.7. ASSEMBLY

Advise guests and staff of the assembly location.

The Emergency Assembly location is at the front of the car park near the water tank. Guests and staff are to assemble on the road side of the property fence.

1.8. HEAD COUNT

The Chief Warden will complete a head count of all guests, staff and contractors / visitors to the site.

1.9. CHECK

The Chief Warden will check all rooms. It is important that all areas of the property are searched including public toilets, laundry, gym, recreation room and dining / crib rooms.

1.10. REPORT

All staff should report to the Chief Warden any known guests or staff that are unaccounted for or not located. This information should be provided to emergency service personnel immediately.



1.11. EVACUATE

On direction of the Chief Warden of emergency service personal, evacuate from the Emergency Assembly point as directed.

If safe to do so, guests and staff may be relocated to Ulan Public School Library.

1.12. RECORDS

The following is a list of items that should be taken by the Chief Warden or a member of staff as directed. Each item is prioritized and should only be removed if safe to do so.

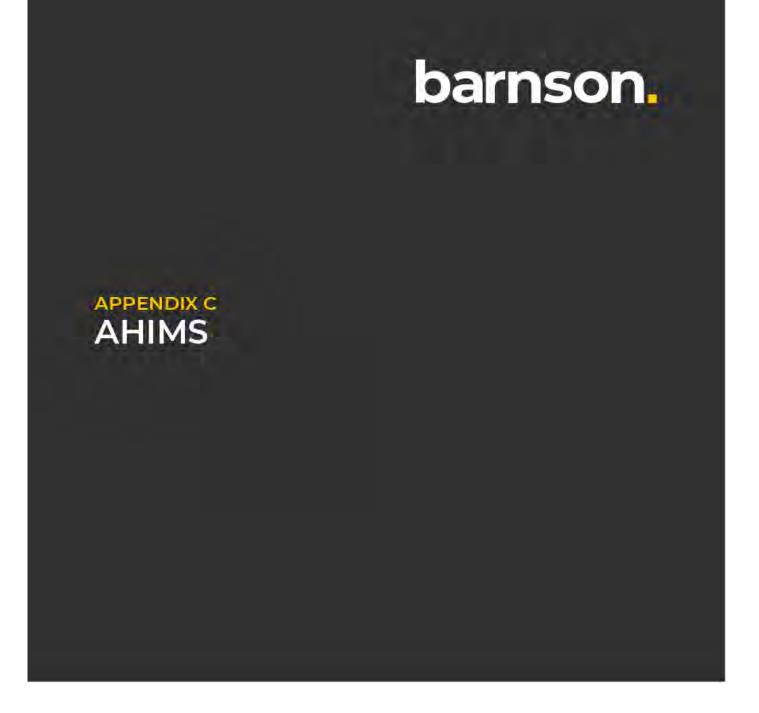
ltem	Location	Priority
Guest Registration Forms; including details of all guest on site	 kitchen dry store, adjacent to the coolroom door administration office 	HIGH
First Aid Kit	- First Aid room	HIGH
Master Keys	- key lock box in Crib room	HIGH
Guest room keys	- administration office	MEDINA
Ancillary keys, including gym, recreation room, first aid room, laundry etc	- administration office	MEDIOM
Office computer	 administration office 	Low



1.13. CONTACTS

The following contact numbers are provided as a reference

-	Ambulance, Fire, Police Mudgee Fire Station NSW Rural Fire Service – Cudgegong District	000 02 6372 6772 02 6372 4434
-	Deb O'Brien, General Manager	0438 560 567
-	Elissa Hopkins, Site Manager	0468 863 312
-	Paul Mallett, Site Supervisor	0410 719 316





Your Ref/PO Number : 17 Client Service ID : 757234

Date: 28 February 2023

Barnson

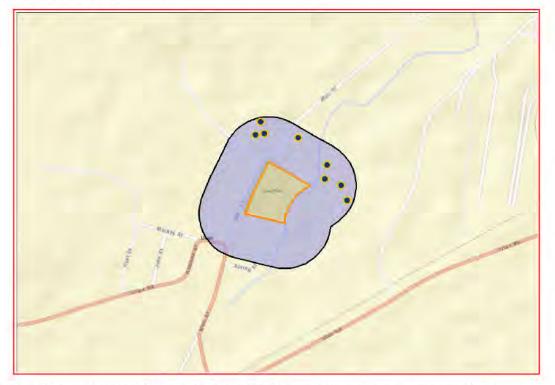
Unit 1/36 Darling Street Dubbo New South Wales 2830 Attention: Sebastian Minehan

Email: sminehan@barnson.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot : 32, DP:DP750773, Section : - with a Buffer of 200 meters, conducted by Sebastian Minehan on 28 February 2023.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of Heritage NSW AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

8	Aboriginal sites are recorded in or near the above location.	
0	Aboriginal places have been declared in or near the above location. *	

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of
 practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (https://www.legislation.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Heritage NSW upon request

Important information about your AHIMS search

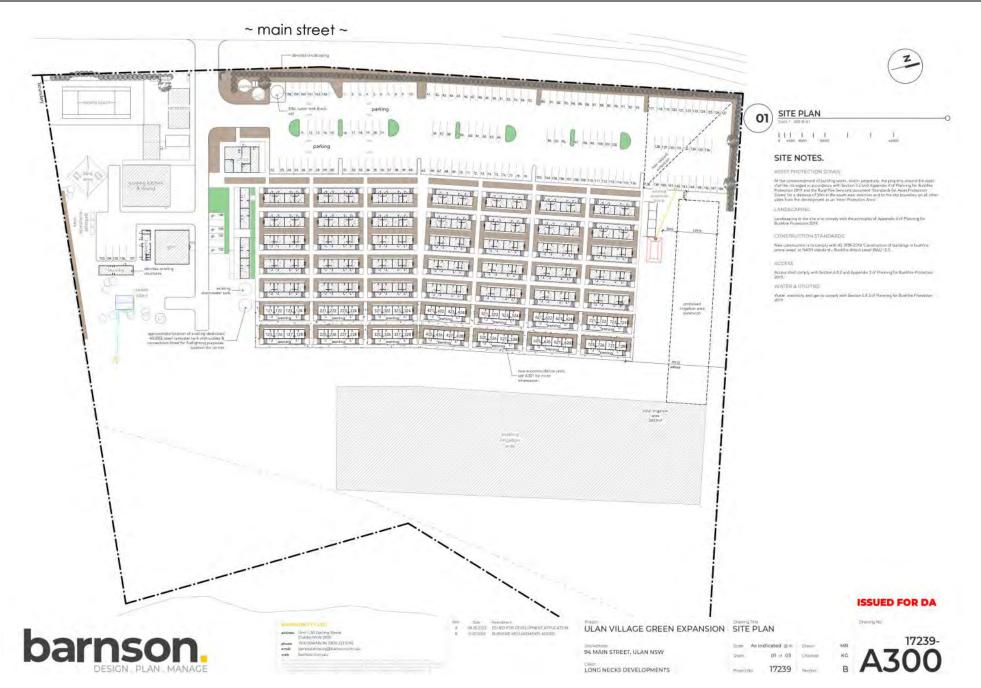
- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Heritage NSW and Aboriginal
 places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are
 recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

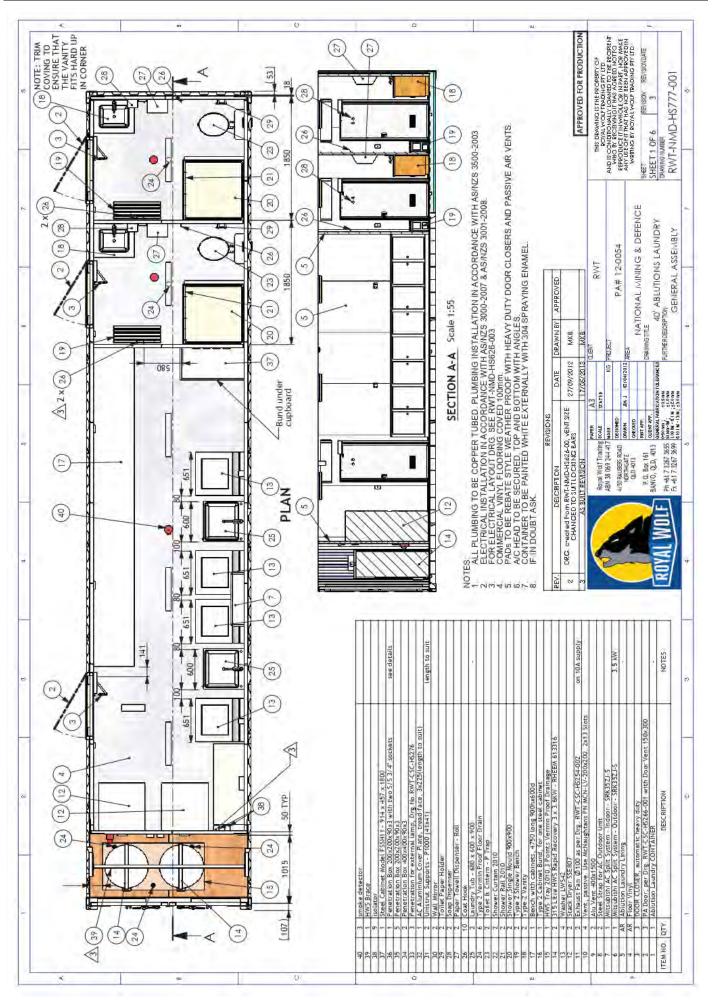
Level 6, 10 Valentine Ave. Parramatta 2150 Locked Bag 5020 Parramatta NSW 2124 Tel: (02) 9585 6345

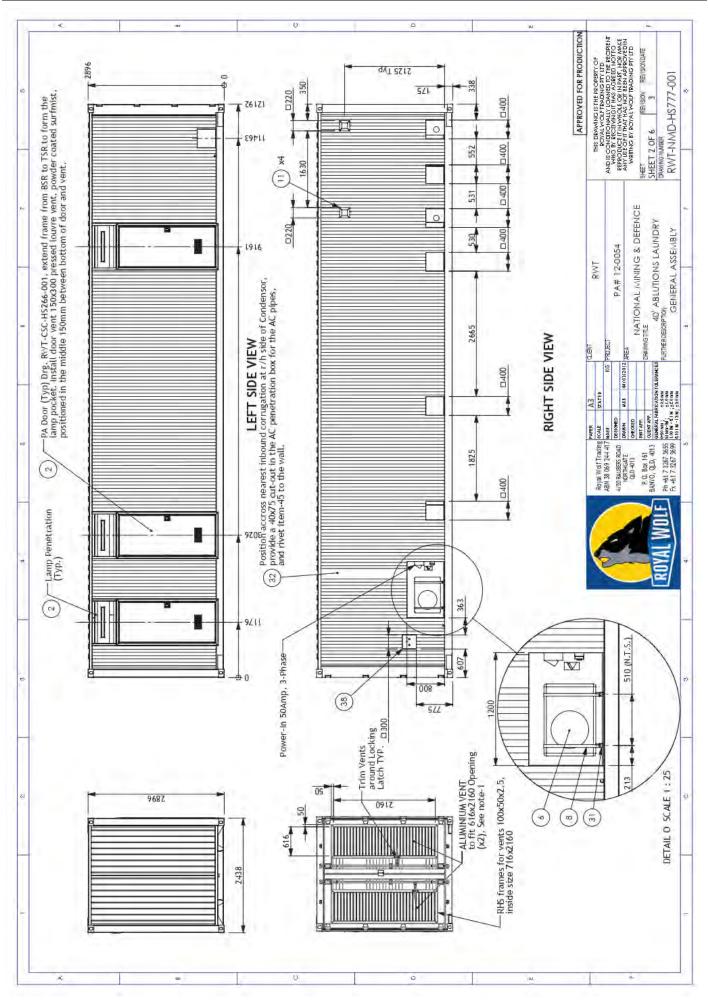
ABN 34 945 244 274 Email: ahims@environment.nsw.gov.au Web: www.hentage.nsw.gov.au

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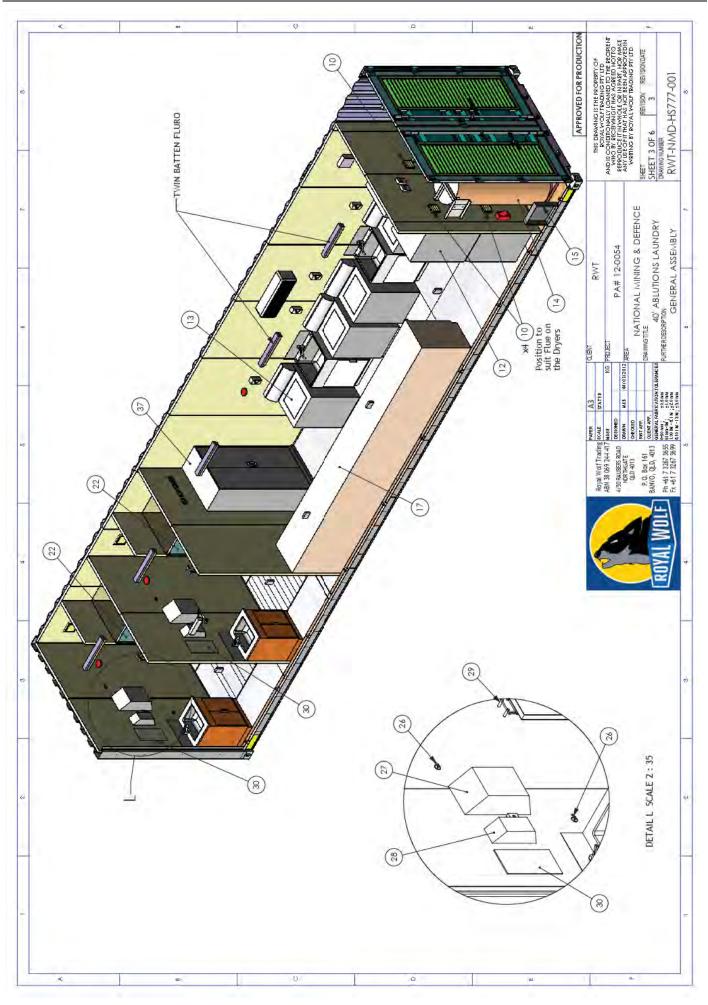
APPENDIX D Development Plans

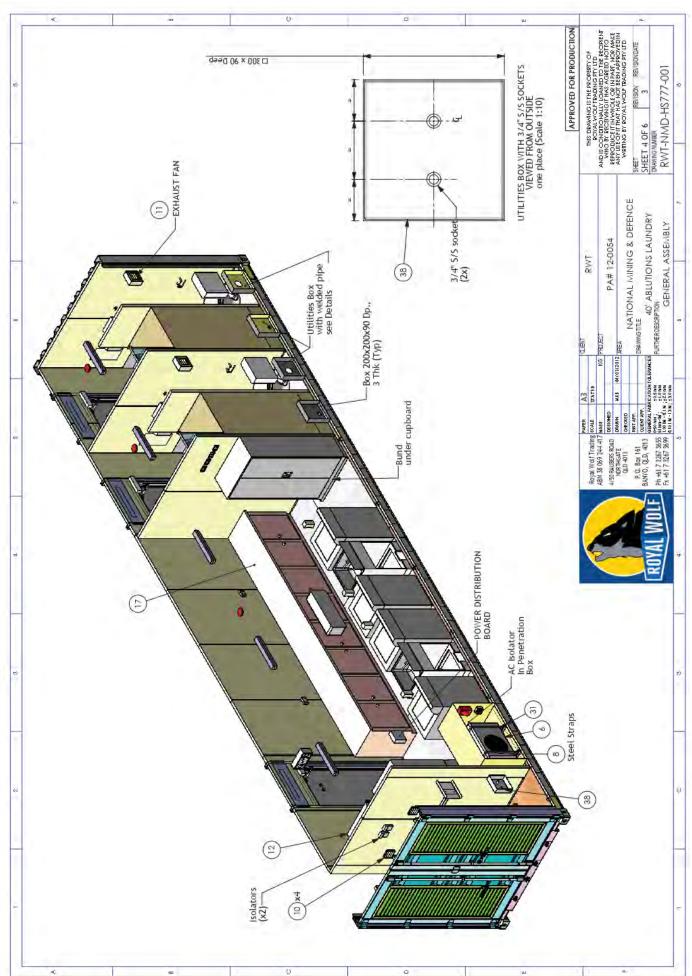


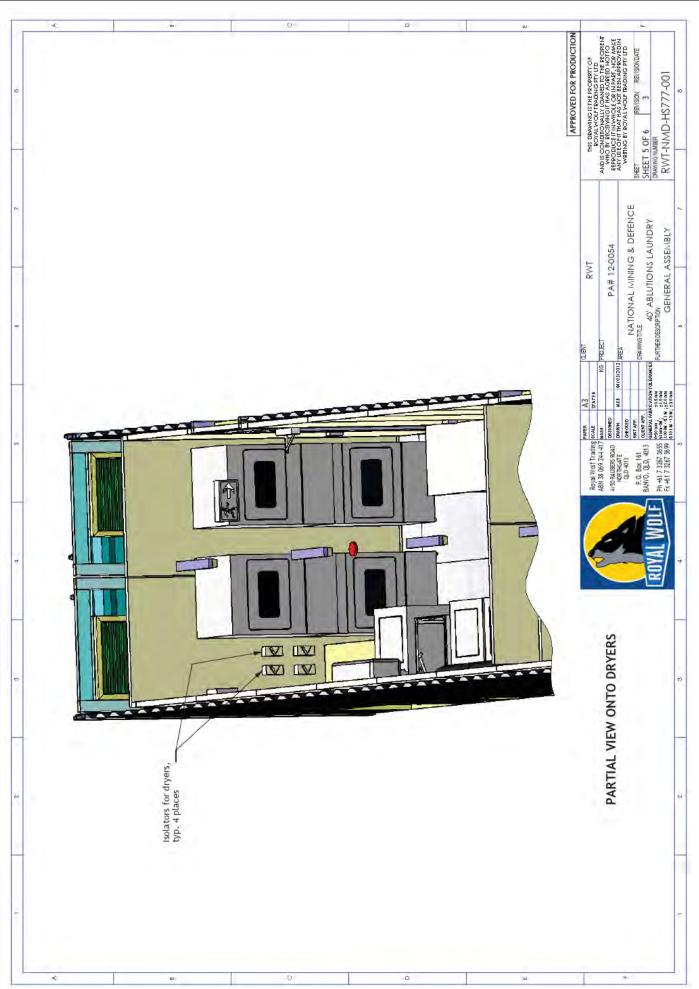


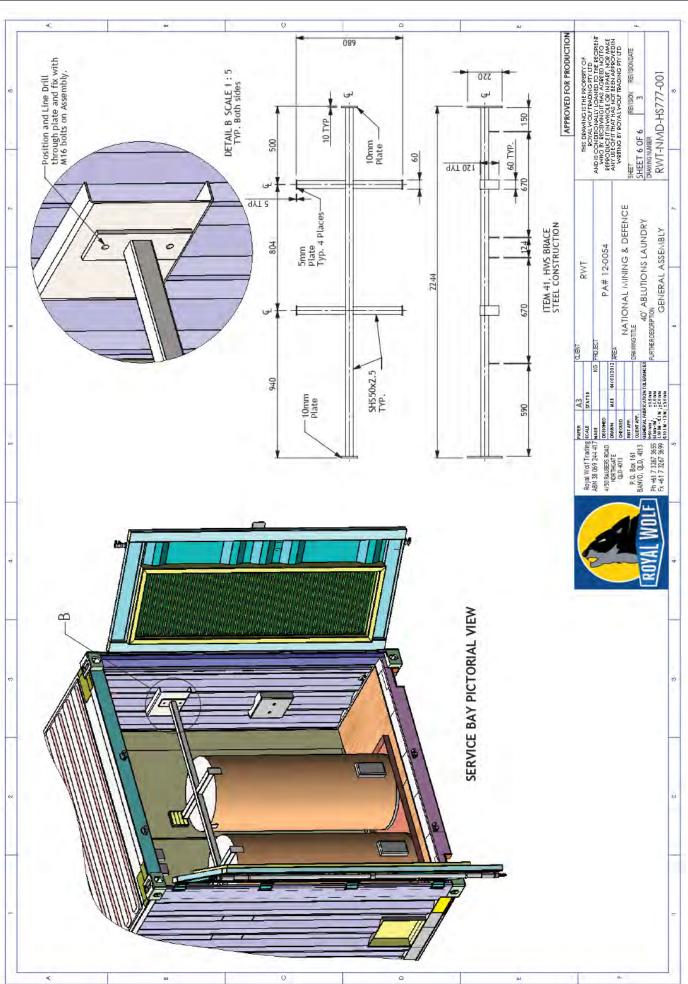


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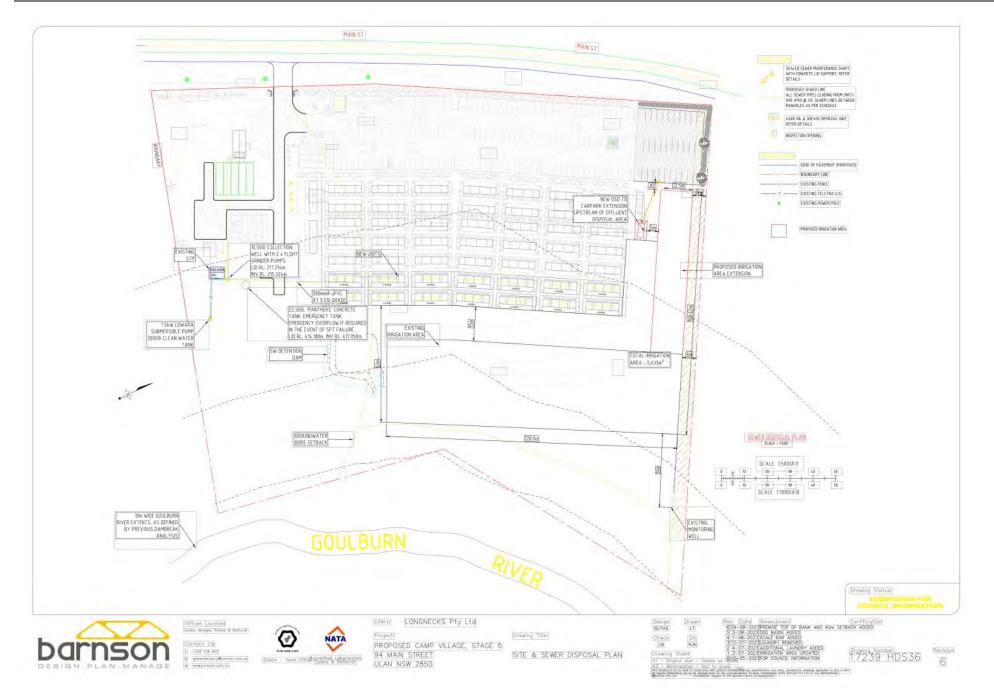








APPENDIX E Servicing Plans



APPENDIX F Management Plans





Site Decommissioning

Client: Long Necks Developments Pty Ltd Site Address: 94 Main Street, Ulan NSW 2850

28 April 2023

Our Reference: 17239-ER03_E

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barnson.com.au



DISCLAIMER

This report has been prepared solely for Long Necks Developments Pty Ltd (the Client) in accordance with the scope provided and for the purpose(s) as outlined throughout this report. Barnson Pty Ltd accepts no liability or responsibility for or in respect of any use or reliance upon this report and its supporting material by anyone other than the client.

Project Name:	Site Decommissioning - Ulan Village Green, 94 Main Street, Ulan NSW 2850			
Client:	Long Necks De	Long Necks Developments Pty Ltd		
Project Number:	17239			
Report Reference:	17239 ER03_E			
Date:	5/05/2023			
Prepared by:		Reviewed by:		
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Jim Sarantzouklis MAIBS MEHA RPIA		Luke Morris B.E. MIEAust CPEng (NPER)		

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1. INTRODUCTION

1.1. Overview

The Temporary Workers' Accommodation facility at No. 94 Main Street, Ulan (referred to as Ulan Village Green) is proposed to expand to 200 accommodation units, with kitchen, dining room, laundry and recreation facility, all located on a site of approximately 4 hectares. The current Crown lease for the site is 25 years, to 2037, with further options to extend 2 x 10 years out to 2057.

A Development Application for the Ulan Village Green was first approved in 2012 (DA0135/2012), with several modified approvals and is currently being modified again to allow expansion of the capacity of the facility from 144 to 200 accommodation rooms, plus an additional laundry building.

The Ulan Village Green is proposed as an ongoing sustainable venture, with no plans to discontinue these activities on the site prior to the end of the lease period plus options. However, to manage and provide for uncertainty, a Decommissioning and Rehabilitation Plan is developed for the site, to detail procedures and methods to use, should they be required.

At the end of the lease period should the Ulan Village Green project be stopped at some time before the end of this period, a two staged approach to decommissioning is proposed. Stage 1 would involve the decommissioning of the site via a care and maintenance program, so that use of the facilities by Ulan Village Green can continue, or could be offered to other users on a lease or sale basis. If this approach was not successful, a Stage 2 removal, demolition and rehabilitation will be employed.

The sections below outline the decommissioning and rehabilitation planning in relation to the Stage 2 removal, demolition and rehabilitation of the *Ulan Village Green*. It is expected that a Stage 1 care and maintenance scenario would have limited duration as a decision on going forward or completely decommissioning the facility would likely have been made by the time the current consent is nearing an end.

A risk assessment was initially completed to identify the key environmental risks associated with the closing of the Ulan Village Green site. The risk assessment identified surface water quality, groundwater resources and final landform stability as the main risks associated with the operation and closure of the facility.

The decommissioning and rehabilitation plan, by nature, is an evolving plan that will be updated as new information on the site becomes available. It is proposed that the document be updated quinquennially during the operational period of the Ulan Village Green.

1.2. Closure and Rehabilitation Commitments

The following commitments are made in respect of the project closure and rehabilitation schedule:

- Update the Decommissioning and Rehabilitation Plan on a quinquennial basis to accommodate for changes in the Ulan Village Green site plan and operation.
- Commence site rehabilitation immediately following cessation of operations.

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1.3. Closure Objectives

The overall objectives of Ulan Village Green closure are as follows:

- Remove all infrastructure (aside from that required for long term monitoring and access);
- Rehabilitate the site and roads to achieve stable landforms; and
- Provide for self-sustaining site conditions that returns the site to a status fit for the intended long-term land use.

2. GENERAL REHABILITATION STRATEGY

Assuming extension of either the Consent or land lease is not possible or *Long Necks Developments* management elects to abandon the project before the expiry of either term, the site closure and rehabilitation strategy, in general, is as follows:

Pre-closure

- Engage and consult with authorities (i.e. Mid-Western Regional Council) throughout operation life of the facility, such that the final closure plan has agreed final land uses, thereby allowing closure designs to be refined;
- Update as required and submit updated Decommissioning and Rehabilitation Plan to Council six months prior to known date of closure; and
- Complete a detailed engineering and tendering phase for closure.

Post-closure

- Clean-up of site including removal of all rubbish, recyclable materials and chemicals
- Decommission, demolish and remove all infrastructure
- Water management and erosion control works
- Reshape and stabilise final landforms
- · Ripping of hardstand areas and revegetation with topsoil and seeding
- Establish weed and pest control programmes
- Post-closure monitoring and maintenance for six months post closure and
- Submission of post-closure performance assessment reports (as required).

3. LAND SUITABILITY AND POST-CLOSURE LAND USE

The pre-development site was characterized by cleared grass land and an open woodland vegetative system at the perimeter of the site. The cleared grassland included a rough cricket pitch. The *Ulan Village Green* is primarily developed on the cleared grassland.

There is a range of potential post-closure land uses, depending on the circumstances causing the closure of the Ulan Village Green, and the available options for rehabilitation. Closure due to changed market conditions may permit the facilities to be adapted for another purpose for example a training facility or school. A complete study of the adaptive use of the facilities would be required, and a new business case would need to be established.

Should a suitable alternative use of the facility not be forthcoming, the preference will be to return as much of the land as practicable to natural conditions. The final land use would depend on the potential for stable land-vegetation, water systems, and may include either open grassland or open woodland vegetative systems. Natural re-colonisation by native species would be encouraged in these circumstances.

4. CONTAMINATED MATERIALS MANAGEMENT

There is not expected to be a significant volume of contaminated materials remaining at the completion of operations. The major area at risk of contamination is the car park and on-site sewage treatment plant area. Minor areas where soil contamination is found during the post-closure phase (during site decommissioning) will be excavated and either treated in stockpiles (pending determination of the type and level of contamination) or removed and deposited in an offsite landfill under the appropriate licences.

5. DECOMMISSIONING AND REHABILITATION WORKS

5.1. Rehabilitation Objectives and Success Criteria

The key objective for post-closure is to ensure that landforms are stable and self-sustaining as well as suitable to support post-closure land uses. Specific rehabilitation outcomes will be developed in consultation with authorities.

Performance criteria will be set based on the post-closure land uses that are determined for the site and will be formulated to gauge successive achievement of the rehabilitation objectives.

For transition, the general rehabilitation goals and success indicators are outlined in Table 5.1.

Table 5.1: Rehabilitation Goals and Criteria

Objectives	Success Criteria
Objectives Post-closure landforms are: • stable, self-regulating soil vegetation environments • safe to humans and wildlife	Success Criteria A risk assessment to be conducted of the remaining and rehabilitated landforms by a suitably qualified and experienced professional to determine if the site is safe, and suitable for the proposed post-closure land use. All disturbed areas are vegetated and stabilised, achieving a minimum vegetation cover of 70% of adjacent 'undisturbed vegetation cover, and exhibit sustained growth and development. Organic and nutrient rich residues have been removed from sewer line trenches, sewage and treated water collection wells and the treatment plant and/or any soil contaminated with these residues where this infrastructure was installed or site.
	All channels and excavations on site are backfilled, levelled and stabilised to be non-eroding.
	Site infrastructure is removed, decommissioned and rehabilitated as required for post-closure land uses, and as defined in agreements with authorities.

5.2. Decommissioning

Decommissioning of the Project will involve the following key processes:

- Management of water:
 - On site detention pond, potable water tank and rainwater collection tank to be emptied following routine confirmation of water quality procedures.
 - Natural drainage will be achieved by returning ponds, channels and infrastructure site to a natural land formation.
 - Sewer lines (including kitchen traps and drains, sewage collection well and treated effluent collection structures will be emptied by VAC truck and the wastewater disposed to suitable treatment facility.
- Removal and/or stabilisation of structures:
 - The existing community hall located near the south-western corner of the site, which was renovated as part of the Ulan Village Green development, will not be removed and responsibility for the building will transfer to Crown or the subsequent lease holder/owner of the site.



- All distributed power will be isolated and decommissioned.
- All rooms, stores and facilities to be decommissioned will be emptied and the products disposed of according to value and hazard.
- o Concrete ground slabs and other hardstand areas will be remediated by burying, ripping or otherwise covering.
- Mobile sewage treatment plant(s) will be transported offsite for sale.
- Temporary buildings and equipment assets will be packaged and along with other readily disconnected items having sufficient re-sale value, such as pumps, tanks, power generators, or switchgear, will be trucked offsite for sale.
- Items without resale value (plant and equipment) will be taken of site and recovered, reused or recycled, wherever practicable.

5.3. Rehabilitation

This Decommissioning and Rehabilitation Plan is developed to include management and mitigation of the key risks likely to be present in terms of rehabilitating the site. For general areas of the site this will include:

Roads and Services: Although the paved driveway between the street and main entrance to the site would likely be retained unaltered to provide access, the roads, kerbs and associated drainage works will be removed, unless otherwise agreed with authorities.

<u>Revegetation</u>: this will aim to return as much of the site as is eventually cleared of the development infrastructure to at least the pre-development environmental condition. A Revegetation Plan will be prepared, including species and community types to be replanted / encouraged, and a Weed Management Plan will be prepared, based on the Weed Management Plan prepared for the site construction and operational activities.

Throughout the works noted above, control measures similar to those utilised during construction will be adopted, particularly in relation to Erosion and Sediment Control and contouring, as well as Measures for managing noise, dust, oils and fuels, hazardous substances, spills and leaks as part of closure works.

POST CLOSURE MONITORING 6.

A checklist will be prepared that identifies all rehabilitated areas that require inspection, and the individual items that should be considered as part of the inspection. The general inspection will be undertaken monthly for a period of 6 months after closure activities cease. The post-closure monitoring will identify the following:

- Maintenance requirements (for example remedial earthworks).
- Presence of weeds or pests.
- General observations regarding the success of vegetation reestablishment.
- General observations in relation to presence of erosion and landform stability issues.



Post closure monitoring is outlined in Table 6.1. Table 6.1: Post-closure Monitoring

Area	Parameter	Monitoring	
Remediated areas	Revegetation	Planting survival / success rate (as per agreement with revegetation contracto Weed invasion. Develop photographic record.	
	Drainage	Visual assessment for erosion.	
Surface water quality	Parameters as identified in the operational monitoring programme for surface water.	Monitoring at identified locations as per operational monitoring programme.	
Groundwater quality	Parameters as identified in the operational monitoring programme for groundwater.	Monitoring at identified locations as per operational monitoring programme.	

7. REPORTING

Reports detailing the monitoring results and site inspection outcomes will be undertaken monthly for 6-month period post-closure. The reports and monitoring are to be undertaken by suitably qualified individuals and the reports provided to the relevant authorities as per agreement with these authorities.

APPENDIX G Noise Agreement

ULAN COAL MINES LIMITED MINING IMPACTS AGREEMENT

Date of agreement:

PARTIES

Long Necks Developments Pty Limited ACN 630 670 683 ("Lessee").

The State of New South Wales ("Owner")

Ulan Coal Mines Limited (ABN 80 000 189 248), as manager for and on behalf of the Ulan Coal Mine Joint Venture, of 4505 Ulan Road, Ulan NSW 2850 (together with its successors in title and assigns) ("Company").

RECITALS

- Α. The Company is the owner of the Ulan Coal Mine located off Ulan Road, Ulan, New South Wales ("Mine").
- Β. The Company holds a project approval for the "Ulan Continued Operations Project", being Application Number 08_0184 pursuant to Part 3A of the Environmental Planning and Assessment Act 1979 ("Project Approval").
- C. The Owner is the registered proprietor of the land described as Lot 32 D.P 750773. located at 94 Main Street Ulan NSW 2850 ("Land").
- D. The Lessee is the holder of a lease over the Land, being the assignee of the lease registered AH129615P with a term of 25 years commencing on 26 June 2012. ("Lease").
- Ε. DA0135/2012 Ulan Temporary Workers Accommodation 94 Main Street Ulan consented to by Mid-Western Regional Council applies to the Land ("DA0135/2012").
- F. The Lessee, being the trustee of a unit trust entitled The Long Necks Unit Trust ABN 60 687 425 036 intends to construct and fix a demountable workers' accommodation village ("Village") to the Land.
- G. Operations at and ancillary to the Mine may cause impacts to the Land and the Village, including ,but not limited to, noise, dust, blasting vibration, light and overpressure impacts ("Mining Impacts").
- H. The Lessee, the Owner and the Company have agreed upon an arrangement in respect of the Mining Impacts and this document sets out their agreement.

OPERATIVE PROVISIONS

- 1 Term of this agreement
 - (a) This agreement commences on the date which the last party executes this document
 - (b) This agreement ends on the date it is terminated by the Company or on the surrender or expiry of DA0135/2012 and modifications thereof,

2. Object of this agreement

(a) The parties agree that this document constitutes an agreement between the parties for the purposes of:

condition 49 of DA0135/2012 (as amended on 27 May 2019); (i)

- (b) Without limiting anything else in this agreement, the parties agree that the rights and obligations of the Owner and Lessee under this agreement continue to apply:
 - (i) for the duration of any extensions to the term of the Lease; and
 - (ii) notwithstanding any expiry or invalidity of the Lease.

3. Compensation

The Company, Owner and Lessee enter into this agreement in consideration for the mutual promises, obligations and warranties contained hereunder.

4. Owner and Lessee to cooperate

- (a) The Lessee agrees not to lodge any claim, objection or complaint, or commence or participate in any legal proceedings, of any kind in relation to the Mining Impacts or the construction or operation of the Mine (or any modification of it) with any public authority or third party and will use its best endeavours to ensure that no other person residing at or visiting the Land does so.
- (b) The Owner agrees not to lodge any claim, objection, complaint or commence or participate in any legal proceedings of any kind in relation to noise criteria that may be exceeded in condition 2 of Schedule 3 of the Project Approval.
- (c) The Lessee must not do anything, or procure any third party to do anything, which could frustrate or delay the Company's procurement of any statutory approval or permit which is applied for by the Company for the construction or operation of the Mine or any modification of it.
- (d) The Lessee agrees that it will make requirements of the "Moolarben Dam Evacuation Plan" known to all persons entering onto the Land, including guests of the Village.
- (e) The Lessee will procure that, prior to entry, all personnel and guests entering onto the Land sign a declaration acknowledging that they:
 - (i) are aware of the potential Mining Impacts;
 - (ii) accept the consequences of any potential Mining Impacts; and
 - (iii) will not make any complaints in relation to any Mining Impacts.

5. Waiver of rights

- (a) The parties agree that this is a written agreement for the purpose of condition 2 of Schedule 3 of the Project Approval and therefore the noise criteria in that condition do not apply in respect of the Land.
- (b) The Owner and Lessee each agree to waive their rights (to the extent any exist, and to the maximum extent possible) under each of the following conditions of the Project Approval:
 - (i) condition 3, Schedule 3;
 - (ii) condition 4, Schedule 3;
 - (iii) condition 5, Schedule 3;
 - (iv) condition 6, Schedule 3;

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- (v) condition 10, Schedule 3
- (vi) condition 13, Schedule 3
- (vii) condition 14, Schedule 3;
- (viii) condition 19, Schedule 3;
- (ix) condition 20, Schedule 3; and
- (x) condition 30, Schedule 3.
- (c) The Owner and Lessee each agree to waive their rights (to the extent any exist, and to the maximum extent possible) under any of the conditions in Schedule 4.

6. Indemnity

The Lessee must indemnify the Company against all damage, expense (including lawyers' fees and expenses on a solicitor/client basis), loss (including financial loss) or liability of any nature suffered or incurred by the Company arising out of any claim, objection or complaint in relation to:

- (a) the Mining Impacts; and
- (b) any breach by the Lessee of clauses 4 and 9(a) of this agreement.

7. Confidentiality of this Agreement

The Owner and Lessee each agree not to disclose the fact or the terms of this agreement to any third party, other than:

- (a) to his/her/its professional advisors;
- (b) as required or compelled by law; or
- (c) with the written consent of the Company.

8. Termination

Notwithstanding any other provision of this agreement, the Company may at its sole discretion, terminate this agreement by giving 28 days' notice to the Owner and the Lessee.

9. Assignments, Novations and related matters

- (a) The Lessee must ensure that, if it transfers its interest (or any part thereof) in the Lease to another person, its rights and obligations under this agreement are to be assigned or novated (as the case may be) in full to any such assignee or novatee prior to that assignment or novation taking effect.
- (b) The Owner must ensure that, if it transfers its interest (or any part thereof) in the Land to another person, its rights and obligations under this agreement are to be assigned or novated (as the case may be) in full to any such assignee or novatee prior to that assignment or novation taking effect.
- (c) If the Owner enters into a lease with an entity other than the Lessee in relation to the Land ("Future Lessee"), the Owner must procure that (as a condition of entry into such lease) the Future Lessee enters into an agreement with the Company in relation to the subject matter of this agreement.

Executed as an agreement.

Signed by Luke Marsin the presence of: MARICA GOLDRING

......................

Signature of witness

LUKE ARTHUR MORRIS

Full name (block letters)

248 Black Springs Redd Mudgee Address

Executed by the Department of Planning, Industry &) Environment - Crown Lands Division on behalf of the) Minister administering the Crown Land Management Act 2016 in the presence of:

TAFE - A BLOCK - ALLWGHAM ST ARMONUS NEW 2350)

Signature of Witness

BRENDAN THOMAS

Name of Witness

Signed on behalf of Ulan Coal Mines Limited by its authorised representative in the presence of:

Signature of witness

ROBYN STONEY.

Full name (block letters)

Signature of Lessee

20 1,che

Signature of [delegate] DAVID BABER PROSECTS MANAGER NEDIOVAL PROSECTS DELEGATION 55.3 CLMA 2016.

Name of Signatory

Signature of authorised representative

Name of authorised representative



APPENDIX H Access Performance Solution



Access Report

Date of Report: 21 May 2012 Amendment A: 23 May 2012 Re: Proposed Camp Village – 94 Main Street Ulan For: Barnson Pty Ltd Assessment: Plans by Barnson Pty Ltd – Drawing numbers 17239-A01 (Rev E dated 16/05/12), 17239-A02 (Rev C dated 18/10/11) Building Code of Australia Report by Barnson Ptd Ltd dated 12/04/12

This Access Report is an assessment of the proposed development to determine if access for people with a disability is provided in accordance with legislative requirements.

The following comments are based on access requirements of the Building Code of Australia 2011 (BCA), Disability (Access to Premises – Buildings) Standards 2010 (Premises Standards) (including Amendment No. 1), Australian Standards (AS) and Disability Discrimination Act (DDA).

This report contains comments regarding issues of non-compliance, or identifying where insufficient information has been provided for an assessment to be made. Recommendations may also be made to enhance accessibility and minimise the risk of action under the Disability Discrimination Act (DDA).

Unless otherwise specified, all Australian Standards references are from the following:

AS 1428.1-2009 AS 1428.4.1-2009 AS 2890.6-2009

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1. Introduction

- 1.1 The proposed development is a 144 bed camp village for the accommodation of employees in the mining industry. The development will include:
 - a) Accommodation units with ensuite facilities.
 - b) A commercial style kitchen serving a dining room.
 - c) Recreational facilities (gym, recreation room and external barbecue area).
 - d) A common laundry.
 - e) Common sanitary facilities near common buildings.
 - f) An office for the management of the site.
 - g) Car parking.

2. Access requirements

2,1	.1 The BCA Report by Barnson Pty Ltd identifies the various building classifications for this development. The BCA specifies the following requirements regarding access for people with a disability for the relevant building classifications:				
	a)	The BCA requires that for Class 1b dwellings located on the one allotment and used for short-term holiday accommodation, where there is more than 100 dwellings, 5 dwellings are to be accessible plus 1 additional accessible dwelling for each additional 30 dwellings or part thereof in excess of 100 dwellings.	BCA Table D3.1		
	b)	The BCA requires Class 5 and 6 buildings to be accessible to and within all areas normally used by the occupants.	BCA Table D3.1		
3.	Propo	sed exemption			
3.1	the ac intend	oposed that the specific use of this village be considered in determining cessibility requirements applicable. The BCA acknowledges that the ed use of a building may vary accessibility requirements and permits an ation which does not require access for people with a disability to be ed to:	BCA D3.4		
	a)	An area where access would be inappropriate because of the particular purpose for which the area is used;			
	b)	An area that would pose a health or safety risk for people with a disability.			

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- 3.2 In this situation, the accommodation will house mining employees who are required to pass relevant health and mobility checks to ascertain their suitability to fulfill their role as per their employer's policies and procedures. The roles of mining employees in this area require them to undertake duties of a physical nature in underground mine sites. Mining employees are also required to be capable of escaping in an emergency situation. Therefore, people with a disability will generally not be employed to work in mining roles due the health and safety risks involved and it is unlikely that people with a disability will seek accommodation at the village.
- 3.3 However, there remains a need for access for people with a disability in the following circumstances:
 - a) Staff will be employed in administration and management roles at the camp village. It is unlawful to discriminate against people with a disability in employment so work areas and sanitary facilities for these staff members are to be accessible. It is anticipated that these staff members will reside in the local area and not be accommodated within the village.
 - b) Employees and/or contractors in management and consultant roles often seek short term accommodation in this area. People in such roles will generally be accommodated in motel style lodging closer to the town centre but some accessible accommodation will be offered at the camp village.
 - c) Mining employees may sustain an injury and may need to be accommodated at the camp village until they are able to relocate to their usual residence.
 - d) Visitors may spend time with family or friends at the camp village so public spaces and sanitary facilities for visitors are to be accessible.

4. Proposed access

- 4.1 Access for people with a disability complying with AS 1428.1 is proposed to and within:
 - a) Four accommodation units These will be available in the unlikely event that someone with a disability applies to stay at the village. They will also serve any mining employees who may be injured and unable to leave the site immediately.
 - b) The ensuites associated with accessible accommodation units Left and right handed facilities are to be distributed evenly.
 - c) The office Access will be provided for administration/management staff and the public.

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d)	The dining room - Access will be provided for staff, occupants and
1.1	visitors.

e)	One unisex accessible WC – This will be for the use of staff, visitors and for the convenience of occupants not wanting to return to private facilities. It is proposed that this be located near the office instead of with the common male and female sanitary facilities. This is considered a more prominent location and will avoid construction of an additional ramp as it will make use of the access ramp approaching the offices.	BCA F2.4 Table F2.4a
f)	One male and one female WC in the common sanitary facilities will be suitable for the use of people with an ambulant disability – These will serve staff, visitors and occupants.	BCA F2.4 c
g)	Car parking – One accessible car park complying with AS 2890.6 will be provided for each accessible accommodation unit. A further two accessible car parks are to be provided to serve village staff and visitors.	BCA Table D3.5

- h) Pedestrian links Accessible paths of travel complying with AS 1428.1 BCA D3.2 a are to connect accessible buildings and car parking areas.
- 4.2 It is not considered necessary to provide access to and within the commercial BCA D3.4 kitchen due to the physical nature of duties undertaken by people in that area.
- 4.3 The BCA requires at least one of each type of common space be accessible for Class 1b buildings including a gymnasium, games room, laundry, or the like. In this situation, given that the intended occupants will be mining employees with health and mobility clearance, I am of the opinion that access to the gym, recreation room, laundry and barbecue area is not considered to be essential. However, it is recommended that accessibility to these areas be reviewed by management on an ongoing basis and that access be upgraded to meet the needs of the occupants if and as their needs change. It remains unlawful to discriminate against people with a disability in relation to access to premises, and it is the responsibility of the village owner/manager to ensure they meet their DDA obligations.

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Conclusion:

Generally, the plans assessed show that compliance with requirements for access for people with a disability is achievable subject to assessment of specific details at Construction Certificate stage. Although compliance with the BCA and Australian Standards may minimise the risk of an action under the Disability Discrimination Act, it does not necessarily eliminate the possibility.

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Aja Goddard Access Consultant • ACAA Accredited Member 243

Reasonable care and skill have been exercised in the assessment of the building and the preparation of this report. However, this report shall not be construed as relieving any other party of their responsibilities or obligations.

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APPENDIX I Traffic and Parking Study

Ulan Village Green - Carpark vs Occupancy Survey

)ate		Time	Camp Occupancy	# Vehicle	% vehicle v	occupancy
	Wednesday, 8 March 2023	5:45 AM	89		19	21.3
	weathestady, o march 2025	7:45 PM	05		27	30.3
	Thursday, 9 March 2023	5:45 AM	99		31	31.3
	mursuay, 5 March 2025	7:45 PM	33		36	36.4
	Friday, 10 March 2023	5:45 AM	91		41	45.1
	111003, 10 11101 2020	7:45 PM			36	39.6
	Saturday, 11 March 2023	5:45 AM	88		36	40.9
	Saturday, 11 March 2023	7:45 PM	50		35	39.8
	Sunday, 12 March 2023	5:45 AM	86		27	31.4
	Sunday, 12 march 2025	7:45 PM	00		29	33.7
	Monday, 13 March 2023	5:45 AM	80		28	35.0
	monady, 19 march 2029	7:45 PM			32	40.0
	Tuesday, 14 March 2023	5:45 AM	105		46	43.8
	racoady, 1 march 2025	7:45 PM	105		56	53.3
	Wednesday, 15 March 2023	5:45 AM	92		47	51.1
	weatesday, 15 March 2025	7:45 PM	52		44	47.8
	Thursday, 16 March 2023	5:45 AM	93		45	48.4
	marsaay, 10 March 2025	7:45 PM	55		39	41.9
	Friday, 17 March 2023	5:45 AM	98		34	34.7
	Friday, 17 March 2025	7:45 PM	50		30	30.6
	Saturday 18 March 2022	5:45 AM	100		33	33.0
	Saturday, 18 March 2023	7:45 PM	100		40	40.0
	Sunday, 19 March 2023	5:45 AM	94		35	37.2
	Sunday, 15 Iviarch 2025	7:45 PM	54		34	36.2
		5:45 AM	94		36	38.3
	Monday, 20 March 2023	7:45 PM	54		60	63.8
	Tuesday, 21 March 2023	5:45 AM	112		46	41.1
	Tuesday, 21 March 2025	7:45 PM	112		43	38.4
	Wednesday, 22 March 2023	5:45 AM	94		44	46.8
	weathesday, 22 March 2025	7:45 PM	94		37	39.4
	Thursday, 23 March 2023	5:45 AM	05		49	51.6
	Thursday, 25 March 2025	7:45 PM	95		-	
	Friday, 24 March 2023	5:45 AM	97		27	27.8
	Friday, 24 Warch 2025	7:45 PM	97		47	48.5
	Saturday, 25 March 2023	5:45 AM	98		22	22.4
	Saturday, 25 March 2023	7:45 PM	98		37	37.8
	Sunday 26 March 2022	5:45 AM	97		25	25.8
	Sunday, 26 March 2023	7:45 PM	97		33	34.0
	Manday 27 March 2022	5:45 AM	0.2		34	37.0
	Monday, 27 March 2023	7:45 PM	92		48	52.2
	Tuesday 20 March 2020	5:45 AM	10.4		37	35.6
	Tuesday, 28 March 2023	7:45 PM	104		56	53.8
	W	5:45 AM			46	47.9
	Wednesday, 29 March 2023	7:45 PM	96		42	43.8
		5:45 AM	100		43	39.8
	Thursday, 30 March 2023	7:45 PM	108			

Avg % vehicle v occupancy	28.7%	
Highest % vehicle occupancy	63.8%	Monday 20 March - PM
	57.0%	Tuesday 7 March - PM
	53.3%	Tuesday 14 March - PM
Lowest % vehicle occupancy	21.3%	Wedensday 7 March - AM
	22.4%	Saturday 25 March - AM
	25.8%	Sunday 26 March - AM

Notes for consideration:

Carpark could be better utilized with the addition of marked lines.

There are atleast 2 x shuttle buses parked that take persons back and forth to mines on a twice daily basis

Staff vehicles included in total as well as guests

Times chosen to do survey are during peak carpark use times



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The General Manager Mid-Western Regional Council Att: Ty Robson PO Box 156 Mudgee NSW 2850 date. 24.11.2023

reference 17239-PL08_A

Dear Ty,

RE: \$4.55(1A) MODIFICATION TO DA0135/2012 (ME0040/2023) – TEMPORARY WORKERS ACCOMMODATION - LOT 32 DP 750773 – 94 MAIN STREET ULAN NSW 2850

Subject: Address Additional Information Requirements

We refer to your correspondence dated 22nd of November 2023 to consider additional information requirements related to the subject Development Application Modification and we wish to advise as follows:

1. Total Persons

Comment: All rooms are single occupancy. No separate staff quarters on site. The 200 single occupancy rooms imply the maximum number of residents possible is 200 persons.

The number of staff employed at the facility is 8 persons and includes 2 office personnel, 2 kitchen staff and 4 cleaning staff. Staff work shifts. Maximum number of staff on site at any given time is 6 persons.

The Site and Soil Assessment for On-site Effluent Management (17239-ER01_K) has been updated accordingly with number of persons specified. Please refer to **Attachment A** for the amended report.

2. Expected Wastewater Volume

Comment: The approved Stage 1 report dated 23.09.2019 did not provide a 'safety buffer' in the calculation of the effluent disposal requirements. This report was prepared at the early stage of the development when it was uncertain what sources of wastewater would have to be accounted for. The domestic wastewater design flow allowance of 120 L/person/day (AS/NZS1547:2012 Table H1) was selected as conservative value for calculations, knowing that recommended system parameters may be overestimated for the first stage of development.

It is uncertain what 'justification' is required to replace the domestic wastewater design flow allowance used in the Stage 1 report with values that are more representative of the occupancy type being assessed. Each of the design flow values selected or derived are explained at the hand of, now known, site specific conditions.

The design flow values for campgrounds were selected as these were considered to best represent the occupancy scenario at the camp and include the wastewater sources applicable to this scenario, at the time.

The proponent has no objection to replacing the design flow values for campgrounds with values for hotel/motel accommodation, as stipulated in the NSW Health Dpt - Septic Tank and Collection Well Accreditation Guideline. However, no further justification will be provided for implementing this recommendation.

Laundry services at the Ulan Village Green have been contracted off-site. The sources of wastewater is therefore limited to a toilet, basin and shower in each of the single occupancy residential rooms, as well as a canteen that makes use of a commercial kitchen to serve meals to residents of the camp. Based on this and the values available for hotel/motel accommodation, the total daily design flow is calculated as follows:

Toilet (WC, urinal), basin, 1 waste (shower) = 82L/person/day 82L/day × 200 persons = 16,400L per day

On site canteen, accounted for with dishwashing allowance of 1,550L per 100 persons. Daily flow estimate is

200/100 x 1,550L = 3,100L per day

6 staff on site at any given time. Daily flow estimate is:

6 x 36L = 216L per day

Total design flow estimate for 200 person occupancy + staff = 19,716L/day.

3. Emergency Buffer

Comment: The difference between the total design flow estimated and the STP treatment capacity, which is highlighted in the Stage 1 and subsequent report as a buffer, is not intended to represent a design parameter for the system. The buffer was noted to indicate that the installed treatment capacity is more than adequate to treat the entire daily flow estimated. The value of 138L/person/day was derived in an attempt to contextualise the quoted percentage difference. The difference between the total estimated design flow and the capacity of a treatment system will vary according to the design flow rates and number of sources considered. The reported values of 138L/person/day and 15% are purely incidental. These values were not intended as design flow estimates and were never used in this context in any of the reports.

Many commercial wastewater treatment systems are designed with a collection tank from which sewage effluent is abstracted and treated. Although the treatment capacity of the system is often lower than the peak design flow, the total capacity of the system (treatment plus collection tank) is

sufficient to accommodate the peak flow estimated form the wastewater sources. The 'buffer' in the system is provided by the collection tank. The existing STP installed at the Ulan Village Green is equipped with a 10,500L collection tank. In terms of 'buffer' this would represent a factor of more than 50%, given that the design flow estimate is below 20,000L. The system is further equipped with a 22,500L emergency tank which is to capture any emergency overflow in the event of an STP failure. The system can therefore be considered to have more than 150% 'buffer'.

This 'buffer' of 150% cannot be added onto the total design flow estimate to now say that the effluent disposal area must accommodate 19,716L + 150% = 49,290L/day. The STP can still only produce a maximum of 20,000L of treated effluent per day. The total design flow estimate is below this maximum volume of treated effluent so the effluent disposal area is sized accordingly.

Therefore, no further consideration is necessary for an 'emergency buffer' in terms of the calculation of the effluent disposal area size or justification in regards to the variation in the difference between the total design flow estimate and the STP treatment capacity.

4. Disposal Area

Comment: Agreed. Irrigation area is sized in accordance with calculated total design flow. "Safety Buffer" will not be considered in the sizing of the effluent disposal area.

5. Setbacks

Comment: The location and extent of the existing OSD has been determined through an independent site survey, undertaken in September of this year. The revised report will include the survey information. Please ignore the design drawings showing the indicative location of the OSD presented in previous reports. Any potential overflow from the existing OSD shall not have any impact on the effluent disposal area. The newly proposed carpark OSD is designed so that post development flow does not exceed pre-development flow. Any overflow from the OSD will be similar to pre-development overland flow and is not expected to impact on the effluent disposal area. Barnson requests that the proposed 5m setback distance between the OSD basins and the disposal area be re-considered for approval.

Sincerely,

BARNSON PTY LTD

Nardus Potgieter MSc(Chem) BSc(Hons)(Env.Tech.) Senior Environmental Scientist



Attachment A – Amended Site and Soil Assessment for On-site Effluent Management







Site and Soil Assessment for On-site Effluent Management

Client: Long Necks Developments Pty Ltd Site Address: 94 Main Street, Ulan NSW 2850

23 November 2023

Our Reference : 17239-ER01_K

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EXECUTIVE SUMMARY

The following table provides a summary of the information for sustainable onsite effluent management systems proposed at the Ulan Village Green temporary workers accommodation facility, Lot 32 DP750773, 94 Main Street, Ulan NSW 2850. The sections of this report that follow provide site specific details justifying the listed recommendations.

Site Hesesson	Nardus Potgieter
e dioqu	Long Necks Developments Pty Ltd
50 - Lewill	Ulan Village Green 94 Main Street, Ulan NSW 2850 - Lot 32 DP750773
Vyarar Pource	Off-site potable water supply delivered to site by water tanker. On-site roof water tank for use in flushing of toilets and landscaping
l inmatim Dany Elovz÷u⊂uy)	Daily flow estimates based on factors for hotel/motel accommodation, provided in the NSW Health Dpt Septic Tank and Collection Well Accreditation Guideline.
	The estimate considers:
	200 single-person rooms, each equipped with toilet (WC), basin and shower. 200 rooms = maximum of 200 residents. Daily flow estimate is: 82L/day x 200 persons = 16,400L per day
	On site canteen, accounted for with dishwashing allowance of 1,550L per 100 persons. Daily flow estimate is
	200/100 x 1,550L = 3,100L per day
	A total of 8 staff members. Of which a total of 6 is on site at any given time. Daily flow estimate is:
	6 x 36L = 216L per day
	Total daily flow estimate for 200 resident camp with 8 staff = 19,716L/day
Insetment Recommendation	OZZI KLEEN Sewage Treatment Plant Model – SC100A (20,000 L/d). Treatment System was selected using an overestimated effluent generation estimate, based on a 144-room facility. With more realistic activity specific flow estimate values used, it is shown that the installed treatment capacity of 20,000L per day is sufficient to for the operation of a 200 room facility.
mb/Sc Tweeserment Oate	Field assessment and subsequent laboratory tests have classed the subsoil as category 4, as discussed in section 2.7.
Recommended Effluent Mobilication Type	Category 4 soil (Clay Loams) and the disturbed nature of the soil present some restriction to the utilisation of absorption based systems for

System Overview

	dispersion of the treated effluent. Surface Irrigation is therefore recommended.
nıb Sail Recommendad Hydraulic Loading mm/day (DIR/DLF)	Drip and spray irrigation systems in category 4 soils have a design- loading rate of 3.5mm/day. (Refer to 2.7)
Enfluent Ersign (Critan)	As per section 4.2, the minimum application area was determined by calculating the requirements of hydraulic loading. As shown, a total of 5,633.0m ² of irrigation field is required to dispose of the advanced secondary treated effluent from the OZZI KLEEN Sewage Treatment Plant.

It is recommended that a registered plumber be engaged to site and install the recommended on-site wastewater management systems.



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DISCLAIMER

This report has been prepared solely for Long Necks Developments Pty Ltd (the Client) in accordance with the scope provided and for the purpose(s) as outlined throughout this report. Barnson Pty Ltd accepts no liability or responsibility for or in respect of any use or reliance upon this report and its supporting material by anyone other than the client.

Installation must be by a licensed plumber and Barnson will not be liable for the incorrect installation and/or construction of the system. Installation and construction of the system must hold true to the design recommendations presented in this report. Installation should be in accordance with the prescriptions within AS 1547:2012.

Unless otherwise stated in this report, Barnson has not verified the accuracy or completeness of the data retrieved from online databases and guidance documents. The recommendations for the proposed system as presented in this report are based on historical data obtained for the area. Barnson will not be liable in relation to incorrect recommendations should any information provided by the client be incorrect or have been concealed, withheld, misrepresented, or otherwise not fully disclosed.

The accuracy of the advice provided in this report may be limited by unobserved variations in ground conditions across the site in areas between and beyond test locations and by any restrictions in the sampling and testing which was able to be carried out, as well as by the amount of data that could be collected given the project and site constraints. These factors may lead to the possibility that actual ground conditions and materials behaviour observed at the test locations may differ from those which may be encountered elsewhere on the site. If the sub-surface conditions are found to differ from those described in this report, we should be informed immediately to evaluate whether recommendations should be reviewed and amended if necessary.

Project Name:	Site and Soil Assessment for On-Site Effluent Management System Ulan Village Green, 94 Main Street, Ulan NSW 2850	
Client:	Long Necks Dev	elopments Pty Ltd
Project Number:	17239	
Report Reference:	17239 ER01	
Revision	к	
Date:	23/11/2023	
Prepared by:		Reviewed by:
Addie Nardus Potgieter	đev	Luke Morris
MSc (Chem) BSc (Hon Senior Environmental Sc		B.E. MIEAust CPEng (NPER) Director

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1. INTRODUCTION

1.1 Overview

This report has been prepared by Barnson Pty Ltd on behalf of Long Necks Developments Pty Ltd (the Client), for submission to Mid-Western Regional Council. This report provides direction for sustainable on-site effluent management for the operation of the extended Ulan Village Green temporary workers accommodation facility located at the Lot 32 DP750773, 94 Main Street, Ulan NSW 2850 (hereafter referred to as the Subject Site).

The Subject Site is located to the north-east of the Village of Ulan along Main Street, approximately 925m north of its intersection with Ulan Road. (see Figure 1.1). The Subject Site has a property area of approximately 4 hectares and adjoining to the Goulburn River to the east.

The Ulan Village Green facility makes use of a modular sewage treatment plant to treat sewage generated from the temporary workers accommodation and commercial kitchen associated with the on-site canteen facility. The secondary treated and sterilised effluent from the sewage treatment plant is dispersed via on-site irrigation.

This report provides an overview of the wastewater treatment system, taking into account soil and site conditions and presents updated effluent volume estimates and expanded irrigation requirements related to an increase in the capacity of the facility from the original 144 single occupancy rooms to 200 single occupancy rooms. Plans showing the proposed new site layout with an additional fourteen (14) demountable structures, each housing four (4) single occupancy rooms (a total of fifty-six (56) additional single occupancy rooms) is presented in Appendix A.

The existing sewage treatment plant and effluent dispersion system was designed in accordance with the NSW Health Department – Septic Tank and Collection Well Accreditation Guideline and was installed, and is maintained, by accredited persons. The proposed expansion is expected to be within the capacity of the existing system to accommodate. The proposed increase in the capacity of the accommodation facility is not expected to place any additional strain on the operation or maintenance of the wastewater management system and existing procedures for these will be continued to prevent failures generally associated with operation and maintenance practices.

1.2 Key References

The following key references were utilised as part of this assessment:

- AS/NZS 1547:2012. On-site Domestic Wastewater Management;
- NSW Government 1998. On site Sewerage Management for Single Households (The Silver Book/OSMSH);
- NSW Government 2000. The Easy Septic Tank Guide. Developed by Social Change Media for the NSW Department of Local Government;
- NSW Health, 2001. 'Septic Tank and Collection Well Accreditation Guidelines";
- Mid-Western Regional Council Local Environment Plan, 2012;
- Mid-Western Regional Local Environment Plan, 2011;
- Murphy B.W. & Lawrie J.W. 1998. Soil Landscapes of the Dubbo 1:250 000 Sheet Report, DLWC.



 Sydney Catchment Management Authority, 2019. Designing and Installing On-Site Wastewater Systems;

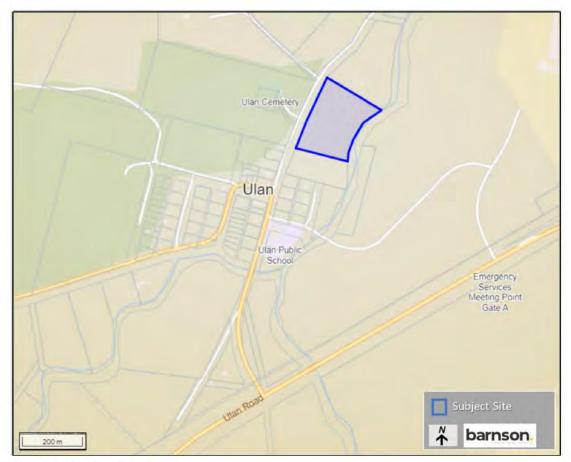


Figure 1.1: Site location plan.



2. SITE AND SOIL EVALUATION

2.1. Site Evaluators Details

Table 2.1 provides an overview of the evaluator's particulars. Table 2.1: Details

Name / Role	Nardus Potgieter	
Role/ Qualifications	Environmental Scientist	
Company	Bamson Pty Ltd	
Company Address	Unit 4 108-110 Market St, Mudgee NSW 2850	
Contact Details	Phone: 1300 BARNSON	
Date of Assessment	23/11/2023	

2.2. Site Information

Table 2.2 provides an overview of the site information.Table 2.2:Site Particulars

Address/Locality	94 Main Street, Ulan NSW 2850 Lot 32 DP750773
Local Government Area	Mid-Western regional Council
Block Configuration	Approximately 3.9 ha
Intended Water Supply	Off-site supply for potable purposes. Delivered to on-site storage tank by tanker truck. Roof water collection tank (supplemented by potable water supply) for landscape irrigation.
Intended Power Supply	Supplied
Local Experience	Care needs to be taken to minimise runoff and erosion. Systems commonly malfunction due to lack of ongoing maintenance. The system is to be inspected and maintained regularly in accordance with manufacturer details, Council requirements, and prescriptions identified in this report.



2.3. Desktop Assessment

The following information (Table 2.3) was obtained via desktop review of the site. Table 2.3: Desktop Assessment Details

Climate Over	view'	Annual Mean Rainfall for Gulgong is 650.5 mm. Warm summers with large evaporative deficit, cool winters with small evaporative deficit. The mean summer monthly rainfall (January) is 70.5 mm. The mean winter rainfall (July) is 48.8mm.
Soil Landscape	Area has been mapp Soils and Yellow Solo	ed within the "Ulan" Landscape Group. Yellow Podzolic dic Soils are common in the area.
Reference	Surface Conditions	Gravelly or Hardsetting
	Drainage	Imperfectly drained
	Available water holding capability	Moderate
	Water table depth	Occassionally seasonal waterlogging
	Depth to bedrock	60 to >100cm
	Flood hazard	Nil to slight
	Expected Nutrient deficiencies	Nitrogen, Phosphorous, Sulphur
	Soil Salinity	Low - some salting evident as salt scalds
	Erosion Hazard	Moderate to high
Underlying G	eology ^a	"Lithic sandstone, shale, carbonaceous shale, coal conglomerate tuff.". Quaternary sediments comprised of "Alluvial silt, clay and sand, variable humic content, sporadic pebble- to cobble-sized unconsolidated conglomeratic lenses"
Groundwater	Review	There are three registered bores identified within 500m of the Subject Site (see Figure 2.1). The Subject Site is not mapped within a zone of groundwater vulnerability as per the Mid-Western Regional Council LEP map GRV_005 (see Figure 2.2).

¹ Bureau of Meteorology online Climate Data website

² NSW Soil and Land Information System

³ New South Wales 1: 1000000

2.4. Groundwater Review

A desktop review of the NSW Office of Water online groundwater information for the local area identified one bore on-site and two off-site bores within a radius of 500m of the Subject Site (see Figure 2.1), A fourth off-site borehole is located at a distance of 600m from the Subject Site. The bores are identified as being for either monitoring, domestic or industrial water use.

Table 2.4 presents a summary of information relating to historic groundwater report details for the four identified bores located closest to the proposed effluent disposal area. The information presented include water bearing zones and standing water levels available.

Groundwater Bore Reference	Total Depth (m)	Water Bearing Zones (m)	Standing Water Level (m)	Yield (L/s)	Salinity Yield
GW200870 Industrial ~200m south of site	16.50	Not Provided	7.00	1.5	Not Provided
GW273091 Monitoring bore On site	17.50	3.00 - 5.00	2.80	0.1	Not Provided
GW080350 Domestic ~400m southwest of site	Not Provided	Not Provided	Not Provided	Not Provided	Not Provided
GW065950 Irrigation ~600m northeast of site	81.00	53.50 - 55.50	Not Provided	11.00	Not Provided

Table 2.4: Groundwater information summary

Based on the information available from the local groundwater bores, the minimum depth to water bearing zones and the standing water level in the local vicinity is likely around 3 m below the ground surface. Given irrigation of secondary treated effluent is the preferred method of effluent disposal, potential contamination of groundwater is a factor to consider.

However, the properties of the soil underlaying the site indicate a low permeability, so the rate of infiltration is expected to be similarly low. The risk of groundwater contamination as a result of the effluent irrigation is therefore considered possible, due to the depth to the groundwater, but unlikely because of the limited infiltration that is expected.



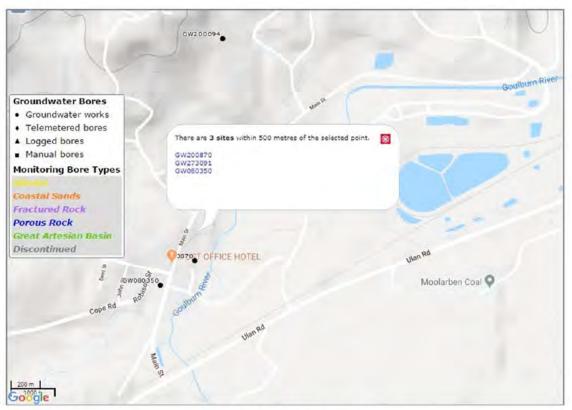


Figure 2.1: Registered bores

The entire Subject Site is shown outside any mapped zones of potential groundwater vulnerability (see Figure 2.2).

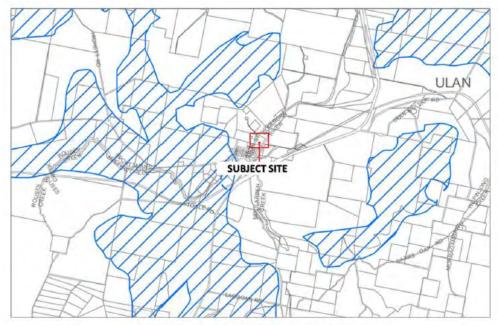


Figure 2.2: Groundwater Vulnerability Map

2.5. Surface Water

The Goulburn River forms the eastern boundary of the Subject Site. The accommodation rooms and facilities as well as the wastewater management infrastructure are located at a suitable distance from the river so as to prevent contamination. Surface water runoff from roads and infrastructure is captured and contained in an on-site detention pit. The treated effluen disposal area is similarly bunded with earth embankments to prevent any irrigated effluent not immediately absorbed from leaving the area as runoff.

No impact to surface water resources is therefore foreseen from the treated effluen disposal area.

2.6. Field Assessment Information

An inspection of the of the Subject Site was undertaken on 13/3/2012. Table 2.5 provides detail on the findings of the field assessment conducted at the time of the site inspection.

Water Balance Attached		Proposed Extension - See Appendix C	
Exposure		Good exposure,	
Elevation		Approximately 415 m.	
Run-On		None	
Seepage		None	
Erosion Potential		Low due to vegetation cover.	
Fill		None encountered	
Surface rock/Outcr	abe	None encountered	
Is there sufficient land area for:	Application system, including buffers	Yes	
	Reserve application system	Yes	

Table 2.5: Site Assessment Details

2.7. Soil Assessment

Samples of soil was collected for laboratory analysis during the site inspection undertaken in 2012. The samples were collected from two locations (boreholes) and were collected at depths of 800mm and 2,000mm in each. Samples were collected and handled as per AS1289.1.2.1.6.5.3. Borelogs and laboratory results are provided in Appendix B. Field assessment parameters were also obtained. Table 2.6 provides a summary of field and laboratory assessment results.



pth to bedrock or hardpan via field assessment	>3.0m				
pH – subsoil (1:5)	Borehole 5 – 7.9 Borehole 6 – 8.9				
Soil Colour – topsoil, subsoil (field)	Light Brown, Orange				
Emerson Test Result –subsoils (Lab)	4				
Soil Classification (particle size) topsoil, subsoil A	Clay: 28%, 41% Silt: 32%, 29% Fine sand: 26%, 19% Course sand: 0%, 0% Gravel: 14%, 11%				
Estimated Soil Category-topsoil, subsoil A, subsoil B,	Borehole 5 - 3,2,5,5 Borehole 6 - 3,2,5,4,4				
Structure massive, weak, high, moderate, strong (Field)	High/Moderately Structured				
Sub soil Permeability (from table 5.2 of AS 1547:2012)	0.5 - 1.5 (k _{eat}) (m/d) (Infiltration is slow)				
Recommended Hydraulic Loading for disposal system (from Table 5.2 of AS 1547:2012)	3.5mm/day (for Drip/Spray Irrigation)				

Table 2.6: Soil Assessment Details

3. SITE AND SOIL LIMITATION ASSESSMENT

The following two limitation tables are a standardised guide to the site and soil characteristics which summarise the limitations of the site for effluent disposal and indicate those that may require attention through specific management practises. The tables have been reproduced from the NSW Government endorsed 'On-Site Sewerage Management for Single Households' (1998), Table 3.1 and Table 3.2. The highlighted categories represent site and soil conditions of the land covered in this report.

Site Feature	Relevant System	Minor Limitation	Moderate Limitation	Major Limitation	Restrictive Feature	
Flood Potential	All land application systems	> 1 in 20 years		Frequent below 1 in 20 years	Transport in wastewater off site	
	All treatment application systems	Components above 1 in 100 years		Components below 1 in 100 years	Transport in wastewater off site system failure	
Exposure	All land application systems	High sun and wind exposure		Low sun and wind exposure	Poor evaporation transpiration	
Slope %	Surface Irrigation	0.6	6-12	>12	Runoff, erosion potential	
	Sub-surface irrigation	0-10	10-20	>20	Runoff, erosion potential	
	Absorption	0-10	10-20	>20	Runoff, erosion potential	
Landform	andform All systems		Concave side slopes and foot slopes	Drainage plains and incised channels	Groundwater pollution hazard, resurfacing hazard	
Run-on and upslope seepage	All land Application Areas	None-low	Moderate	High, diversion not practical	Transport of wastewater off site	
Erosion potential	All land application systems	No sign of erosion potential		Indications of erosion e.g. rils, mass failure	Soil degradation and off-site impact	
Site drainage	All land application systems	No visible signs of surface dampness		Visible signs of surface dampness, such as moisture-tolerant veg	Groundwater pollution hazard, resurfacing hazard	
Fill	All systems	No fill	Fill present		Subsidence	
Land area	All systems	Area available	Area not available		Health and pollution risk	
Rock and rock outcrop	All land application systems	<10%	10-20%	>20%	Limits system performance	
Geology	All land application systems.	None		Major geological discontinuities, fractured or highly porous regolith	Groundwater pollution hazard	

Table 3.1: Site Limitation Assessment



Table 3.2: Soil Limitation Assessment

Soil feature	Relevant system	Minor limitation	Moderate limitation	Major limitation	Restrictive feature
Depth to bedrock. or hardpan (m)	Surface and sub- surface irrigation	> 1.0	0.5-1.0	< 0.5	Restricts plant growth
	Absorption	> 1.5	1.0-1.5	< 1.0	Groundwater pollution hazard
Depth to seasonal water	Surface and sub- surface irrigation	> 1.0	0.5-1.0	< 0.5	Groundwater pollution hazard
table (m)	Absorption	> 1.5	1.0-1.5	< 1.0	Groundwater pollution hazard
Permeability Category	Surface and sub- surface imgation	2b, 3 and 4	2a, 5	1 and 6	Excessive runoff and waterlogging
	Absorption	3, 4		1, 2, 5, 6	Percolation
Coarse fragments %	All systems	0.20	20-45	>40	Restricts plant growth, affects trench installation
Builk density (g/cc) SL L, CL (C	All land application systems	< 1.8 < 1.6 <mark>< 1.4</mark>	> 1.8 > 1.6 >1.4		restricts plant growth, indicator of permeability
рН	All land application systems	> 6.0	4.5-6.0		Reduces plant growth
Electrical conductivity (d5/m)	All land application systems	<4	.4-8	>8	Restricts plant growth
Sodicity (ESP)	Irrigation 0- 40cm; absorption 0- 1.2mtr	0-5	5-10	> 10	Potential for structural degradation
CEC mequiv/100g	Irrigation systems	> 15	5-15	< 5	Nutrient leaching
P sorption kg/ha	All land application systems	> 6000	2000-6000	< 2000	Capacity to immobilise P
Modified Emerson Aggregate Test - depressiveness	All land application systems	Classes 3-4	Class 2	class1	Potential for Structural degradation.

4. SYSTEM REQUIREMENTS

4.1. System Overview

The Ulan Village Green consists of demountable structures each containing four single occupancy rooms, a parking area as well as gym, recreational and canteen facilities. The Ulan Village Green used to have on-site laundry facilities, however, all laundry services have been contracted off-site to a company in Mudgee.

The sources of wastewater therefore include a toilet, basin and shower in each of the single occupancy residential units, as well as a canteen that makes use of a commercial kitchen to serve meals to residents of the camp.

In accordance with recommendations from Mid-Western Regional Council, the activities at the camp are assessed as being similar in nature to hotel/motel accommodation. In accordance with the "Septic Tank and Collection Well Accreditation Guideline" document published by NSW Health (1999), the recommended design flow allowance for residents of a hotel/motel, with consideration of wastewater generated from a toilet (WC/urinal), basin, and 1 waste (shower), is 82L/person/day. The single occupancy rooms include no other sources of wastewater such as a kitchenette or laundry facilities. To account for the effluent produced from the on-site canteen, the dishwasher allowance of 1,550L/100 residents stipulated for hotel/motel accommodation is included.

The number of persons that occupy the residential facility vary but assuming a maximum occupancy of all 200 single occupancy rooms, the maximum number of residents is 200 persons. The maximum number of staff needed to operate the facility is 8 persons. This number includes 2 office personnel, 2 kitchen staff and 4 cleaning staff. As the staff work in shifts, the maximum number of staff on site at any particular time is 6 persons.

The maximum daily flow, considering a maximum occupancy of 200 persons and 6 staff, quates to a total design flow of 19,716L/day.

The system proposed for treatment of the sewage effluent is a modular aerated wastewater treatment system (AWTS), OZZI KLEEN Sewage Treatment Plant Model – SC100A. With a hydraulic loading capacity of 20,000 L per day. The existing treatment system is therefore suited to manage the estimated daily flow from the expanded residential facility. Table 4.1 present a summary of the details for the system.

Consideration of	Distance to sewer	>5km				
connection to centralised sewerage system	Potential for future connection?	None planned				
	Potential for reticulated water? None planned					
Expected Wastewater volume (litres/day)*	Daily flow estimates based on factors for hotel/motel accommodation, provided in the NSW Health Dpt Septic Tank and Collection Well Accreditation Guideline. The estimate considers:					

Table 4.1: System Selection Details

	200 single-person rooms, each equipped with toilet (WC), basin and shower. 200 rooms = maximum of 200 residents. Daily flow estimate is: 82L/day x 200 persons = 16,400L per day
	On site canteen, accounted for with dishwashing allowance of 1,550L per 100 persons. Daily flow estimate is
	200/100 x 1,550L = 3,100L per day
	A total of 8 staff members. Of which a total of 6 is on site at any given time. Daily flow estimate is:
	6 x 36L = 216L per day
	Total daily flow estimate for 200 resident camp with 8 staff = 19,716L/day
Type of Treatment system best suited	OZZI KLEEN Sewage Treatment Plant Model – SC100A (20,000 L/d). Capable of achieving advanced secondary treated effluent standards. The installed treatment capacity is therefore assessed as sufficient for operation.

4.2. Effluent Management

Barnson Pty Ltd has analysed the proposed on-site waste management system in accordance with the NSW Government endorsed 'Silver Book' (1998) and the ANZ Standard 1547:2012 On-site Domestic Wastewater Management', with additional advice sought from the NSW Water 'Designing and installing On-site Wastewater Systems' 2019 guideline. For this site, given the climate and soil constraints, irrigation is considered the most appropriate effluent management device.

4.2.1. Irrigation Area Calculation

In accordance with these documents, the irrigation area for surface and subsurface irrigation must be the largest area calculated considering nutrient and liquid loading.

For calculation purposes, the nutrient balances assume a maximum effluent irrigation requirement of 19,716L per day. This is to establish the area required for the effluent treatment rate.

4.2.2. Nitrogen Loading

The following formula is provided:

	$A = (C \times Q)/Ln$						
Where:	$A = land area (m^2)$						
	C = concentration of nutrient (mg/L)						
	Q = treated wastewater flow rate (L/d)						
	$L_n = critical loading rate of nutrient (mg/m2/d)$						

It is appropriate to assume nitrogen has a nominal value of 20mg/L in the advanced secondary treated effluent from the OZZI KLEEN Sewage Treatment Plant, as per manufacturer specifications.

In this case, Ln can be determined as 280kg/ha/yr. – this figure is obtained from Appendix 1 of the Sydney Catchment Management Authority 'Designing and installing On-site Wastewater Systems' 2019 guideline, for improved pasture for the uptake of nitrogen.

Ln = 280kg/ha/yr. = 28000mg/m²/year

Therefore

 $A = (20 \times 19,716 \times 365)/28,000$ $A = 5,140 \text{m}^2$

4.2.3. Phosphorus Loading

The general formula used to determine irrigation size based on Phosphorous loading is:

A = Pgenerated/(PAbsorbed + PUptake)

Pgenerated	= the amount of phosphorus generated over time, and is calculated as -
Pgenerated	= total phosphorous (TP) concentration x volume of wastewater produced over 50 years
	= TP X Q L/day X 365 days X 50years, where TP= 5mg/L (concentration of phosphorous in advanced secondary treated effluent produced from the OZZI KLEEN Sewage Treatment Plant as per the manufacturer specifications) and Q of 19,716L/day
	= 5 X 19,716 X 365 X 50

= 1,799.085kg

Where Pabsorbed = the amount of phosphorus that can be absorbed without leaching over 50 years. As per the 'Silver Book', this is typically 1/3 of the P sorption Value. The nominal Phosphorus Sorption Capacity (mg/kg) of 500mg/kg together with the nominal bulk density value of Clay Loams being $1.3g/cm^3$ (nominal value as per Interpreting soil results), the Phosphorus sorption capacity was estimated to be 6,500kg/ha.

= PSorb X 1/3 = 6,500kg/ha X 1/3 = 2,166.kg/ha = 0.217kg/m²

13

P uptake = the amount of P uptake by vegetation over 50 years.

For improved pasture, a phosphorous uptake value of 24 kg/ha/year will be used (as per SCA, 2019), which is equivalent to 0.0024kg/m²/year.

Therefore, P Uptake = 0.0024 (kg/m²/year) x 50 (years)

= 0.1199kg/m²

A = Pgenerated/(PAbsorbed + PUptake)

Where, Pgen = 1,799.085kg, Pabs = 0.217kg/m² and Puptake = 0.1199kg/m²

A = 1,799.085/(0.217 + 0.1199)

 $A = 5,343.82 \text{m}^2$

4.2.4. Hydraulic Loading Method

Hydraulic loading is the amount of liquid applied to land over a specified time interval. The hydraulic loading rate must be such that surface ponding or run-off and excessive percolation of the treated wastewater does not occur. As per the *Silver Book* 2012 the following formula can be used to estimate the size of the irrigation area for secondary treated effluent.

A = Q/DIR

Where Q = 19,716L/day and the DIR = 3.5mm/day (as per AS 1547:2012)

Therefore

A = 19,716/3.5

A=5,633.14 m²

4.2.5. Water Balance & Irrigation Area Size

The purpose of the water balance is to assess the sensitivity of the design to the various inputs and outputs of the system. An irrigation area too small will result in saturated soils for long periods. An irrigation area too large will result in poor dispersal of effluent over the area and during dry periods will result in vegetation dying.

A water balance for the area is contained at Appendix C. This balance utilises the 70th percentile monthly rainfall data as provided in the *Bureau of Meteorology*. The water balance calculation utilised is this report is the minimum area method as per Table A6.2 of the *Silver Book*. Based on the average annual liquid loading, H (the amount of wastewater that maybe applied per year, is calculated as 1,404mm/year. Therefore, using historical data, the land area required is:

- $A = 365 \times \frac{Q}{H}$
- A = land area (m^2)
- Q = average treated wastewater flow rate (L/day) 19,716L/day

H = average annual liquid loading (mm/yr.) -1,404mm/year

 $A = \frac{365 \times 19,716}{1,404}$ $A = 5,125.6 \text{m}^2$

Therefore, based on the largest required minimum area, the Hydraulic Loading requirement of 5,633m² is used for sizing of the effluent disposal requirement.

5. SETBACK REQUIREMENTS

5.1. General

In accordance the Environmental Guidelines - Use of Effluent for Irrigation (2004) published by the Department of Environment and Conservation, separation distances and buffer zone management must consider the nature of the receiving environment and its sensitivity to impacts. Examples of sensitivities that may need protection include:

- surface water
- groundwater
- human health, heritage and well being
- domestic and wild plant and animal health
- native vegetation, wetlands and associated biological diversity.

The Guidelines continue, noting that proponents should recognise that the responsibility for the establishment and management for buffer zones rests with the proponent and that the size of the buffer zone established will need to be justified based on:

- the sensitivity of the receiving environment,
- the strength of the effluent,
- the level of effluent treatment, and
- the method of effluent application

In the case of the Subject Site, the sensitivities identified include surface water, in the form of the nearby Goulburn River, groundwater, with the known presence of water bores in the vicinity of the accommodation facility, and human health, with the proximity of worker accommodation units near the effluent irrigation area considered.

The Guideline provides a list of recommended buffer distances for water resources and public areas, for the protection of such sensitive areas. The recommendations note that for effluent of low strength, as the advanced secondary treated effluent from the OZZI KLEEN Sewage Treatment Plant is expected to be, the buffer distances are determined on a site specific basis and that the most appropriate buffer will be one that complements best effluent irrigation practices in providing a margin of safety against the possibility of nutrient pollution, aerosol drift and human and animal health impacts, without unnecessarily restricting the efficiency of the enterprise or amenity of adjacent land uses.

As a point of departure for determining buffer distances appropriate to the Subject Site, the Australian Standard for On-site domestic wastewater management (AS 1547:2012) was consulted.

5.2. AS1547:2012 – Table R1 Setback Requirements

AS 1547:2012 Table R1 Guidelines for Horizontal and Vertical Setback Distances identifies the following ranges applicable to secondary treated effluent irrigation:

- Property Boundary 1.5m-50m;
- Buildings/houses 2m-6m;
- Surface Waters 15m-100m;
- Bores/Wells 15m-50m;



Thus, given irrigation of secondary treated effluent is the preferred form of effluent disposal and the properties of the soil existing in the area (reducing water infiltration) contamination of groundwater is accepted to have a low risk of occurrence, values within the ranges listed above were selected for application at the Subject Site. A site plan indicating the relevant buffer distances as well as the area identified for siting of the extended irrigation fields is included in Appendix A.

Other site setback requirement as per AS/NZS 1547:2012 are provided in Appendix D.

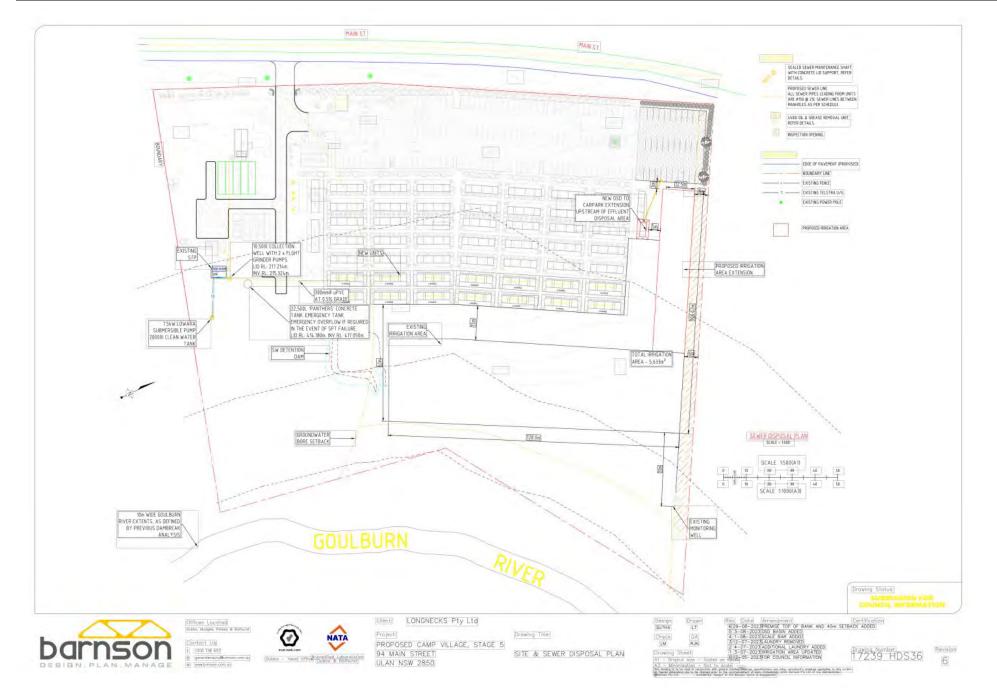
Actual siting of the effluent application area is the responsibility of the licenced plumber. The prescribed buffer areas/setbacks are to be adhered to.

17

6. CONCLUSIONS & RECOMMENDATIONS

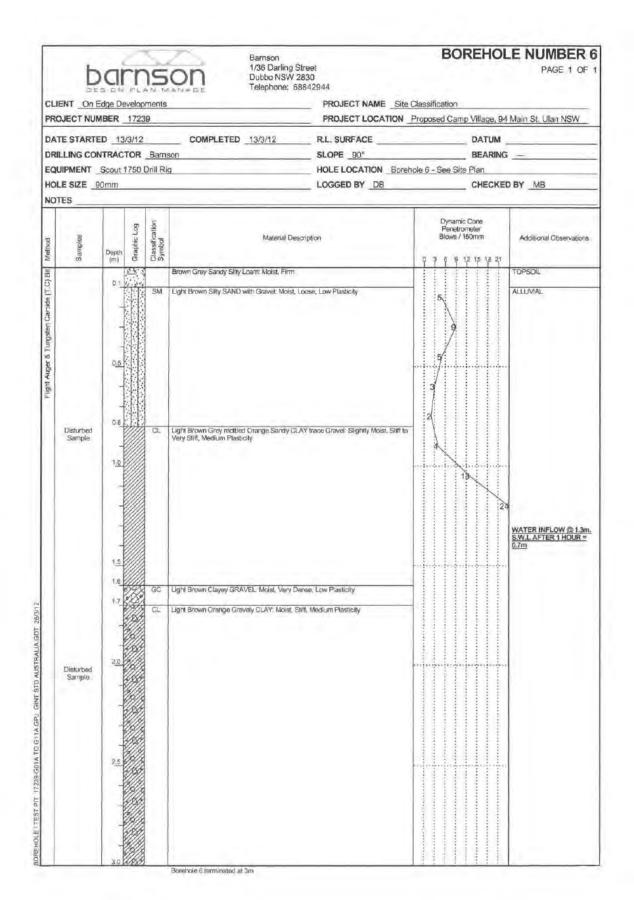
- Calculation of the system requirements for on-site wastewater management of effluent generated from the expanded Ulan Village Green temporary workers accommodation facility was based on conservative assumptions of daily flow, as well as site specific observations of soil at the likely drainage area.
- The system requirements derived from this assessment are; sewage collection coupled to aerated wastewater treatment system(s) capable of treating 20,000L of sewage effluent and disposal of the secondary treated effluent through drip or spray irrigation onto an area of minimum 5,633m².
- The irrigation area is to be protected from disturbances and will not be suitable for foot traffic.
- The area should be fenced off and protected from vehicles and animals.
- Vegetation (pasture grass) cover of the area is recommended and should be slashed, removed and kept well maintained.
- Shrub species can also be used in the land application area. Appendix E provides a list of species suitable for use in the MWRC LGA, taking into consideration Appendix 7 of the Silver Book and the Upper Macquarie Catchment Revegetation Species Guideline.
- The effluent disposal area should be protected from potential run on and stormwater via an upslope diversion drain or beam. An example from the Design and Installation of On Site Wastewater Treatment (2012) guideline is provided at Appendix F.
- As per the 'On-Site Sewerage Management for Single Households' (1998) publication, stakeholders should be aware that all on site systems and components have a finite life and at some point will require replacement. Septic tanks and AWTSs generally require replacement as per the 'On-Site Sewerage Management for Single Households' (1998) publication, stakeholders should be aware that all on site systems and components have a finite life and at some point will require replacement. Septic tanks and AWTS' generally require replacement as per the 'On-Site Sewerage Management for Single Households' (1998) publication, stakeholders should be aware that all on site systems and components have a finite life and at some point will require replacement. Septic tanks and AWTS' generally require replacement every 25 years, whereas effluent disposal systems can have an expected life between 5-15 years. The owner is encouraged to obtain a copy of the NSW Government "The Easy Septic Guide" (2000) available from http://www.olg.nsw.gov.au/sites/default/files/Easy-septic-guide.pdf
- AS1547-2012 section 5.5.3.4, recommends that a reserve application area of similar size to the current design should be considered as part of the risk management process to be available on a site for expansion or for resting of the land application system. Although a reserve application is not a requirement it is advised for consideration where the site allows for location of an additional area.
- It is recommended that a registered plumber be engaged to install the system, in accordance with the recommendations of this report.

APPENDIX A Site Layout and Setback Plans



APPENDIX B Field and Laboratory Results

80	JECT NUM	dge Develop IBER 1723	9		PROJECT NAME Site CI PROJECT LOCATION P	roposed Camp		
		the second second		COMPLETED _13/3/12	and the second second			
		TRACTOR			The second s			
			Drill Re	g	LOGGED BY DB			DRY MR
	e size _9	Omm	_	1			CHECKEI	
	Samples	ୁ କିତ୍ର କୁଜିସ Graphic Log	Classification Symbol	Material Des	cription	Dynamic (Penetrom Blows / 15	leter Omm	Additional Observations
1	Sa	1.5.7	30	Brown Grey Sandy Silty Loam: Moist, Firm		936913	2 15 18 21	TOPSOIL
		1		Brown Grey Sandy Siny Loans moles, Pirm				
		0.2 20.		and the second second	the second second			
		國家	SM	Light Brown Silly SAND with Gravel: Moist, 1	Vedium Dense, Low Plasticity			ALLUMAL
		0.5						
				A 7				
		D.7						
			GL	Light Brown Grey mottled Orange Sandy CL Medium Plasticity	AY trace Gravel: Slightly Moist, Stiff,			
	Disturbed Sample						111	
L	- Sentere	1						
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		2.7	CL	Light Brown Grey mottled Orange Sandy Cl	LAY trace Gravel: Wet. Firm, High			WATER INFLOW @2.
				Plasticity				
111		1 1///	54			1111		





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Consulting Civil, Structural and Geotechnical Engineers, Environmental Consultants Project Management, NATA Soil and Concrete Laboratory

Report For The Soil Index Properties

Sample		8H1 800mm	BH1 2.0m	BH2 2.0m	ВН4 800mm
LIQUID LIMIT %	WL	Boomin	2.0/11	2,011	ooonini
Method: Standard One Point	3				0.7
As per AS 1289.3.1.1/3.1.2					
PLASTIC LIMIT %	WP				
As per AS 1289 3.2.1					
PLASTICITY INDEX %	IP				
l de la compañía de l	1.1				
As per AS 1289 3.3.1 LINEAR SHRINKAGE %	LS				-
LINEAR SHRINKAGE 70	15	8.5%	13.0%	11.0%	5.0%
As per AS 1289 3.4.1			140.0		1.1.0
FIELD MOISTURE					
CONTENT AS1289.2.1.1	(%)				
Air Drying Oven Drying Curling Slight	x	Wet Sievi Dry Sievi Crumblin	ng x		
Oven Drying Curling Slight Moderate High	x	Dry Sievi Crumblin	ng x		
Oven Drying Curling Slight Moderate High Length of Linear Shrinkage Mould	x	Dry Sievi Crumblin	ng x		
Oven Drying Curling Slight Moderate High Length of Linear Shrinkage Mould Pretreatment Method: T102 T103 Sample Prepared as per AS 1289.1. Soil moisture content was done as	x if Differs from	Dry Sievi Crumblin 250mm CA3 W & 5.3.1	ng x ig N/a	2/12	
Oven Drying Curling Slight Moderate High Length of Linear Shrinkage Mould Pretreatment Method: T102 T103 Sample Prepared as per AS 1289.1.	x if Differs from	Dry Sievi Crumblin 250mm CA3 W & 5.3.1 1.1	ng x ig N/a	2/12.	
Oven Drying Curling Slight Moderate High Length of Linear Shrinkage Mould Pretreatment Method: T102 T103 Sample Prepared as per AS 1289.1. Soil moisture content was done as	x if Differs from 1. section 5.1 (per A\$1289.2)	Dry Sievi Crumblin 250mm CA3 W & 5.3.1 1.1	ng x ig N/a	2/12.	
Oven Drying Curling Slight Moderate High Length of Linear Shrinkage Mould Pretreatment Method: T102 T103 Sample Prepared as per AS 1289.1. Soil moisture content was done as	x if Differs from 1. section 5.1 (per A\$1289.2)	Dry Sievi Crumblin 250mm CA3 W & 5.3.1 1.1	ng x ig N/a	7/12.	
Oven Drying Curling Slight Moderate High Length of Linear Shrinkage Mould Pretreatment Method: T102 T103 Sample Prepared as per AS 1289.1. Soil moisture content was concess Approved Signatory:	x if Differs from 1. section 5.1 o per A\$1289.2 Matthew B	Dry Sievi Crumblin 250mm CA3 W & 5.3.1 1.1	ng x ig N/a	7/12.	
Oven Drying Curling Slight Moderate High Length of Linear Shrinkage Mould Pretreatment Method: T102 T103 Sample Prepared as per AS 1289.1. Soil moisture content was chore as Approved Signatory:	x if Differs from 1. section 5.1 (per A\$1289.2) Matthew B	Dry Sievi Crumblin 250mm CA3 W & 5.3.1 1.1	ng x ig N/a	2/12.	
Oven Drying Curling Slight Moderate High Length of Linear Shrinkage Mould Pretreatment Method: T102 T103 Sample Prepared as per AS 1289.1. Soil moisture content was done as	x if Differs from 1. section 5.1 (per A\$1289.2) Matthew B	Dry Sievi Crumblin 250mm CA3 W & 5.3.1 1.1	ng x ig N/a	2/12.	

	Ses	Sample Drop Off:	16 Chilvers Road Thomleigh NSW 212 PO Box 357 Pennant Hills NSW 1	Tel: 02 9980 5 0 Fax: 02 9484 2 Em: info@seal	427 .com.au	Guality 150 9001
Batch N*: 21805	Sample N*:	1 Date Recei	ved: 16/3/12	Report	Status: O Draft	OFina
Client Contact: Nat Client Job N*: 173 Client Order N* Address: Un	rnson Pty Ltd alle Richards 129 It 2, 108-110 Market 1 dgee NSW 2850	CAR WELL BO	Main Rd, Ulan e N°: me: Horizon A : Soil	mp ESP, TDS, P-Sorp, PS	GAUS, mEAT	
TEST	RESULT	COMMENTS				
pH in water 1:5	7.4	Slight alkalinity				
pH in CaCl ₂ 1.5	6.4	Slight acidity				
EC mS/cm 1:5	0.03	Very Low Salinity				
CATION ANALYSIS	-					
TEST	SOL	UBLE		EXCHANGEABI		
	meq%	Comment	meg%	% of ECEC	Comment	
Sodium			0.1	5.90	Elevated	
Potassium			0.2	11,80	Acceptable	·
Calcium			0.8	47.10	Very low	
Magnesium Aluminium			0.6 D.N.T.	35.30	High	
		ECEC	1.70		Very low	
		Ca/Mg	1 2.20		Low	
Phosphate Retention	on Index (%):	P	RI (mgP/kg):	PRI (kg	/ha):	
PHYSICAL CHARA	CTERISTICS				Comment	
Texture:	Did not test	Field	d Density (g/mL):			
Texture comment:			erson Stability Class			
Size:	a famin			ligh SAR: 6		
Aggregate strength Structural unit:	Did not test Did not test	Part	icle Size Analysis (F			
	ant (%): Did not test			ivel 4.9		
	n rate: Did not test	0	2-0.2 mm Coarse .2-0.02 mm Fine			
Additional commer			2 - 0.002 mm s	danta, the		
			< 0.002 mm Cl			
Recommendation	S					
Phosphate Sorption Inc TDS: 19.2mg/L	lex: 69.3 mg kg -1 / log 1	0 ug L-1 Phosphate Adsorb	ed from Soil from 150m) P kg -1: 32.5%		
The stability of aggr	egales is expected to inc ion, flocculate completel	t, this soil shows slight acidity and rease with the application of high ic after standing for five minutes. Ag	onic strength water (i.e.			nditions

The unbelanced soil chemistry is the only limitation of this soil and if initial plant growth is struggling, this soil can be ameliorated by the following recommendations:

- apply 70g/sqm of gypsum incorporated into 150mm of this material that will improve the cation balance.

Adarba Palewarcen pet EC Sanata Calana, Nitrae Bristoy al et (183), Eschargesen Casen, ECED, Merinal 18A (Rayment & Higgmune (1982) Connols vagal (1981), Aummun Metud 350 APHA (1992), Pleasterne, Malinal BCI Rayment & Higgmune (1982), Max Bicck Dennity, Method 204 & Bicck (1982), Nation Charmer & Murphy (1991), Kierrore e Aggingate Test, Charmer & Murphy (1991), Pation Tae Analysis, Wolfled Bare (1989) Mathod 45-1 is 45-6.

Consultant: Kelly Lee

Authorised Signatory: Ryan Jacka

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29 Mar 2012

	SES AUSTRIA	Mailing Address:	16 Chilvers Road Thomleigh NSW 2120 PO Box 357 Pennant Hills NSW 17	Em: info@ses	2427 1.com.au				
Batch N*: 21805	Sample Nº: 2	Date Receiv	ved: 16/3/12	Report	Status: O Draft Fina				
Client Contact: Na Client Job N*: 17 Client Order N*: Address: Un	rnson Pty Ltd talie Richards 329 nit 2, 108-110 Market St udgee NSW 2850	Location: SESL Quote Sample Nan	SESL Quote N* Sample Name: Horizon B Description: Soil						
TEST	RESULT	COMMENTS							
pH in water 1.5	8.2	Moderately Alkaline							
pH in CaCl ₂ 1:5	7.2	Neutral							
EC mS/cm 1:5	0.06	Low							
CATION ANALYSI	5	1			-				
TEST	SOLU			1 - 4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 -	EXCHANGEABLE				
	meq%	Comment	meq%	% of ECEC	Comment				
Sodium Potassium Calcium Magnesium Aluminium			0.3 0.3 1.2 1.4 D.N.T	9.40 9.40 37.50 43.80	High Acceptable Very Low Extreme				
	I	ECEC Ca/Mg	3.20 1.40		Very low Low				
Phosphate Retenti	on Index (%):	PR	(mgP/kg):	PRI (kg	y/ha):				
PHYSICAL CHARA	CTERISTICS				Comment				
Texture: Texture comment: Size: Aggregate strengt Structural unit:		Field Density (g/mL): Emerson Stability Class: H20 2.2 Low SAR: 3.1 High SAR: 6 Particle Size Analysis (PSA)							
aul - 19-19-191 - 1910	ent (%): Did not test		> 2mm Gravel 4.9 2 - 0.2 mm Coarse Sand 0						
Potential infiltratio	and the second se	0.1	2-0.2 mm Coarse 2-0.02 mm Fine S	ound -					
Additional comme		0.02	- 0.002 mm Sil < 0.002 mm Cla	12.6					
			A CARLE CHA	1					

For the purpose of onsite effluent disposal report, this soil shows a neutral pH and low salt content.

The stability of aggregates is expected to increase with the application of high ionic strength water (i.e. effluent). The Emerson Stability Class indicates sol aggregates, in suspension, flocculate completely after standing for five minutes. Aggregates in this class are mechanically weak (slaking) but chemical conditions are such that colloids will not disperse even if severely provoked. A minimum of precaution in ploughed fields to prevent long runoff slopes is required. This soil poses slight to nil limitations to effluent disposal depending of topography. The unbalanced soil chemistry is the only limitation of this soil and if initial plant growth is struggling, this soil can be ameliorated by the following

recommendations

- apply 170g/sqm of gypsum incorporated into 150mm of this material that will improve the cation balance.

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Consultant: Kelly Lee

Authorised Signatory: Ryan Jacka

Date of Report:

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29 Mar 2012

APPENDIX C Water and Nutrient Balances

Minimum Area Method Water Balance an Wet Weather Storage Calculations

Barnson Job No	17239	· · · · · · · · · · · · · · · · · · ·														
Location :	Ulan Villag	e Green		I												
Design Wastewater Flow	9	l/day	19716			Climate	2.5	As per Soil	Landscape	s of Dubbo :	1:250 000					
Design Percolation Rate	R	mm/day	3,5	1		Zone	3 C	Dropdown			ostructor.					
Paramter	Symbol	Formula	Units	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Total
Days in Month	(D)	n/a	days	31	28	31	30	31	30	31	31	30	31	30	31	365
Precipitation (70th percentile)	(P)	n/a	mm/month	94	86	76	64	70	75	60	66	60	81	78	96	906
Evaporation	(E.)	n/a	mm/month	229	178	155	104	51	46	41	58	89	130	165	229	1475
Crop Factor (as per Silver Book)	(C)	n/a	n/a	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
Outputs Evapotranspiration Percolation Outputs	(ET) (B)	E X C (R/7)xD (ET +B)	mm/month mm/month mm/month	160.3 108.5 268.8	124.6 98.0 222.6	108.5 108.5 217.0	72.8 105.0 177.8	35.7 108.5 144.2	32.2 105.0 137.2	28.7 108.5 137.2	40.5 108.5 149.1	62.3 105.0 167.3	91 108.5 199.5	115.5 105.0 220.5	160.3 108.5 268.8	1032.5 1277.5 2310.0
Inputs	1															
Precipitation (70th percentile)	(P)	n/a	mm/month	94	86	76	64	70	75	60	66	60	81	78	96	906
Possible Efflient Irrigation	(W)	(ET + B) -P	mm/month	174.8	136.6	141.0	113.8	74,2	62.2	77.2	83.1	107,3	118.5	142,5	172,8	1404.0
Actual Effluent Production	(1)	H/12	mm/month	117.0	117.0	117.0	117.0	117.0	117.0	117.0	117.0	117.0	117.0	117.0	117.0	117.0
Inputs		(P +1)	mm/month	211.0	203.0	193.0	181.0	187.0	192.0	177.0	183.0	177.0	198.0	195.0	213,0	1023.0
Storage	(S)	(P+1) - (ET+B)	mm/month	-57.8	-19.6	-24.0	3.2	42.8	54.8	39.8	33.9	9.7	-1.5	-25.5	-55.8	
Cumulative Storage	(M)	n/a	mm	0.0	0.0	0.0	3.2	46.0	100.8	140.6	174.5	184.2	182.7	157.2	101,4	

Note - H = sum of W

Irrigation Area	(L)	365 x Q/H	m ²	5125.6
Storage	(v)	Largest M	mm	184.2
		(V xL)/1000	m ³	944.1

Phosphours Balance

Job Number 17239

Soil Depth	pSorption (mg/	pSorption/soil layer
0-20	250	5000
20-40	420	8400
40-70	560	16800
70-100	580	17400

 Weighted Psorp =
 Column C/thickness

 Weighted Psorp =
 500 mg/kg

 OR USE Psorption Uptake values for soil type as per Appendix 1 of SCA pg 207

BULK Density - use the following, unless determined by lab/field (5CM pg, 207)

Soul Type	g/cm3
Sandy Soil	1.8
Fine sandy loam*	1.6
Intermediate	1,5
clay	1,3

Need to calculate the pSorption of the soil in lig/ha, using the bulk density and Weighted Psorb mg/kg Note - use top 1m of the soil

1 hecatre = 10,000m2

Therefore in the top 1m of soil = 10,000m2 X 1m X Bulk density 13000 tonnes/hectare of soil (update with Bulk density) Convert tonnes to kg 13000000 kg Therefore the pSorption is value mg/kg X kg of soil you have

650000000 mg/hectare

Convert mg/ha to kg/ha 6500

	al phosphorus (TP) concer	ntration x volume (V) of wasewater produced in 50 years
	P = 5mg/L (from manufact	
v	= Q × 365 days × 50 years,	, where Q is daily flow L/d
Q L/day=	19716	1
Pgenerated =	1799085000 mg	
Convert to kg	1799.09 kg	
Is value × 1/3 = convert to kg/m2	2166.666667 kg/ha 0.217 kg/m2	phosphorus scration capacity, therefore in accordance with the silver book, use
Puppie = the amount o	of vegetation uptake over .	50 years
Pupiete = the amount o Is value from SCA pg207 X	365 days X50 years	and the second s
Popose = the amount o Is value from SCA pg207 X Value (kg/ha/year)	365 days X50 years 24 (choose t	rom SCM Appendix 1 or use 12 for unmaintained lawn)
Papate = the amount o Is value from SCA pg207 X Value (kg/hā/year) Convert to mg/m2/day	365 days X50 years 24 (choose t 6.57098 (using co	from SCM Appendix 1 or use 12 for unmaintained lawn) nversion factor from per year to per day)
	365 days X50 years 24 (choose t 6.57098 (using co	from SCM Appendix 1 or use 12 for unmaintained lawn) nversion factor from per year to per day)

Irrigation Area =	5344.9 m2
Puptate =	0.1199
Pabsorbed =	0.217
Pgenerated =	1799,09

APPENDIX D Site Setback Requirements

Site feature	Setback distance range (m) (See Note 1)	Site constraint items of specific concern (from Table R2) (see Note 1)
	Horizontal setback distance (m)	
Property boundary	1.5 – 50 (see Note 2)	A, D, J
Buildings/houses	2.0 - > 6 (see Note 3)	A, D, J
Surface water (see Note 4)	15 – 100	A, B, D, E, F, G, J
Bore, well (see Notes 5 and 6)	15 – 50	A, C, H, J
Recreational areas (Children's play areas, swimming pools and so on) (see Note 7)	3 – 15 (see Notes 8 and 9)	A. E. J
In-ground water tank	4 - 15 (see Note 10)	A, E, J
Retaining wall and Embankments, escarpments, cuttings (see Note 11)	3.0 m or 45° angle from toe of wall (whichever is greatest)	D, G, H
	Vertical setback distance (m)	
Groundwater (see Notes 5, 6, and 12)	0.6 - > 1.5	A, C, F, H, I, J
Hardpan or bedrock	0.5 - ≥ 1.5	A, C, J
NOTES:		

TABLE R1
GUIDELINES FOR HORIZONTAL AND VERTICAL SETBACK DISTANCES

(to be used in conjunction with Table R2)

1 The overall setback distance should be commensurate with the level of risk to public health and the environment. For example, the maximum setback distance should be adopted where site/system features are on the high end of the constraint scale. The setback distance should be based on an evaluation of the constraint items and corresponding sensitive features in Table R2 and how these interact to provide a pathway or barrier for wastewater movement.

2 Subject to local regulatory rules and design by a suitably qualified and experienced person, the separation of a drip line system from an upslope boundary, for slopes greater than 5%, may be reduced to 0.5 m.

TABLE R1 GUIDELINES FOR HORIZONTAL AND VERTICAL SETBACK DISTANCES

(to be used in conjunction with Table R2) (continued)

3	Setback distances of less than 3 m from houses are appropriate only where a drip irrigation land application system is being used with low design irrigation rates, where shallow subsurface systems are being used with equivalent low areal loading rates, where the risk of reducing the bearing capacity of the foundation or damaging the structure is low, or where an effective barrier (designed by a suitably qualified and experienced person) can be installed. This may require consent from the regulatory authority.
4	Setback distance from surface water is defined as the areal edge of the land application system to the edge of the water. Where land application areas are planned in a water supply catchment, advice on adequate buffer distances should be sought from the relevant water authority and a hydrogeologist. Surface water, in this case, refers to any fresh water or geothermal water in a river, lake, stream, or wetland that may be permanently or intermittently flowing. Surface water also includes water in the coastal marine area and water in man-made drains, channels, and dams unless these are to specifically divert surface water away from the land application area. Surface water excludes any water in a pipe or tank.
5	Highly permeable stony soils and gravel aquifers potentially allow microorganisms to be readily transported up to hundreds of metres down the gradient of an on-site system (see R3, Table 1 in Pang et al. 2005). Maximum setback distances are recommended where site constraints are identified at the high scale for items A, C, and H. For reading and guidance on setback distances in highly permeable soils and coarse- grained aquifers see R3. As microbial removal is not linear with distance, data extrapolation of experiments should not be relied upon unless the data has been verified in the field. Advice on adequate buffer distances should be sought from the relevant water authority and a hydrogeologist.
6	Setback distances from water supply bores should be reviewed on a case-by-case basis. Distances can depend on many factors including soil type, rainfall, depth and casing of bore, direction of groundwater flow, type of microorganisms, existing quality of receiving waters, and resource value of waters.
7	Where effluent is applied to the surface by covered drip or spray irrigation, the maximum value is recommended.
8	In the case of subsurface application of primary treated effluent by LPED irrigation, the upper value is recommended.
9	In the case of surface spray, the setback distances are based on a spray plume with a diameter not exceeding 2 m or a plume height not exceeding 0.5 m above finished surface level. The potential for aerosols being carried by the wind also needs to be taken into account.
10	It is recommended that land application of primary treated effluent be down gradient of in-ground water tanks.
11	When determining minimum distances from retaining walls, embankments, or cut slopes, the type of land application system, soil types, and soil layering should also be taken into account to avoid wastewater collecting in the subsoil drains or seepage through cuts and embankments. Where these situations occur setback clearances may need to be increased. In areas where slope stability is of concern, advice from a suitably qualified and experienced person may be required.
12	Groundwater setback distance (depth) assumes unsaturated flow and is defined as the vertical distance from the base of the land application systems to the highest seasonal water table level. To minimise potential for adverse impacts on groundwater quality, minimum setback distances should ensure unsaturated, aerobic conditions in the soil. These minimum depths will vary depending on the scale of site constraints identified in Table R2. Where groundwater setback is insufficient, the ground level can be raised by importing suitable topsoil and improving effluent treatment. The regulatory authority should make the final decision in this instance. (See also the guidance on soil depth and groundwater clearance in Tables K1 and K2.)

TABLE R2 SITE CONSTRAINT SCALE FOR DEVELOPMENT OF SETBACK DISTANCES

(used as a guide in determining appropriate setback distances from ranges given in Table R1)

Item	Site/system	Constraint sca	ale (see Note 1)	Constitue fort
item	feature	Examples of constrai	Sensitive features	
A	Microbial quality of effluent (see Note 3)	Effluent quality consistently producing ≤ 10 cfu/100 mL <i>E. coli</i> (secondary treated effluent with disinfection)	Effluent quality consistently producing ≥ 10 ⁶ cfu/100 mL <i>E. coli</i> (for example, primary treated effluent)	Groundwater and surface pollution hazard, public health hazard
в	Surface water (see Note 4)	Category 1 to 3 soils (see Note 5) no surface water down gradient within > 100 m, low rainfall area	Category 4 to 6 soils, permanent surface water <50 m down gradient, high rainfall area, high resource/environmental value (see Note 6)	Surface water pollution hazard for low permeable soils, low lying or poorly draining areas
С	Groundwater	Category 5 and 6 soils, low resource/environmental value	Category 1 and 2 soils, gravel aquifers, high resource/environmental value	Groundwater pollution hazard
D	Slope	0 - 6% (surface effluent application) 0 - 10% (subsurface effluent application)	> 10% (surface effluent application), > 30% subsurface effluent application	Off-site export of effluent, erosion
E	Position of land application area in landscape (see Note 6).	Downgradient of surface water, property boundary, recreational area	Upgradient of surface water, property boundary, recreational area	Surface water pollution hazard, off-site export of effluent
F	Drainage	Category 1 and 2 soils, gently sloping area	Category 6 soils, sites with visible seepage, moisture tolerant vegetation, low lying area	Groundwater pollution hazard
G	Flood potential	Above 1 in 20 year flood contour	Below 1 in 20 year flood contour	Off-site export of effluent, system failure, mechanica faults
н	Geology and soils	Category 3 and 4 soils, low porous regolith, deep, uniform soils	Category 1 and 6 soils, fractured rock, gravel aquifers, highly porous regolith	Groundwater pollution hazard fo porous regolith an permeable soils
Ĭ	Landform	Hill crests, convex side slopes, and plains	Drainage plains and incise channels	Groundwater pollution hazard, resurfacing hazard
J	Application method	Drip irrigation or subsurface application of effluent	Surface/above ground application of effluent	Off-site export of effluent, surface water pollution

NOTES:

1 Scale shows the level of constraint to siting an on-site system due to the constraints identified by SSE evaluator or regulatory authority. See Figures R1 and R2 for examples of on-site system design boundaries and possible site constraints.

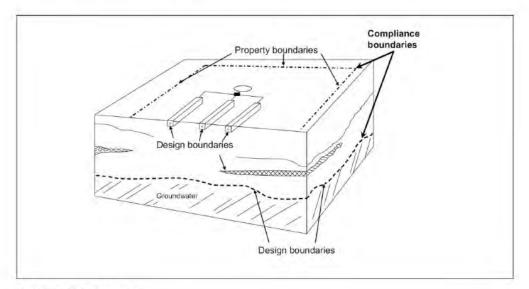
2 Examples of typical siting constraint factors that may be identified either by SSE evaluator or regulatory authority. Site constraints are not limited to this table. Other site constraints may be identified and taken into consideration when determining setback distances.

TABLE R2 SITE CONSTRAINT SCALE FOR DEVELOPMENT OF SETBACK DISTANCES

(used as a guide in determining appropriate setback distances from ranges given

in Table R1) (continued)

- 3 The level of microbial removal for any on-site treatment system needs to be determined and it should be assumed that unless disinfection is reliably used then the microbial concentrations will be similar to primary treatment. Low risk microbial quality value is based on the values given in ARC (2004), ANZECC and ARMCANZ (2000), and EPA Victoria (Guidelines for environmental management: Use of reclaimed water 2003).
- 4 Surface water, in this case, refers to any fresh water or geothermal water in a river, lake, stream, or wetland that may be permanently or intermittently flowing. Surface water also includes water in the coastal marine area and water in man-made drains, channels, and dams unless these are to specifically divert surface water away from the land application area. Surface water excludes any water in a pipe or tank.
- 5 The soil categories 1 to 6 are described in Table 5.1. Surface water or groundwater that has high resource value may include potable (human or animal) water supplies, bores, wells, and water used for recreational purposes. Surface water or groundwater of high environmental value include undisturbed or slightly disturbed aquatic ecosystems as described in ANZECC and ARMCANZ (2000).
- 6 The regulatory authority may reduce or increase setback distances at their discretion based on the distances of the land application up or downgradient of sensitive receptors.



(Adapted from USEPA 2002)

FIGURE R1 EXAMPLE OF DESIGN AND COMPLIANCE BOUNDARIES FOR APPLICATION OF SETBACK DISTANCES FOR A SOIL ABSORPTION SYSTEM



APPENDIX 7 VEGETATION SUITABLE FOR LAND APPLICATION AREAS

Botanical Name	Approximate Height	Common Name or Variety
	- AND DED FOR	A CONTRACTOR
Grasses		
Carex spp. Lomandra longifolia Microlaena stipoides Oplismenus imbecillis Pennisetum alopecuroides Poa lab Sipa spp.	40 - 80 cm	Available as lawn turf
Ground cover/climbers		
Hibbertia scandens		Snake vine
Hibbertia stellaris Isotoma fluviatalis	Prostrate	
Kennedia rubicunda Scaevola albida Scaevola ramosissima Veronica plebeia	Climber	Dusky coral pea
Viola hederacea		Native violet
Sedges/grasses/small plants		
Anigozanthus flavidus	2m	Kangaroo Paw
Baumea acuta	Date:	
Baumea articulata Baumea juncea	Sedge	
Baumea nuda	Sedge	
Baumea rubiginosa	Sedge	
Baumea teretifolia	Sedge	0.11. 0.11
Blandfordia grandiflora	30-90cm	Christmas Bell
Blandfordia nobilis Brachyscome diversifolia	30-90cm Clump	Christmas Bell Native Daisy
Carex appressa	Sedge	Nauve Dalay
Cotula coronopifolia	10-20cm	Waterbutton
Crinum pedunculatum	<2m	Swamp Lily
Cyperus polystachyos	Sedge	Dive Devilie
Dianella caerulea Epacris microphylla	Low plant 50cm -1m	Blue Flax Lily
Ferns	Social - An	
Gahnia spp.	Tall Grass	
Juncus spp.	0.5 m Rush	
Lobelia trigonocaulis	5-10cm Grass	
Lomandra spp. Patersonia fragilis	Grass	Native Iris
Patersonia glabrata		Native Iris
Patersonia occidentalis		Native Iris
Ranunculus graniticola	5cm	
Restio australis	Reed	
Restio tetraphyllus Sowerbaea juncea	1m Sedge	Rush Lily
Tetratheca juncea	<30cm	resarcity
Xyris operculata	<1m	Tall Yellow Eye



Botanical Name	Approximate Height	Common Name or Variety
Shrubs	ALL LIST CO.	
Agonis flexuosa nana		
Baekea linifolia	1 - 2.5 m	
Baekea utilis	1-2.5 m	
Baekea virgata	< 4 m	
Banksia aemula	1 - 7 m	
Banksia robur	0.5 - 2 m	
Bauera ruboides	0.5 - 1.5 m	
Callistemon	2 - 3 m	Burgundy
Callistemon	2-4 m	Eureka
Callistemon	3-4 m	Harkness
Callistemon	3 - 4.5 m	Kings Park Special
Callistemon	2 - 3 m	Mauve Mist
Callistemon	1 - 2.5 m	Red Clusters
Callistemon	2-3 m	Reeves Pink
Callistemon citrinus	50 - 80 cm	Austraflora Firebrand
Callistemon citrinus	2-4 m	Splendens
Callistemon citrinus	60cm - 1m	White Ice
Callistemon linearis	1 - 3 m	
Callistemon macropunctatus	2-4 m	
Callistemon pachyphyllus	2-3m	
Callistemon pallidus	1.5 - 4 m	
Callistemon paludosus	3 - 7 m	
Callistemon pinifolius	1 - 3 m	
Callistemon rigidus	1.5 - 2.5 m	
Callistemon salignus	3-10m	
Callistemon shiresii	4 - 8 m	
Callistemon sieberi	1.5 - 2 m	
Callistemon sieberi	50 - 80 cm	Austraflora Little Cobber
Callistemon subulatus	1 - 2 m	
Callistemon viminalis	1 - 2 m	Captain Cook
Callistemon viminalis	5 - 10 m	Dawson River
Callistemon viminalis	3 - 5 m	Hannah Ray
Callistemon viminalis	50 cm - 1 m	Little John
Callistemon viminalis	1.5 - 2 m	Rose Opal
Callistemon viminalis	2 - 3 m	Western Glory
Goodenia ovata	1 - 1.5 m	
Hibiscus diversifolius	1 - 2 m	Swamp hibiscus
Kunzea capitata	1 - 2 m	Contraction of the second
Leptospermum flavescens	< 2 m	Tea-tree
Leptospermum juniperinum	1 m	Tea-tree
Leptospermum lanigerum	1 - 2 m	Woolly tea-tree
Leptospermum squarrosum	< 2 m	Tea-tree
Melaleuca alternifolia	4 - 7 m	
Melaleuca decussata	1 - 2 m	Cross-leaved honey myrtle
Melaleuca lanceolata	4 - 6 m	
Melaleuca squamea	1 - 2 m	
Melaleuca thymifolia		



Botanical Name	Approx Height	Common Name or Variety
Trees	HIPUST	
11055	1.	
A cassis alangada	> 2 m	
Acacia elongata Acacia floribunda	2 - 4 m	Gossamer wattle
Acacia nonbunda Agonis flexuosa	5-6 m	Willow myrtle
Agonis nexuosa Allocasuarina diminuta	1.5 m	the state of the s
Allocasuarina ominuta Allocasuarina paludosa	0.5 - 2 m	
Angophora floribunda	Large tree	
	Large tree	
Angophora subvelutina Callicoma serratifolia	< 4m	
	10 - 30 m	River she-oak
Casuarina cunninghamiana	6 - 12 m	Swamp oak
Casuarina glauca	Large tree	Blueberry ash
Baeocarpus reticulatis	Large tree	5
Eucalyptus amplifolia	10 - 30 m	
Eucalyptus botryoides (coastal areas)	15 - 20 m	River red gum
Eucalyptus carnaldulensis (west of ranges)	Large tree	Blue Mountains blue gum
Eucalyptus deanei	Large tree	River Peppermint
Eucalyptus elata	10 - 20 m	Flooded gum
Eucalyptus grandis	20 m	Woollybutt
Eucalyptus longifolia	30 - 40 m	Blackbutt
Eucalyptus pilularis	< 35 m	Greygum
Eucalyptus punctata	20 - 30 m	Swamp mahogany
Eucalyptus robusta	30 - 50 m	Sydney blue gum
Eucalyptus saligna (coastal)	30 - 40 m	Forest red gum
Eucalyptus tereticomis	20 - 40 m	Ribbon gum
Eucalyptus viminalis (ranges) Acmena smithii	10 - 20 m	Lilli pilli
	< 40 m	Native teak
Flindersia australis	3 - 6 m	Native frangipani
Hymenosporum flavuum	3-4 m	Bracelet honey myrtle
Melaleuca armillaris	4 - 7 m	
Melaleuca decora	6 m	
Melaleuca ericifolia	4-6m	
Melaleuca halmaturorum	2-3m	
Melaleuca hypericifolia	4 - 8 m	Snow in summer
Melaleuca linariifolia	5 - 7 m	Broad paperbark
Melaleuca quinquenervia	6 m	erane paperent
Melaleuca squarrosa	6 - 15 m	
Melaleuca stypheloides	15 - 20 m	
Melia azedarach	the second cost	
Pittosporum spp.	8 - 10 m	Bush cherry
Syzgium paniculatum	5 - 15 m	Kanuka
Tristania laurina		Golden spray
Viminaria juncea	2 - 3 m	

Source: Australian Plants Society





APPENDIX F Concept Design Sketches – Irrigation System

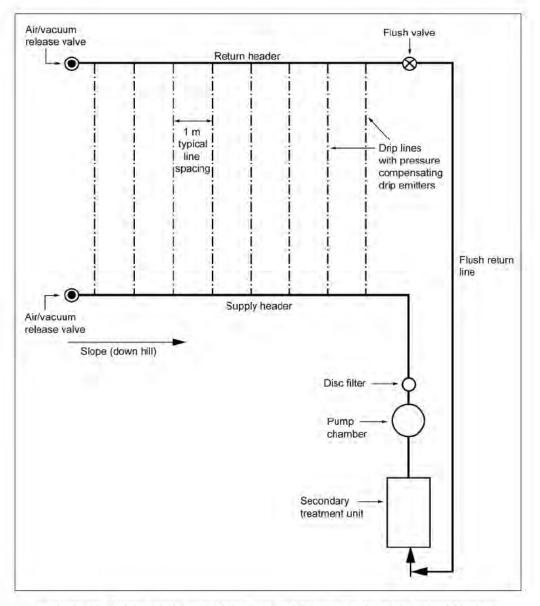


FIGURE M1 DRIP IRRIGATION SYSTEM - EXAMPLE LAYOUT OF COMPONENTS

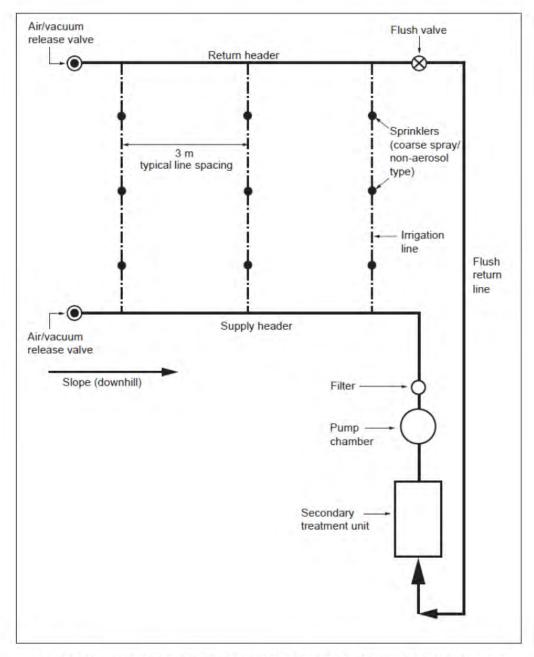
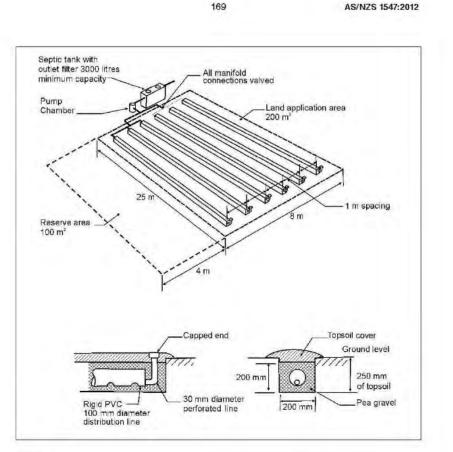


FIGURE M2 SPRAY IRRIGATION SYSTEM - EXAMPLE LAYOUT OF COMPONENTS



NOTES:

4

1 Example system sized for 700 L/d and DIR of 3.5 mm/d in soil Category 3 (see Table M1).

2 Preferred dosing method is by a 6-way automatic sequencing valve.

3 Good quality topsoil to 250 mm depth is required.

Flexible 100 mm diameter corrugated drainage line can be used in place of rigid PVC.

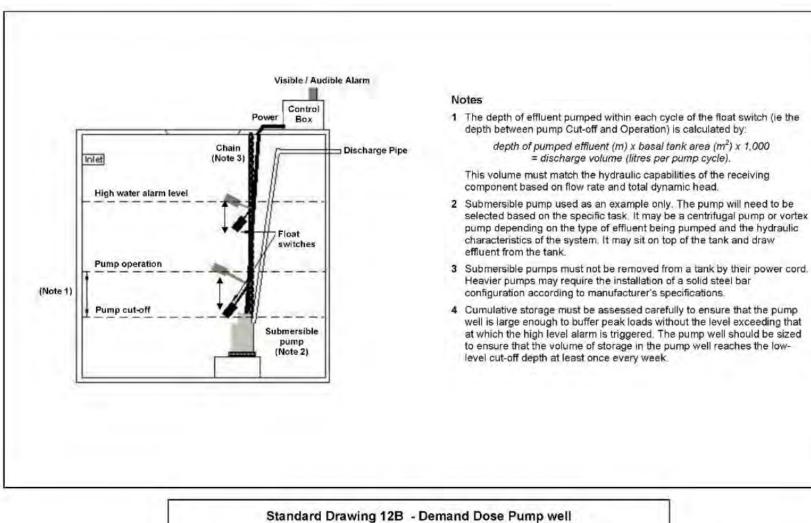
5 Distribution aggregate of 10 mm to 15 mm size can be used in place of pea gravel.

FIGURE M3 SHALLOW SUBSURFACE LPED IRRIGATION - EXAMPLE SYSTEM

CDPY RIGHT © Standards Australia and Standards New Zealand

Design and Installation of On-site Wastewater Systems





(not to scale)



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27 November 2022

Claire Cam Manager – Water and Sewer Mid-Western Regional Council 86 Market Street MUDGEE, NSW 2850

by email: claire.cam@midwestern.nsw.gov.au

FOLLOW-UP PEER REVIEW: CAERLEON ESTATE - ODOUR MONITORING & ASSESSMENT

Dear Claire,

As requested, The Odour Unit Pty Ltd (**TOU**) has conducted a peer review of *Caerleon Estate* – *Odour Monitoring & Assessment* (the **Updated Assessment**) and associated documentation and modelling files authored by Assured Environmental Pty Ltd (**AE**) and provided by Mid-Western Regional Council's (**MWRC**). The following documentation was received for this peer review:

- Caerleon Mudgee Caerleon Estate Odour Assessment Letter, AE, 12 May 2022 [13923 LET R0.pdf];
- Caerleon Estate Odour Monitoring & Assessment, AE, 12 May 2022 [13923 AQA R1_merged.pdf]; and
- Modelling files from the Assessment [Modelling Files Updated.zip].

Previously, TOU conducted a peer review of the original odour assessment report entitled *Caerleon Estate – Odour Assessment of Mudgee STP and Landfill* dated 19 March 2021 (the **Previous Assessment**), and a further review of documentation and modelling files provided in response to MWRC's request for information based on TOU's peer review dated 4 August 2021 (the **Review Response**).

1 Relevant Background and Context

There was a total of fourteen (14) review items raised by MWRC and responded to by AE. The outstanding matters from the Review Response that were requested in the further review by TOU to be addressed included:

- On-site validation and/or detailed contextual backgrounds to confirm the estimated emissions inventory is truly representative of the sites modelled;
- Use of area sources in favour of volume source approximation methods in the modelling;
- Sensitivity of modelling outcomes tested with use of conservative odour emission rates, specifically the biofilter and biosolids dewatering at the Mudgee Sewage Treatment Plant (STP);
- Provision of information about the throughput of the future operations and expected waste type proportions at the Mudgee Solid Waste Facility (SWF); and

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 Sensitivity of modelling outcomes tested with the probability density function (PDF) enabled (i.e., MPDF = 1).

AE, TOU and MWRC discussed a methodology for the odour monitoring and gas sampling plan. A formal agreed approach on the Updated Assessment was not understood by TOU to be formalised. A summary of the discussed approach is documented by AE in Sections 5.1, 7.1 and 8.3 of the Updated Assessment and reproduced in Section 1.1, Section 1.2, and Section 1.3, respectively, for completeness.

1.1 Odour Monitoring

For the Field Ambient Odour Assessment (FAOA) survey methodology, the following is noted in the Updated Assessment:

- FAOA surveys are to be conducted early-morning (05:00 07:00 hours) and late-evening (19:00 – 21:00 hours) during each visit to Mudgee when undertaking the sampling;
- FAOA survey protocol to incorporate the following key features:
 - Measurement locations to include upwind and downwind areas of the sewage treatment plant (STP) and landfill precinct;
 - o Odour intensity scale using the VDI 3882 Odour Intensity Scale;
 - Individual field odour sniffs collected every 10 seconds over a 10-minute duration at each assessed location;
 - o In the event of a positive detection, an odour descriptor is to be assigned; and
 - Survey coverage to include locations within the proposed buffer zone development (wind direction/access permitting).

1.2 Gas Sampling Plan

For the gas sampling plan, the following is noted in the Updated Assessment:

- Landfill activities are suitable to sample as found as the odour is independent of weather conditions;
- The front-end sources (inlet works, biofilter, Intermittent Decanted Extended Aeration (IDEA), and balance tank at the STP were prioritised during peak flow (MWRC previously advised that the notional peak at the STP is between 09:30 – 10:30 hours);
- The remaining sources were suitable for sampling at any time; and
- The STP is to be sampled when there has been no rainfall greater than 10 mm for seven consecutive days.

1.3 Odour Emissions Inventory Key Assumptions

For the odour emissions inventory, the following key assumptions are noted in the Updated Assessment:

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Mid-Western Regional Council

Follow-up Peer Review: Caerleon Estate - Odour Monitoring & Assessment



- Future landfill operations in isolation using the average odour emission rates from the landfill
 data to reflect the high level of variability as a result of variable waste streams;
- Current STP upset operations in isolation using the maximum odour emissions rates measured at site with the exception of the IDEA which has applied the average value to represent the average odour of stagnant and aerated parts of the process (which can be alternated); and
- Sensitivity testing should be undertaken to identify the pond odour emission requirements to which the ponds could be designed to and to achieve compliance of the Subject Site boundary.

2 Review of the Updated Assessment

The following section documents the outcomes from an expert review of the Updated Assessment. For this peer review, this is categorised into several modules as extracted from the Updated Assessment, namely:

- 1. Section 2 Description of Environmental Values (refer to Section 2.1);
- 2. Section 3 Assessment Criteria (refer to Section 2.2);
- 3. Section 4 Modelling Methodology (refer to Section 2.3);
- 4. Section 5 Odour Monitoring (including Appendix B) (refer to Section 2.4)"
- 5. Section 6 Odour Emissions (refer to Section 2.5);
- 6. Section 7 Predicted Ground Level Concentrations (refer to Section 2,6);
- 7. Section 8 Future STP Operations (refer to Section 2.7); and
- 8. Section 9 Conclusions and Recommendations (refer to Section 2.8).

2.1 Environmental Values

The following remarks are made in relation to Section 2 - Description of Environmental Values documented in the Updated Assessment:

- The described location is consistent with the Caerleon Estate development (the Subject Site) and its surrounds;
- The receptors are listed as the STP and SWF. This is consistent with the purpose of a reverse
 amenity assessment to address the compatibility with the Subject Site and impact to current
 and future operation of the facilities; and
- The future receptors within the Subject Site are not described. This would provide further context for determination of the odour impact assessment criterion (the Odour IAC). It is understood that the Updated Assessment is for an urban area development to the STP property boundary.



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2.2 Assessment Criteria

The following remarks are made in relation to Section 3 - Assessment Criteria documented in the Updated Assessment:

- The assessment criteria are from the Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2016) (the Approved Modelling and Assessment Methods) published by the New South Wales Environment Protection Authority (NSW EPA);
- It is noted that a Level 2 assessment methodology (i.e., a refined dispersion modelling technique using site-specific input data) has been applied;
- The Odour IAC selected for the purpose of the Updated Assessment is 2 odour units (ou) at the 99th percentile with peak-to-mean nose response time (P/M60) averaging and consistent with the Approved Modelling and Assessment methods for an affected community of urban sensitive receptors;
- The peak-to-mean ratios applied to the emission rates are applicable to near-field area sources and consistent with the Approved Modelling and Assessment Methods; and
- The Technical Framework for the Assessment and Management of Odour from Stationary Sources in NSW (2006) (the Odour Technical Framework) published by NSW EPA has not been considered in the Updated Assessment. The purpose of the framework is to provide an effective project planning and regulatory regime for assessing and managing activities that emit odour; and
- The modelling assessment methodology used in the Updated Assessment is consistent with a Level 3 odour impact assessment (i.e., refined-level dispersion modelling technique using site-specific input data), which is described in Section 3 and Section 4 of the Odour Technical Framework.

2.3 Modelling Methodology

The following remarks are made in relation to Section 4 - Modelling Methodology documented in the Updated Assessment:

- The meteorological modelling was conducted with the use of The Air Pollution Model (TAPM) and CALMET to predict localised meteorological conditions. The meteorological dataset developed by AE is considered fit for the purpose of odour dispersion modelling;
- It is noted that the document Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessments of Air Pollutants in NSW, Australia' (2011) (the Further CALPUFF Guidance) published by TRC Environmental Corporation was referenced to support the use of the noobservations approach;
- The odour dispersion modelling was conducted with the use of CALPUFF and post-processed with CALPOST and CALSUM. The method used by AE is considered fit for the purpose of odour dispersion modelling;
- A technical review was completed on the meteorological and dispersion model settings, which
 were found to be consistent with input parameters provided in the Updated Assessment, the



Approved Modelling and Assessment Methods, and Further CALPUFF Guidance documents. There were two exceptions:

- The reported TAPM Domains Grid aspect of 40 x 40 x 25 grid points. The input settings were set at 30 x 30 x 25 grid points. This is expected to have a negligible impact on the modelling outcomes; and
- The reported CALMET Vertical Layers aspect of 12. The input settings had 11 vertical layers defined. This is expected to have a negligible impact on the modelling outcomes.
- It is noted that PDF was enabled for the dispersion modelling (i.e., MPDF = 1).
- 2.4 Odour Monitoring (including Appendix B)

The following remarks are made in relation to Section 5 - Odour Monitoring (including Appendix B) documented in the Updated Assessment:

- AE, TOU and MWRC discussed the methodology for odour monitoring. An agreed approach to the Updated Assessment was not understood by TOU to be formalised. TOU largely agrees with the AE's record with the following points of clarification:
 - FAOA survey coverage to include the proposed buffer zone development and not intended to be at the exclusion of the Subject Site or other accessible downwind locations;
 - TOU provided comment on the Gas Sampling Plan (dated 10 November 2021) but was not intended to be a formal endorsement; and
 - TOU suggested front-end sources are sampled during 'peak flow' time, which tend to relate to peak odour emissions. This is typically confirmed with continuous hydrogen sulphide (H₂S) monitoring.

2.4.1 FAOA Surveys

The following remarks are made in relation to the FAOA Surveys documented in the Updated Assessment:

- A total of eight (8) FAOA surveys were conducted, five (5) in November 2021 and three (3) in January 2022. The sessions included early morning and late afternoon-early evening. Each survey location had recorded time, wind, positive response count, sample number and positive response frequencies for all landfill and STP like-characters. For each FAOA survey, an annotated aerial map was provided showing FAOA survey locations and wind direction. The following comments are made in relation to the FAOA survey results:
 - It was found that there were STP-like odours less than 100 m downwind of the STP. The magnitude of odour intensity at each specific location or breakdown of the intensity frequencies (i.e., every 10 seconds) was not reported;
 - It was found that there were STP-like odours beyond 100 m downwind of the STP were identified to be generally weak to not perceptible. The magnitude of odour

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intensity at each specific location or breakdown of the intensity frequencies (i.e., every 10 seconds) was not reported;

- It was found that there were landfill-like odours at locations downwind of the landfill. The magnitude of odour intensity at each specific location or breakdown of the intensity frequencies (i.e., every 10 seconds) was not reported;
- The locations monitored appeared to be contained within the STP and SWF buffer zones but did not include locations within the Subject Site or beyond the buffer zone;
- The FAOA survey locations were not positioned in a way to determine the extent of odour plumes despite apparent accessible locations further downwind. The extent of detectable odour plumes within the Subject Site or beyond the buffer zone cannot be ruled in or ruled out based on the reported results; and

 TOU consider a positive detection frequency is likely to be adverse if above 10% to 20% depending on the intensity and character of the odour. The upper limit threshold was exceeded on the following FAOA sessions:

- 15/11/21 PM. Landfill odour one location;
- 16/11/21 PM, landfill odour one location;
- 17/11/21 AM, landfill odour four locations;
- 17/11/21 PM, landfill odour one location, STP odour one location,
- 18/01/22 AM, landfill odour three locations, STP odour three locations; and
- 24/01/22 PM, landfill odours two locations, STP odour two locations.

2.4.2 Source Emissions

The following remarks are made in relation to the source emissions documented in the Updated Assessment:

- 10 samples out of an intended 20 were collected from the STP and distributed evenly amongst sources inlet works, solid dewatering, IDEA aeration, IDEA settling, balance tank and a sludge lagoon;
- TOU views the STP coverage as minimum acceptable. It was unfortunate that a portion of the 10 unused samples were not redeployed to boost spatial and/or temporal coverage of the measured sources;
- 22 samples were collected from the SWF, 7 on active face, 7 on intermediate covered cells, 3 on fresh capped cells, 3 on two-year capped cells and 2 on leachate ponds;
- TOU views the coverage for the SWF active face and intermediate covered cells as good practice, and the leachate dam as the minimum acceptable;



- TOU considers sufficient spatial coverage of SWF capped cells as impracticable given the very large surface areas potentially requiring scores of measurement points to establish some confidence in its representation. This challenge generally cannot be overcome and can lead to an underestimation of actual odour emissions. It was unfortunate that a portion of the 10 unused STP samples were not redeployed to boost the spatial coverage of the capped cells;
- TOU suggested FAOA surveys with the understanding and experience that potentially
 extremely odorous landfill gas and fermenting covered waste can leak preferentially from
 discrete weak points of capped and intermediate cells not typically captured by area source
 odour sampling due to constraints on sample numbers. FAOA surveys can capture the extent
 of landfill gas-related odour impact as a ground-truth beyond the site boundary and within the
 Subject Site;
- For the STP, upset conditions were determined by maximum measured emission rates. TOU
 do not support this notion as sampling was conducted during normal operation of the
 processes tested (refer to Updated Assessment Appendix B, Caerleon Estate Odour
 Monitoring Report, Table 10, p.12). In TOU's experience, upset conditions could lead to an
 increase in emission rates by up to an order of magnitude or more; and
- Further justification is required for not sampling the greenwaste at the SWF. In TOU's
 experience, greenwaste can be a significant odour emission source. It was unfortunate that
 a portion of the 10 unused STP samples were not redeployed to this source.

2.5 Odour Emissions

The following remarks are made in relation to the Section 6 - Odour Emissions documented in the Updated Assessment, namely:

- STP (refer to Section 2.5.1); and
- SWF (refer to Section 2.5.2).

2.5.1 STP

The following remarks are made in relation to the STP odour emissions documented in the Updated Assessment:

- Odour emission estimation from the current options of the STP and future options in consultation with MWRC is supported by TOU;
- The STP sources considered in the modelling are supported;
- As mentioned above, TOU do not agree with the notion that STP maximum measured emissions rates are representative of upset conditions. However, this is considered a conservative approach for the representation of emissions during normal operations;
- AE has nominated the appropriate P/M60 ratios for near-field area sources and were applied as scaling factors in the modelling input files;
- STP area sources listed in Table 6 are consistent with the supplied modelling input files;



- TOU notes that 'odour emission rate' is used to describe odour flux rate (i.e., ou/m²/s) and source odour emission rate unit of measurement (i.e., ou/s) is incorrectly defined as odour flux rate (i.e., ou/m²/s);
- · Table 7 parameters are consistent with the supplied modelling input files; and
- · Figure 6 source locations are consistent with TOU's understanding.

2.5.2 SWF

The following remarks are made in relation to the SWF odour emissions documented in the Updated Assessment:

- Odour emission estimation from the existing SWF from the EPL and future plans in consultation with MWRC is supported;
- The SWF sources considered in the modelling are supported;
- AE has nominated the appropriate P/M60 ratios for near-field area sources and applied as appropriate as scaling factors in the modelling input files;
- The Green Waste Stockpile odour flux rate in Table 8 (i.e., 0.460 ou/m²/s) appears to be 2.3 times less than what is in the modelling input file (i.e., 1.058 ou/m²/s). The modelling results and findings are not expected to be sensitive to this;
 - All other SWF area sources listed in *Table 8* are consistent with the supplied modelling input files noting challenges of representative odour monitoring of capped cells mentioned in Section 2.4.2, which could lead to an underestimation of odour emissions;
 - Release heights of capped areas and active faces indicated in *Table 9* are not consistent with what is in the supplied modelling input files (i.e., 1 meter). If the unusually large, capped area release heights are intended, further justification should be provided for their use;
 - All other SWF area sources listed in Table 9 are consistent with the supplied modelling input files; and
 - TOU notes that 'odour emission rate' is used to describe odour flux rate (i.e., ou/m²/s).

2.6 Predicted Ground Level Concentrations

The following remarks are made in relation to Section 7 - Predicted Ground Level Concentrations documented in the Updated Assessment:

- AE, TOU and MWRC discussed the methodology for odour modelling. An agreed approach on the Updated Assessment was not understood by TOU to be formalised;
- As mentioned above, TOU disagrees with the notion that STP maximum measured emissions rates are representative of upset conditions. However, this is considered a conservative approach for the representation of emissions during normal operations;



- TOU has strong reservations about the suggestion that STP and SWF odour characters are non-cumulative. Both operations have major processes that can emit earthy, reduced sulphide and ammoniacal odour characters. It is suggested that the separate contours should be interpreted as contributions to the overall cumulative odour footprint from both facilities;
- The interpretation of the odour concentration contour plots (i.e., Figure 8, Figure 9, and Figure 10) should be made with caution. The scenarios represent the normal process operational conditions that were measured; and
- The modelling does not represent and is not suitable for providing a wholistic risk assessment with consideration of avoidance, mitigation, and management measures for odour impact caused by unintended odour release events (i.e., upset or atypical conditions) within the buffer zone and the Subject Site.

2.7 Future STP Operations

The following remarks are made in relation to Section 8 - Future STP Operations documented in the Updated Assessment:

- Odour emission estimation and modelling of future plans in consultation with MWRC is supported;
- Future STP area sources listed in Table 10, Table 11 and Table 12 are consistent with the supplied modelling input files.
- As mentioned above, TOU disagrees with the notion that STP maximum measured emissions rates are representative of upset conditions. However, this is considered a conservative approach for the representation of emissions during normal operations;
- As mentioned above, the contours and interpretation of the odour concentration contour plots should be read with caution;
- The modelling does not represent and is not suitable for providing a wholistic risk assessment and control of odour impact caused by unintended odour release events within the buffer zone and the Subject Site;
- Sensitivity testing involving the two aerobic sludge lagoon ponds is supported;
- Whilst TOU agrees with the sentiment that technology for wastewater treatment continues to improve in relation to odour abatement, the purpose of sensitivity testing was to gauge the contingency available should an unintended odour release event occur;
- As mentioned above, TOU has strong reservations about the suggestion that STP and SWF odour characters are non-cumulative; and
- It is noted that there the site-wide odour emission rate from the STP can increase 25% compared to the current scenario.

2.8 Conclusion and Recommendations

The following remarks are made in relation to Section 9 - Conclusions and Recommendations documented in the Updated Assessment:

Follow-up Peer Review: Caerleon Estate - Odour Monitoring & Assessment

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- TOU consider the conclusions formed and recommendations made are valid under the normal
 operational conditions that were measured for the current and projected scenarios;
- The challenge of representative odour monitoring of capped cells is difficult to overcome and could lead to an underestimation of predicted odour impact;
- The Updated Assessment does not provide a wholistic risk assessment with consideration of avoidance, mitigation, and management measures for odour impact caused by unintended odour release events;
- Whilst TOU agrees with the sentiment that technology for wastewater treatment continues to improve in relation to odour abatement, the sensitivity testing was suggested to gauge the contingency available in the odour emission profiles should an unintended odour release event occur; and
- Based on the results of the sensitivity test, an increase of 25% in the STP operations is an
 insufficient margin of safety. In TOU's experience, upset conditions could lead to an increase
 in emission rates by up to an order of magnitude or more.

3 Follow-up Peer Review Concluding Remarks

In providing this peer review, TOU wishes to reiterate the following key points in relation to the use of reverse amenity assessments for proposed developments in the subject context and as previously documented in the Review Response:

- Odour dispersion modelling is not the most suitable tool for the prediction of unintended adverse odour release events (i.e., upset or atypical conditions). The unintended nature makes their timing impossible to predict, and they generally have short-lived timeframes from hours to days before rectification. This is particularly relevant for the nature of activities conducted at the MWRC-operated SWF and STP; and
- Planning decisions should be made by MWRC in the interest of protecting existing and future community amenity from unintended adverse odour release from Mudgee STP and the Solid Waste Facility. This includes preserving the integrity of compatible land use within the available buffer surrounding the Mudgee STP and Solid Waste Facility;
- TOU's recommendation, where possible, is that the following minimum buffer distances are applied and maintained from the existing and/or future activity boundaries of the Mudgee STP and Solid Waste Facility, namely:
 - Sewage Treatment Plants 400 metres;
 - Solid Waste Facilities (< 50,000 tpa putrescible waste disposal) 250 metres; and
 - Solid Waste Facilities (≥ 50,000 tpa putrescible waste disposal) 1,000 metres.

Furthermore, the use of sufficient and proven risk assessment and reduction methods implemented in the form of avoidance, mitigation, and management measures could be considered as justification for the refinement of the minimum buffer distances mentioned above based on their merits. Nevertheless, in practice, coordination and collaboration between <u>MRWC and the Applicant are considered necessary to achieve reasonably practicable risk reduction outcomes for unintended adverse odour release events and avoidance of land use conflict in the future.</u>



THE ODOUR UNIT

Yours sincerely,

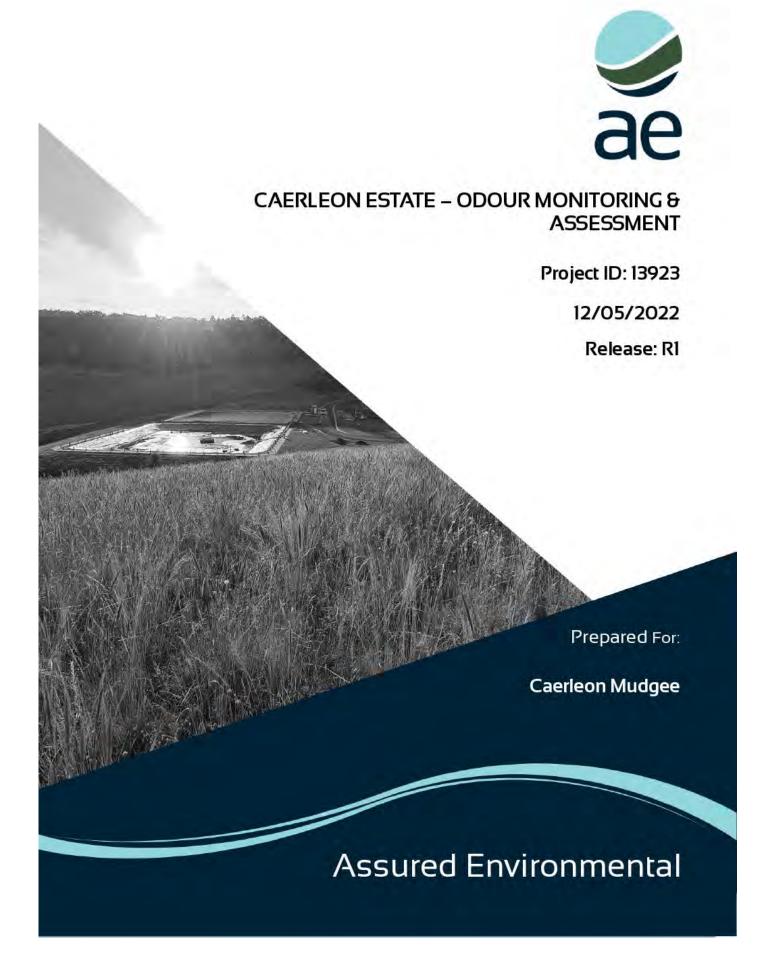
The Odour Unit

Signed by:

Steve Hayes BSc Principal Atmospheric Scientist

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Mid-Western Regional Council Follow-up Peer Review: Caerleon Estate – Odour Monitoring & Assessment





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Project Title: CAERLEON ESTATE - ODOUR MONITORING & ASSESSMENT

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Table I: History of Revisions

Revision	Date	Issued to	Changes	
RO	10/05/2022	N Davis	Initial Release	
RI	12/05/2022	N. Davis	Comments	

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GLOSSARY

g/s	grams per second
Hedonic Tone	A judgement of the relative pleasantness or unpleasantness of an odour
mg/m ³	milligrams (10 ⁻³) per cubic metre
µg/m³	micrograms (10 ⁻⁶) per cubic metre
Odour	The property of a substance which affects the sense of smell
Odour annoyance	The generation of one or more of a wide variety of responses due to the intensity and hedonic tone of an odour. Odour annoyance is generally considered to occur at levels of 5 - 10 times the detection threshold.
Odour character	The property that identifies an odour and differentiates it from another odour of equal intensity. The character of an odour results from the combination and concentration of compounds in a mixture.
Odour complaints	Odour complaints are formal acknowledgments of odour annoyance to a person and usually requires persistent or repeated odour annoyance over a considerable length of time.
Odour concentration	The concentration of the odorous gas relative to the concentration at the threshold of detection.
Odour emission rate (OER)	Total rate of emissions from an odour source expressed in units of odour units per unit time (ou/sec).
Odour intensity	An assessment of odour strength based on an initial perception. This perception will rapidly diminish with constant exposure.
Odour threshold	For individuals, the odour detection threshold is that concentration of an odorant above which the individual can smell the odorant and below which they cannot. Human odour sensitivity varies over a significant range; therefore the odour threshold is defined as the level at which 50 % of the population can just detect the odour.
Panel	A group of panel members (assessors who are qualified to judge samples of odorous gas, using dynamic olfactometry in accordance with AS 4323.3).
Peak to mean ratio	A conversion factor that adjusts mean dispersion model predictions to the peak concentrations perceived by the human nose
Percentile	The frequency of occurrence, for example the 99.5 th percentile gives the value exceeded by 0.5% of the measurements or predictions.
Perception	Awareness of the effects of single or multi-sensory stimuli.
PM ₁₀ , PM _{2.5} , PM ₁	Fine particulate matter with an equivalent aerodynamic diameter of less than 10, 2.5 or 1 micrometres, respectively. Fine particulates are predominantly sourced from combustion processes. Vehicle emissions are a key source in urban environments.
ppb	parts per billion
ppm	parts per million
Nose-response time	Instantaneous response of the human nose which is typically between 0.1 and 1 second.
Source odour emission rate (SOER)	Rate of emission from an odour source expressed in odour units per unit area per unit time (ou/sec).



ABBREVIATIONS

EPL	Environmental Protection Licence
MWRC	Mid-Western Regional Council
STP	Sewage Treatment Plant
TOU	The Odour Unit

1



INTRODUCTION

1.1 Background

Caerleon Mudgee propose to develop the Caerleon Estate (Lot 192 DP 1260317) near Mudgee, NSW. The Subject Site is located near existing land uses which have the potential to emit odour including the Mid-Western Regional Council Sewage Treatment Plant (STP) and Solid Waste Disposal facility.

A previous assessment of the odour from the STP was undertaken in 2008 in accordance with the conservative requirements for a Level 1 assessment as described in the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2005)* As a result, an odour buffer zone was implemented within the Mudgee Planning Scheme to minimise the risk of reverse amenity impacts on sensitive land uses developed in the area. The odour buffer zone extends approximately 450 m into the Subject Site thereby limiting the potential for development of the site for sensitive uses.

1.2 Scope of Assessment

In 2021, Assured Environmental was appointed by Caerleon Mudgee to undertake an air quality impact assessment to identify potential odour impacts from the STP and solid waste disposal facilities on the future sub-division of the Caerleon Estate.

This assessment (reference *Caerleon Estate – Odour Assessment of the Mudgee STP and Landfill* report number 13336 R2 dated 24 November 2020) was undertaken based on information provided by Mid-Western Regional Council (MWRC) and odour concentrations from Assured Environmental's (AE) database and previously utilised emissions rates in the GHD Odour Impact Assessment for the STP dated June 2008.

The assessment was peer reviewed by The Odour Unit (TOU) dated 19 March and comments were addressed by Assured Environment (reference *"Response to Request for Information"* dated 3 June 2021). A further peer review by TOU dated 4 August 2021 was received which identified the following two outstanding issues:

- odour monitoring data for the STP and landfill should be obtained from the site rather than use database emission rates;
- odour field surveys should be undertaken to provide contextual backgrounds;
- the sources should be area sources, not volume;
- the Probability Density Function (PDF) used for dispersion under convective conditions should be activated in the models; and
- the future waste streams for the landfill shall be assessed.

In November 2021, AE and TOU discussed the methodology for odour monitoring at the STP and landfill and an approach developed in consultation with TOU (as detailed in Section 5.1).

This assessment has been prepared using the field work and reporting approach agreed between TOU, AE and MWRC as detailed in correspondence dated 5 May 2022 as detailed in Section 7.1.

This Level 2 impact assessment has been updated to address all the remaining issues as detailed in the peer review by TOU on 4 August 2021. The assessment has been undertaken in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW. In accordance with the requirements of the Approved Methods, computational modelling



has been undertaken to assess the potential constraints to the Subject Site based on source monitoring database from the STP and landfill

1.3 This Report

This report summarises the methodology, results, and conclusions of the odour impact assessment and implemented recommendations from TOU, where deemed suitable.



2 DESCRIPTION OF ENVIRONMENTAL VALUES

2.1 Location

The Caerleon Estate comprises Lot 192 DP 1260317 and is located to the west of Mudgee in NSW. Figure 1 illustrates the Subject Site and land uses in the general vicinity of the Subject Site.

2.2 Receptors

Mid-Western Regional Council operates two (2) EPA licensed premises near the Subject Site which have the potential to emit odour:

- Sewage Treatment Facility under EPL 5230 for treatment of >1000 5000 ML annual maximum volume of discharge of treated waste. The EPL covers six (6) lots (Lot 289 DP 756894, Lot 86 DP 756897, Lot 87 DP 756897, Lot 90 DP 756897, Lot 91 DP 756897, Lot 92 DP 756897); and
- Solid Waste Facility under EPL 6348 for disposal of contaminated soil, composting, waste processing (non-thermal and waste storage) on one (1) lot, Lot 107 DP 44920.

Figure 2 shows the lots associated with the two licenced premises. However, it should be noted that the sewage treatment plant is currently only located in northern part of the sites. A future expansion is projected and discussed further in Section 5.2.

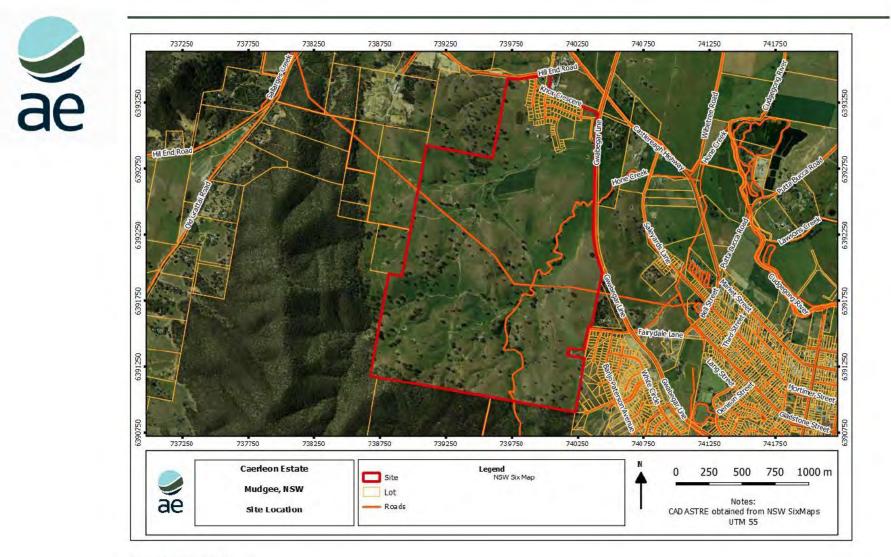


Figure 1: Site Location

CAERLEON ESTATE - ODOUR MONITORING & ASSESSMENT



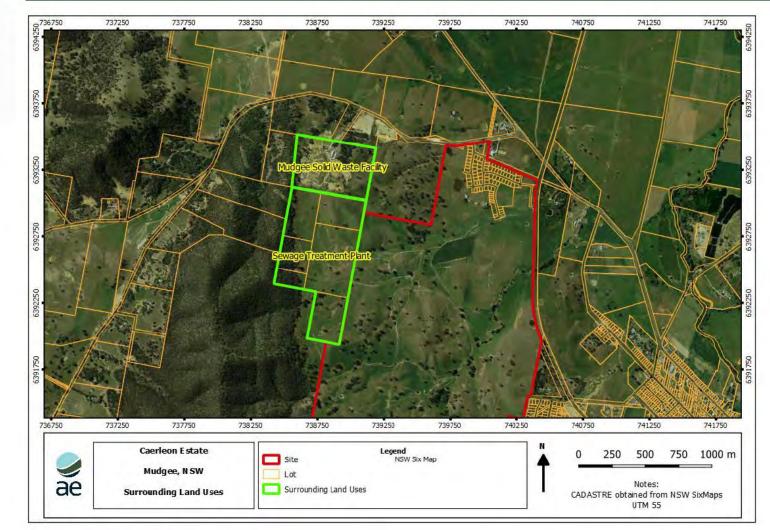


Figure 2: Surrounding Land uses



3 ASSESSMENT CRITERIA

Odour criteria relevant to this assessment are also presented in the *Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2016)*, published by the NSW EPA.

The Approved Methods note that the odour assessment criteria for complex mixtures of odorants need to be designed to consider the range of sensitivities to odours within the community, and to provide additional protection for individuals with a heightened response to odours. Therefore, the odour assessment criteria allow for population size, cumulative impacts, anticipated odour levels during adverse meteorological conditions and community expectations of amenity.

Table 2 presents odour criteria for various population sizes, as specified by the EPA.

Population of Affected Community	Criteria I-hour 99 th percentile for Complex Odours (OU)
Rural single residence (≤)	Ż
~10	6
~ 30	5
~125	4
~500	3
Urban area (≥ a 2000) and/or schools and hospitals	2

Table 2: NSW EPA Odour Criteria

Alternatively, the framework identifies that the following equation may be applied:

Odour assessment criterion (OU) = (log10(population) - 4.5)/-0.6

For the purposes of this assessment, the 2 OU criterion has been applied. For comparison to the assessment criteria, impacts in odour units are reported as peak nose response time concentrations (i.e. approximately one second average) and as the 99th percentile of predicted concentrations based on a Level 2 assessment methodology.

In assessing compliance of predicted ground level odour concentrations, it is necessary to estimate the peak-to-mean concentration ratios, outlined in Table 3 for the source being considered. These peak-to-mean ratios allow estimation of 1-second average (nose response time) concentrations based on the predicted 1-hour average concentrations generated by the air dispersion model.

In the case of the landfill and STP, the sources of emissions are near-field area sources, therefore peak-to-mean ratios of 2.5 and 2.3 have been applied to the emission rates to estimate l-second (nose-response time) average concentrations.



Table 3: Peak to Mean Ratios

Source Type	Pasquill-Gifford Stability Class	Near-field PM60	Far-field PM60
	A - D	2.5	23
Area	E and F	2.3	1.9
Line	A-F	6	6
Conference to for a vist	A-C	12	4
Surface wake-free point	D-F	25	7
	A-C	17	З
Tall wake-free point	D-F	35	6
Wake affected point	A-F	2.3	23
Volume	A - F	23	2.3

4 MODELLING METHODOLOGY

Atmospheric dispersion modelling involves the mathematical simulation of the dispersion of air contaminants in the environment. The modelling utilises a range of information to estimate the dispersion of pollutants released from a source including:

- Meteorological data for surface and upper air winds, temperature, and pressure profiles, as well as humidity, rainfall, cloud cover and ceiling height information;
- Emissions parameters including source location and height, source dimensions and physical parameters along with pollutant mass emission rates;
- Terrain elevations and land use both at the source and throughout the surrounding region;
- The location, height, and width of any obstructions (such as buildings or other structures) that could significantly impact on the dispersion of the plume.

For the purpose of the assessment, meteorological modelling has been undertaken using TAPM (The Air Pollution Model) and CALMET to predict localised meteorological conditions. The meteorological data derived from these models have been used as an input for the CALPUFF dispersion modelling.

Prognostic models, such as TAPM, permit the development of localised meteorological datasets, based on synoptic weather conditions. The model predicts the regional flows important to dispersion, such as sea breezes and terrain induced flows, against a background of larger-scale meteorology provided by synoptic analyses.

The output of this model, when used with a diagnostic meteorological model, such as CALMET, provides a meteorological dataset suitable for introduction into the wind field results. This methodology is the recommended approach for the modelling of contaminant concentrations using CALMET^a.

Model	Aspect	Assigned Parameter
	Year Modelled	One full year - 2015 which is compared to long-term observations to demonstrate suitability.
ТАРМ	Domains Grid	40 x 40 x 25 grid points
(v4.04)	Nesting Spacing	30 km, 10 km, 3 km, 1 km, and 300 m
	Databases	Default databases for sea temperature, terrain and land cover applied
	Model Domain	28-km x 28-km grid (200 m grid intervals)
	Terrain Data	Nasa Shuttle Radar Topography Mission (SRTM) 1-second (approximately 30 m) digital elevation model
CALMET (v 7.00)	Land Use	Default from USGS for I km spacing. Review of the land use was undertaken and updated based on recent aerial imagery at 50 m intervals.
1.001	Vertical Layers	12 Layers - 20 m, 50 m, 75 m, 150 m, 200 m, 500 m, 750 m, 1,000 m, 1,500 m, 2,000 m, 3,000 m, and 4,000 m
	TAPM Input	3D meteorological data (no-obs mode) was derived from the 1 km meteorological grid from TAPM used as initial guess field to predict meteorological conditions

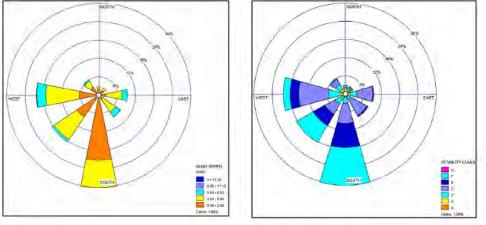
Table 4: Summary of Meteorological Modelling Parameter

^a TRC Environmental Corporation (March 2011) 'Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessments of Air Pollutants in NSW, Australia' prepared on behalf of the NSW Office of Environment and Heritage

CAERLEON ESTATE - ODOUR MONITORING & ASSESSMENT

ae

Figure 3 presents the annual wind and stability class rose for the Subject Site for 2015. Detailed meteorological analysis of the dataset is presented in Appendix A.



Wind Rose

Stability Class Rose

Figure 3: Predicted Annual Wind Rose Stability Class Rose at Subject Site for 2015 at Subject Site for 2015

4.1 CALPUFF Dispersion Modelling

The CALPUFF modelling system treats emissions as a series of puffs. These puffs are then dispersed throughout the modelling area and allowed to grow and bend with spatial variations in meteorology. In doing so, the model can retain a memory of the plume's movement throughout a single hour and from one hour to the next while continuing to better approximate the effects of complex air flows.

CALPUFF utilises the meteorological processing and prediction model CALMET to provide three-dimensional wind field predictions for the area of interest. The final wind field developed by the model (for consideration by CALPUFF) includes an approximation of the effects of local topography, the effects of varying surface temperatures (as is observed in land and sea bodies) and surface roughness (resulting from varied land uses and vegetation cover in an area). The CALPUFF model can resolve complex terrain influences on local wind fields including consideration of katabatic flows and terrain blocking.

Post processing of modelled emissions is undertaken using the CALPOST package. This allows the rigorous analysis of pollutant predictions generated by the CALPUFF system. CALPOST is able to provide an analysis of predicted pollutant concentrations for a range of averaging periods from 1 hour to 1 year.

4.2 Topography

The Subject Site is located in a rolling rural type of location with topographical features to the south and west. Terrain data was obtained from Nasa Shuttle Radar Topography Mission (SRTM) at 1-second (approximately 30 m) digital elevation model. Figure 4 illustrates the topography and how the terrain effects local wind flows, which in this example was predicted for 1 January 2015 at 0100 hours.



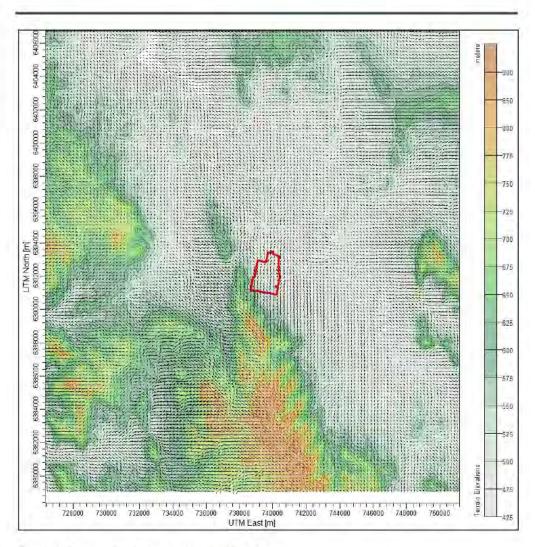


Figure 4: Surrounding Topography and Wind Flows

4.3 Receptors

A computational grid of 4 km by 5 km at 200 m spacing has been modelled. A nested grid centred on the STP was modelled to a distance of 500 m from the centre at varying spacings as follows:

- 200 m from source 20 m spacing; and
- 500 m from source 50 m spacing.

Additionally, Figure 5 illustrates the 1,239 discrete receptors modelled within the Subject Site.



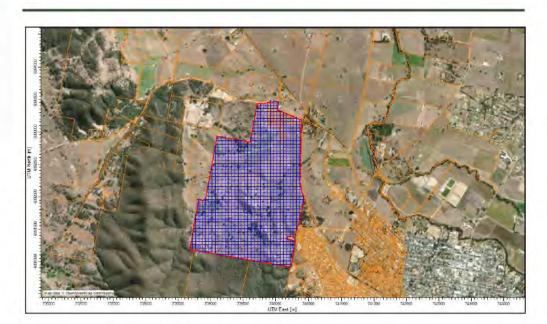


Figure 5: Sensitive Receptors within the Subject Site

4.4 Other Settings

For the purposes of the assessment, the air dispersion modelling has utilised the following settings for CALPUFF:

- three-dimensional mode using meteorological data file from CALMET;
- ISC rural wind speed profile;
- no chemical transformation;
- no gaseous deposition;
- transitional plume rise;
- stack tip downwash for point sources
- partial plume penetration for point sources;
- dispersion coefficients using Pasquill-Gifford coefficients or turbulence calculated from micro-meteorology;
- no adjustment of dispersion curves for roughness;
- partial plume path adjustment method for terrain using default coefficients; and
- building wakes were not modelled.



5 ODOUR MONITORING

5.1 Agreed Approach

Prior to commencing the odour monitoring, the approach was discussed and agreed with TOU to ensure a robust outcome for all stakeholders from this further assessment work for Caerleon Estate. The monitoring approach agreed and adopted was as follows:

- Field Ambient Odour Assessment (FAOA) Survey Methodology:
- FAOA conducted early morning (05:00 07:00 hours) and late-evening (19:00 21:00 hours) during each visit to Mudgee when undertaking the sampling;
- FAOA survey technique to incorporate the following key features:
- Measurement locations to include upwind and downwind areas of the sewage treatment plant (STP) and landfill precinct;
- Odour intensity scale using the VDI 3882 Odour Intensity Scale;
- Individual field odour sniffs collected every 10 seconds over a 10-minute duration at each assessed location;
- In the event of a positive detection, an odour descriptor is to be assigned; and
- Survey coverage to include locations within the proposed buffer zone development (wind direction/access permitting).
- Gas Sampling Plan
- Landfill activities are suitable to sample as found as the odour is independent of weather conditions;
- The front-end sources (inlet works, bio-filter, IDEA, and balance tank) for the STP were prioritised during peak flow (Midwestern Regional Council previously advised that the notional peak at the STP is between 09:30 – 10:30 hours.
- The remaining sources are suitable for sampling at any time.
- 5TP is to be sampled when there has been no rainfall greater than IO mm for seven consecutive days.

This approach was undertaken without variation, however it should be noted that some sources previously assessed (bio-filter, backwash storage, and UV filter) were either decommissioned or were not part of the final design of the STP.

5.2 Field Ambient Odour Surveys

Field odour surveys were undertaken in November 2021 and January 2022 using a modified version of the VDI 3940 procedure. Although many requirements of VDI 3940 have been taken into consideration for this survey, a complete VDI survey requires a full year of data from field assessments performed throughout the seasons and various meteorological conditions. In recognition of this main limitation, hybrid adaptations of VDI 3940 have been accepted by authorities around Australia.

The following modified version of the VDI 3940 method has been employed for the project:

- Before starting the survey, record the wind direction and wind speed in the vicinity of the site either by visual or from the nearest Bureau of Meteorology (BOM) or private weather station.
- Investigate whether odour can be detected at survey locations. Record intensity, offensiveness and characteristics of any odour detected.
- Record location at each monitoring point and mark on map.

A "Field Odour Survey Sheet" is used which has been developed in accordance with VDI Standard 3940 for recording odour intensity at each location. The procedure requires recording odour intensity every 10 seconds over a period of at least 10 minutes at each location. A



standard ranking system based on the seven-point intensity scale found in the German Standard "Olfactometry Determination of Odour Intensity" (VDI 3882, 1992) is used for recording odour on a survey sheet.

During the surveys, the following was noted:

- Wind direction appeared to be the determining factor in perceived odour character and odour intensity.
- STP like odours were observed at locations close (<100 m) from the STP during down wind conditions from the STP. Beyond 100 m, STP like odours were generally very weak to not perceptible.
- Landfill like odours were observed at locations during down wind conditions from the landfill.
- No other malodours were recognised in the area during the survey periods.
- The landfill was the more predominant odour recognisable during the surveys.

Detailed survey notes are presented in Appendix B.

5.3 Source Emissions

Odour samples were undertaken for the both the landfill and STP as described in Section 5.1. due to wet weather conditions the odour monitoring was undertaken in two separate stages. Table 5 presents a summary of the odour sample results and the variation in emission rates.

The shaded cells highlight the odour emission rates used in the modelling:

- For the STP, the upset conditions have been determined using maximum emission rates. The IDEA has used the average value to represent the average of stagnant and aerated parts of the process;
- For the landfill, the average values have been used due to the high level of variability in the emission rates as a result of varying municipal waste streams.

Process	Odour Source	No. of	Odour Er	nission Rate (c	ou/m²/sec)
		Samples	Min	Average	Max
STP	Inlet works	2	3.05	5.43	780
	Sludge lagoon (fresh)	2	0.41	0.48	0.55
	Solid dewatering	2	0.65	0.76	0.87
	Balance tank	2	0:11	0.16	0.21
_	IDEA (stagnant / aerated)	2	0.25	0.46	0.68
Landfill	Active face	7	0.25	268	7.11
	Intermediate covered cells	7	0.08	0,16	0.26
	Capped (fresh)	3	0.022	0.023	0.025
	Capped (2-year-old)	3	0.014	0.016	0.016
	Leachate pond	2	0.11	0.11	0.12

Table 5: Overview of Odour Sample Results

The full odour monitoring report is presented in Appendix B.

All STP odour sources were sampled, however onsite observations identified the following:

 The bio-filter has been decommissioned; therefore the inlet works had no odour control applied;



- There is no backwash storage facility or UV filters at the STP;
- There was no DAF at the STP;
- A new leachate pond is currently being built at the landfill; and
- Green waste at the landfill was considered to not be influenced by local factors and therefore was not sampled. All other sources at the landfill were sampled.

During the site visit, the size, height, and other parameters were observed and utilised in revising the source odour emission rates (SOER) in Section 6.



6 ODOUR EMISSIONS

6.1 Sewage Treatment Plant

Communication with Mid-Western Regional Council has identified the current operations of the STP and future options to increase efficiency and population growth. The current sewage treatment plant comprises the following;

- a septage receival facility;
- inlet works (including screening and grit removal);
- two (2) intermittent biological treatment tanks (IDEA) with inlet selector tanks. Each tank is spilt into two applications – aeration and settling (or stagnant). The area of each part is the same and can alternate in use;
- balance tank; and
- two (2) anaerobic sludge lagoons.

The current design of the STP provides for 16,000 equivalent persons (EP), whilst the inlet works, and balance tanks have been designed for 24,000 EP. As such, the facility has a limited capacity due to IDEA tanks and anaerobic sludge lagoons. Additionally, the odour control bio-filter has been decommissioned and therefore there is no odour control at the facility.

Based on observations from AE personnel during the site visit, drone imagery and mapping, the sizing of plant the modelled odour emissions for the current scenario are presented in Table 6. The OER's used for the STP are the maximum values of the monitoring samples presented in Table 5.

All sources have been modelled as area sources, as detailed in Section 3, peak-to-mean ratios of 2.5 and 2.3 have been applied in accordance with the Approved Methods for the appropriate stability classes as detailed in Table 3. Additionally, all sources have been modelled for each hour of the year.

Source		Odour Emission Rates (ou/m²/s)	Area (m²)	Source Odour Emission Rate (ou/m²/s)
In let Works	5	7.8	8,80	68.6
Bio Solids	Dewatering	0.873	22	19.2
IDEA -	Aeration	0.676		
Aeration	Settling / decanting	0.248	-	
x2	Average	0.462	676	3127
Balance Ta	nk	0.209	874	1825
Sludge Lag	goon x 2 (anaerobic)	0.547	2100	1,148.7
Total				3,193

Table 6: Current Operations - Upset Conditions

Table IO provides overview of the source parameters used in the model whilst Figure 6 illustrates the location of current STP sources.



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Odour Source	SW Coord	dinates (UTM 55)	Release
	X (m)	Y (m)	Height (m)
Current STP Sources			
Chiday bases Land 2	738688	6392923	1
Sludge lagoon 1 and 2	738740	6392915	1
Balance Tank	738749	6393024	25
IDEALO	738703	6393032	1
IDEA 1, 2	738705	6393047	1
In let Works	738666	6393021	2
Bio Solids Dewatering	738700	6392972	З

Table 7: Modelled Odour Sources for the Current STP



Figure 6: STP Odour Sources (Current)

6.2 Solid Waste Facility

An existing solid waste facility is located on Lot 10 on DP 44920 an operates under EPL licence 6348. Mid-Western Council has provided future plans for the facility. Whilst not finalised, the potential future plans, as shown in Figure 8 include:

- creating a landfill cell near the eastern boundary once the current active cell is exhausted; and
- creating a second leachate pond. This pond is currently under construction and will operate concurrently with the current leachate pond.



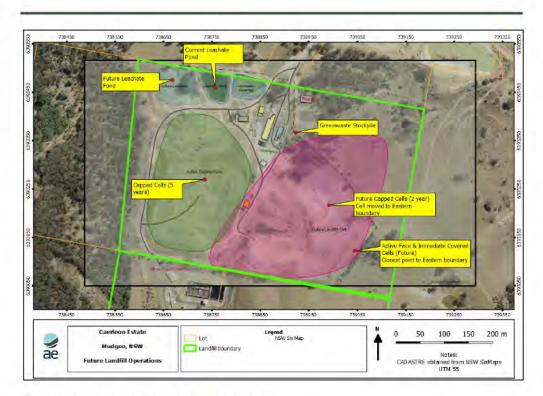


Figure 7: Future Solid Waste Facility Operations

Odour emissions from the landfill that are considered in this assessment are:

- fresh municipal solid waste as received and placed in the active cell;
- intermediate covered cells;
- fully capped cells;
- green waste; and
- leachate storage ponds.

The emission rates selected to estimate odour emissions from the landfill activities for this assessment are provided in Table 5. The odour emissions rates and SOER do not include peak to mean adjustments.

All sources have been modelled as area sources, therefore in accordance with the Approved Methods, a peak to mean ratio of 2.5 or 2.3 has been applied. For the active face, the peak-to-mean ratio is constant whereas all other sources are adjusted by stability class. The facility is open from 06:30 – 18:30 hours, however the CALPUFF model only operates in hours, therefore for the purposes of this assessment, the active face is modelled as 6:00 – 19:00 hours.

Table 8: Modelled Odour Emission Rates (without Peak to Mean)

2	Hours Modelled	Odour Emission Rates (ou/m²/s)	Area (m²)	SOER (ou/s)
Face - Future Landfill Cell	6 am- 7 pm	2.677	900	2409
ediate Covered Cells - Future Landfill Cell	7 pm - 6 am	0.161	900	145
d Cells on Eastern Boundary (2 year)	All hours	0.023	70,655	1631
d Cells on Western Boundary (5 year)	All hours	0.015	45,139	677
d Cells on Eastern Boundary (2 year)	All hours	0.023	70,655	

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Source	Hours Modelled	Odour Emission Rates (ou/m²/s)	Area (m²)	SOER (ou/s)
Leachate Pond - Current	All hours	0.113	2,733	310
Leachate Pond - Future	All hours	0.113	1750	198
Green waste Stockpile	All hours	0.460	66.0	30
			Total	5,401

Table 9 lists the odour sources for the landfill

Table 9: Modelled Odour Source Parameters for the Landfill

Odour Source	SW Coor	dinates (UTM 55)	Release
Oddul Source	X (m)	Y (m)	Height (m)
Western Landfill Area			
	738695	6393320	
	738662	6393206	
	738646	6393349	
Capped area	738613	6393193	Between 9-18 m
	738739	6393331	
	738660	6393129	
	738759	6393325	
Eastern Landfill Area			
	738960	6393270	
	739009	6393113	
	739030	6393138	
	739104	6393356	
	739029	6393140	
	738984	6393285	
	739029	6393094	
Capped area	738943	6393318	Between 5-10 m
	738918	6393068	
	738846	6393218	
	739007	6393337	
	738960	6393134	
	738916	6393238	
	738787	6393117	
	738913	6393090	
Active Face	739031	6393093	4 m
Other Sources			
Green waste	738941	6393369	4
Future Leachate Pond	738681	6393503	1
Current Leachate Pond	738734	6393493	1



PREDICTED GROUND LEVEL CONCENTRATIONS

7.1 Overview

7

This section presents the predicted contours from the following sources as agreed with TOU and MWRC:

- Future landfill operations in isolation using the average odour emission rates from the landfill data to reflect the high level of variability as a result of variable waste streams as detailed in Table 8 and modelled at the locations shown in Figure 7;
- Current STP upset operations in isolation using the maximum odour emissions rates measured at site with the exception of the IDEA which has applied the average value to represent the average odour of stagnant and aerated parts of the process (which can be alternated). The odour emissions are modelled as detailed in Figure 6 and Table 6;

Due to different odour characteristics, the contours for the landfill and STP are presented separately and combined.

7.2 Solid Waste Disposal (Future Location)

Figure 9 presents the future landfill odour concentration contours, as nose-response, 99th percentile OU. It can be seen that the 2 OU contour line is 140 m from the Subject Site boundary, this is a result of the future active tipping face being located in the south-eastern corner of the site.

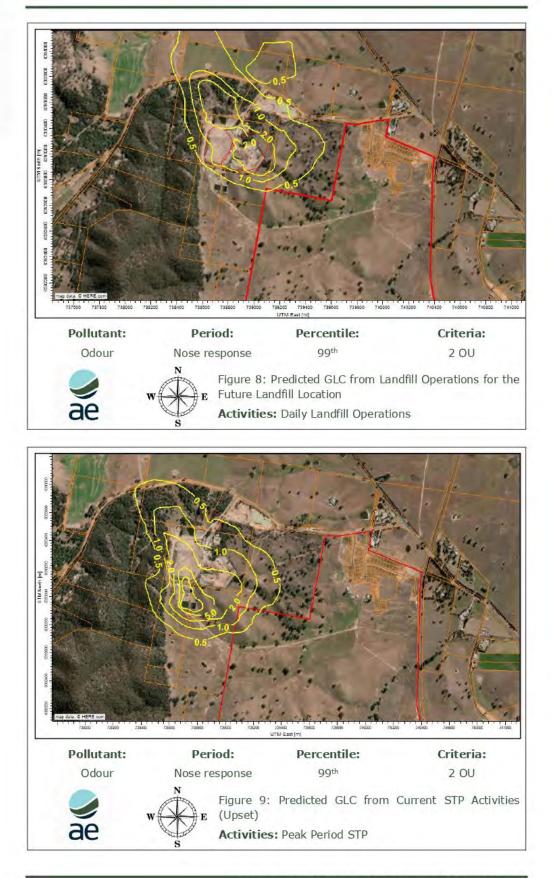
7.3 Current STP (Upset Conditions)

The current STP scenario using upset conditions for the current scenario based on the highest monitoring data shows that the 2 OU contours are 40 m from the Subject Site boundary, as shown in Figure 10.

7.4 Combined Current STP and Solid Disposal Facility Operations

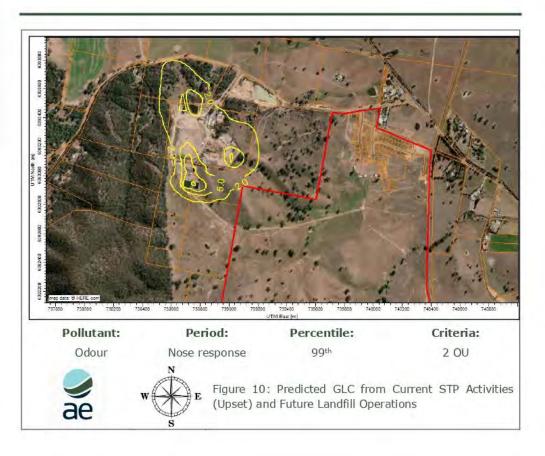
The current STP scenario using upset conditions as presented in Figure 8 and the future waste proposals in Figure 9 are combined in Figure 10.





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The modelling has shown that the current STP and landfill predicted GLC will achieve compliance at the Subject Site, as an individual activities and when combined with the landfill operations.



8 FUTURE STP OPERATIONS

8.1 Overview

The future plans for the STP are still being investigated to address the future population and the sludge lagoon capacity. Mid-Western Regional Council provided two options for the future expansion of the STP to the south of the site. Future options are:

- convert existing anaerobic lagoons to an aerated system; or
- increase anaerobic lagoon capacity by adding two (2) additional aerobic lagoons within the new area.

Additional changes in future also include the following equipment a DAF unit and additional IDEA tank. For the purposes of assessing the future options, both options have been assessed. Table 10 provides overview of the source parameters used in the model.

Table 10: Modelled Odour Sources for the Future STP

Odour Source	SW Coor	Release		
Odour Source	X (m)	Y (m)	Height (m)	
Future STP Sources				
DAF	738743	6392986	2	
IDEA	738707	6393063	1	
Additional Sludge lagoon 1 and 2	738753	6392699		
(aerobic)	738685	6392700	1	

Figure 6 and Figure 11 illustrate the source locations for future lagoons.



Figure 11: STP Odour Sources (future aerobic sludge lagoons)



The future location of the lagoons takes into consideration the required bunding and separations distances between the two lagoons which was previously not considered. As such, due to the size of ponds, they will need to be positioned side by side rather than stacked.

8.2 Converting Existing Lagoons

The conversion of the current anaerobic lagoons to aerobic and the additional DAF and IDEA would be the preferred option. For this study, a maximum upset OER for the sludge lagoons has been kept the same as the current scenario, which is considered very conservative; the only change from the current scenario is the DAF and IDEA.

Table 10 presents the future odour emission rates for converting the existing anaerobic ponds into aerobic ponds. When comparing the total odour emissions to the current upset conditions, there is an estimated 12% increase in emissions. All sources have been modelled for each hour of the year.

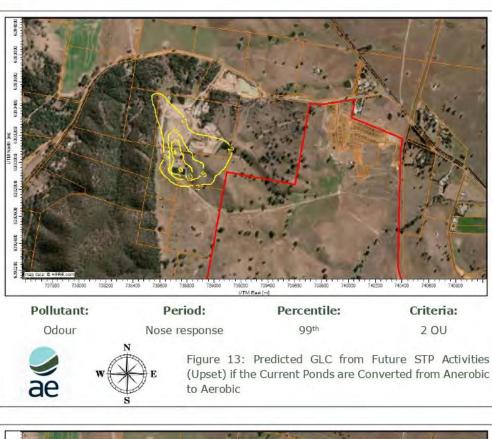
Table II: Future STP Emissions from Converting Anerobic Lagoons to Aerobic Lagoons

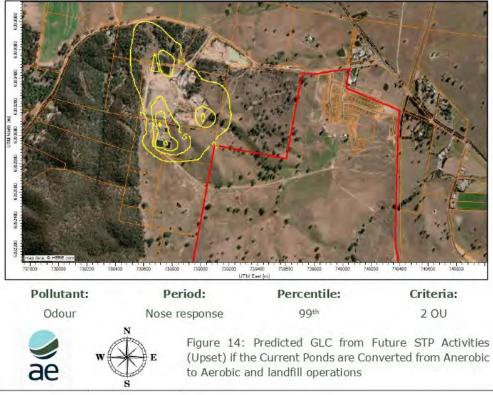
Source		Odour Emission Rates (ou/m²/s)	Area (m²)	Source Odour Emission Rate (ou/m²/s)
Inlet Worl	25	7.8	8.80	68.6
Bio Solids	Dewatering	0.873	22	19.2
IDEA -	Aeration	0.676		
Aeration	Settling / decanting	0.248		
xЗ	Average	0.462	676	312.7
Balance T	ank	0.209	874	1825
Current SI	udge Lagoon x 2 (aerobic)	0.547	2100	1,148.7
DAF		3,50	25	87.5
Total				3,593

a) No DAF present at the existing facility therefore OER is taken from literature data for a poorly functioning DAF

Figure 12 shows that converting the current ponds from anaerobic to aerobic and installing a third IDEA and DAF, the predicted 2 OU contour will be approximately 30 m from the Subject Site boundary. Cumulatively, the 2 OU contours is 15 m from the Subject Site boundary.









8.3 Additional Aerobic Sludge Lagoon Ponds

The second option is to install two aerobic ponds to the south of the existing facility as shown in Figure 11 along with a DAF and IDEA. The two sludge lagoons have been assumed to have a surface area of $4,200 \text{ m}^2$ each compared to the existing ponds of $2,100 \text{ m}^2$ each.

As the future planning of the site is continuing, it was agreed with TOU and MWRC that sensitivity testing should be undertaken to identify the pond odour emission requirements to which the ponds could be designed to and to achieve compliance of the Subject Site boundary.

Previously noted, the aerobic odour emission rate used was the same as the highest measured anaerobic odour concentration. Using the OER for the basis of sensitivity testing is not considered suitable as the technology for wastewater treatment has and continues to improve in relation to odour abatement.

To inform the design of the ponds, the following approach has been taken:

- Model the future STP odour emissions as presented in Table IO (as the ponds had the same OER for anaerobic and aerobic); and
- Model the two future ponds separately as this allows for both the maximum pond SOER and STP wide emissions to be identified.

As detailed previously, the character of landfill odour and TP odour is very different, and therefore for this sensitivity analysis, only the STP sources have been included in the sensitivity analysis.

A review of the future lagoons has determined that to achieve compliance with the 2 OU criterion at the Subject Site boundary, a maximum OER is 0.14 ou/m²/sec or a SOER of 588 ou/sec per pond. This assumes that the existing pond performance does not improve.

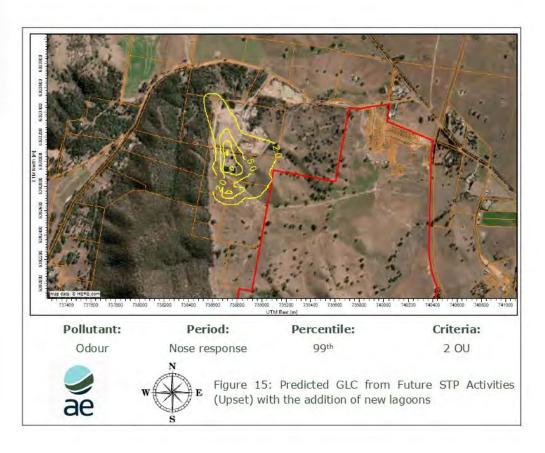
For comparison the range of aerobic pond OER in AE's database is $0.07 - 0.19 \text{ ou/m}^2$ /sec with an average of 0.12 ou/m^2 /sec, therefore the sensitivity testing of 0.14 ou/m^2 /sec is considered achievable, especially with improvements in technology. The predicted odour contour for this is presented in Figure 15.

Overall, the site wide odour emission rate from the STP can increase 25% compared to the current scenario and still comply with the assessment criteria at the Subject Site boundary, as listed in Table 12.

Scenario	Maximum OER (Pond Only)	Total OER (Whole STP)	Maximum Predicted 99 th percentile, nose response GLC at Site Boundary (OU)
Current STP Operation Only (Table 6)	1,149 per pond	3,193	1.4 OU
Future Converting Current Lagoons to Aerobic (Table 10)	1,149 per pond	3,593	1.7 OU
Future New Lagoons	588 per pond	4,769	20 00

Table 12: Sensitivity Testing of Future Lagoons







9 CONCLUSION AND RECOMMENDATIONS

Mid-Western Regional Council operates two EPA licensed premises which have the potential to emit odour. To assess the current and future impacts of these two uses (STP and solid waste disposal facility) upon the Caerleon Estate, Assured Environmental (AE) was appointed by Caerleon Mudgee to undertake an odour impact assessment.

Dispersion modelling has been undertaken for current and future operations of both EPL licenced facilities based on information provided by Mid-Western Regional Council. Additional methodology as agreed between MWRC, TOU and AE has been adopted.

The odour emissions rates used in this assessment is based on the following:

- For the STP, the upset conditions have been determined using maximum emission rates. The IDEA has used the average value to represent the average of stagnant and aerated parts of the process;
- For the landfill, the average values have been used due to the high level of variability in the emission rates as a result of varying municipal waste streams.

The predicted odour results show the following:

- Current STP (upset) operations, future landfill operations achieve compliance in isolation as well as combined odour sources. Compliance is predicted 40 m from the Subject Site boundary;
- Conversion of the current STP sludge lagoons from an aerobic to aerobic and installation of the DAF and third IDEA will achieve compliance at 30 m from the Subject Boundary, cumulatively with the landfill, the 2 ou contour is compliant 15 m from the Subject Site boundary.

A sensitivity test for the future lagoon location was undertaken to determine the highest contribution the lagoons can make upon the future STP operations. It has been determined that an increase of 25% of the STP operations will still achieve compliance at the Subject Site boundary. In isolation, the new lagoons which are bigger than the current ones, would need to achieve a maximum OER is 0.14 ou/m²/sec or a SOER of 588 ou/sec per pond. This assumes that the existing pond performance does not improve.

The range of aerobic pond OER in AE's database is $0.07 - 0.19 \text{ ou/m}^2/\text{sec}$ with an average of $0.12 \text{ ou/m}^2/\text{sec}$, therefore the sensitivity testing of $0.14 \text{ ou/m}^2/\text{sec}$ is considered achievable, especially with the improvements in technology.

The results of the predictive modelling demonstrates that compliance can be achieved at the Caerleon Estate boundary regardless of the future design options of the STP that is implemented. The modelling has shown that the likelihood of odour complaints from future residents or other sensitive users of the Subject Site are very low. As such, AE does not see any reason why the current buffer on Caerleon Mudgee's land cannot be removed and therefore recommends the complete removal of the odour buffer zone from Caerleon Estate.



APPENDIX A: METEOROLOGICAL REVIEW

Section of Representative Year

To determine the most representative meteorological year to utilise in the modelling, seven years (2012 - 2019) of meteorological observations from BOM Mudgee Airport (station number 62101) were reviewed. Figure 16 presents the wind roses for 2012 – 2019.

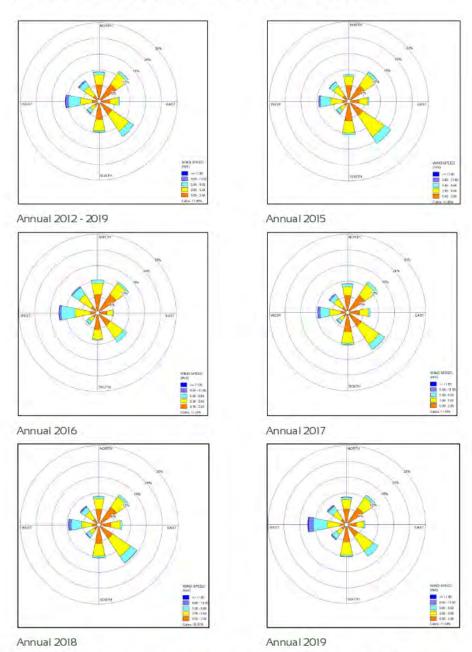


Figure 16: Long-term Wind Roses from BOM Mudgee Airport (2012 - 2019)



Based on the wind roses alone, all years are considered representative. Table 10 presents a yearly comparison of various meteorological parameters against the seven-year dataset. It can be seen form the Table that 2015, 2017 and 2018 the most representative years based on the analysis of individual parameters, with the exception of rainfall. Overall, 2015 is considered the most representative year for locations close to Mudgee Airport based on long-term rainfall and calm conditions.

Table 13: Data Analysis

Parameter		Year 2012 - 2019	2015	2016	2017	2018	2019
	Data Availability	99.79	99.97	99,97	99.93	99.97	99.99
Wind Conditions	Calm Conditions (%)	11.1	11.05	11.2	11.43	10.9	11.5
	Ave. Wind Speed (m/s)	3.11	3.10	3.12	3.06	3.13	3.31
	Data Availability	99.79	99.97	99.97	99.93	99.97	99.99
Rainfall	Rainfall (mm)	650 a)	637	850	233	254	168
Kainrail	Average Hourly Rainfall (mm/hour)	0.12	0.07	0.10	0.03	0.03	0.02
Correlations	RH (%)		0.88	0.76	0.83	0.86	0.19
of Datasets	Temperature (°C)		0.99	0.97	0.99	1.00	0.60
by Month	Wind Speed (m/s)		0.73	0.29	0.89	0.82	0.60

Observations vs Prognostic Dataset at Mudgee Airport

An evaluation of the performance of the meteorological model is presented in this section. The evaluation compares the observed meteorological data from BOM Mudgee Airport with the output from CALMET, which included data assimilation in TAPM. Figure 17 presents a comparison of the 9 am, 3 pm and annual 2015 predicted and observed wind roses at BOM Mudgee Airport monitoring station which is located approximately 20 km to the ENE of the Subject Site.

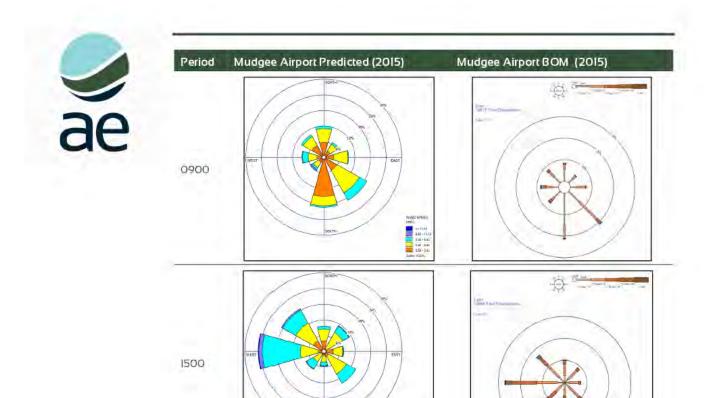


Figure 17: Comparison of Predicted (2015) and BOM Observed Wind Roses (2015) at Mudgee Airport

Prognostic Dataset Review at Subject Site

This section provides an analysis of the prognostic meteorological dataset extracted from the CALMET model for 2015 at the Subject Site.

Predicted Atmospheric Stability

The amount of turbulence in the ambient air has a major effect upon the rise and dispersion of emissions. In particular, the amount of turbulence in the atmosphere plays a key role in diffusion of an emitted plume in the air with stronger turbulence (increased instability) increasing the rate of diffusion. Where the atmosphere exhibits weak turbulence (increased stability), downwind contaminant concentrations can be expected to increase due to the limited diffusion.

Figure 18 presents the diurnal variability in atmospheric stability identified in the predicted meteorological dataset. As can be seen, atmospheric instability increased during the day where the influence of the solar energy drives convection in the atmosphere. Conversely, increased stability can be seen during night periods where stable conditions are predicted for more than 60 % of the time.

Monin-Obukhov Length

The Monin-Obukhov Length represents a parameter (with dimension of length) which provides a relationship between parameters characterising dynamic, thermal, and buoyant processes.

CAERLEON ESTATE - ODOUR MONITORING & ASSESSMENT

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The parameter, first described by Obukhov in 1946, is the characteristic height scale of the dynamic sub-layer of the atmosphere and is positive for stable stratifications and negative for unstable stratifications.

Figure I8 presents a graphical representation of the reciprocal of the Monin-Obukhov length (I/L) for the 2015 prognostic (CALMET) dataset. In this figure, neutral stability conditions have the I/L value of zero (O), stable conditions have positive values of I/L and unstable conditions have negative values of I/L. The more positive I/L value, the more stable the atmosphere is assumed to be by the model. Similarly, the more negative I/L becomes, the more unstable the atmosphere is assumed to be by the model.

Atmospheric Mixing Height

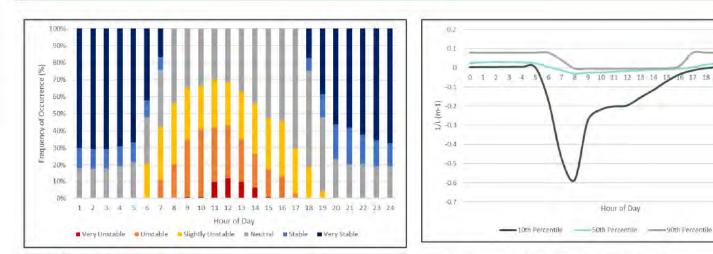
Figure 18 presents an illustration of diurnal variations in maximum and average mixing heights predicted by CALMET at the Subject Site across the 2015 prognostic meteorological dataset. As expected, an increase in mixing height during the morning is apparent, arising due to the onset of vertical mixing following sunrise. Maximum mixing heights generally occur in the mid to late afternoon, due to the dissipation of ground-based temperature inversions and growth of the convective mixing layer. The highest maximum mixing height for the Subject Site occurs during the late afternoon period.

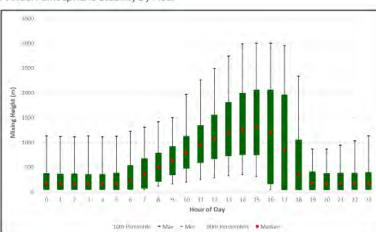
Temperature

Figure 18 presents an illustration of diurnal variations in maximum and average temperatures predicted by CALMET at the Subject Site across the 2015 prognostic meteorological dataset.

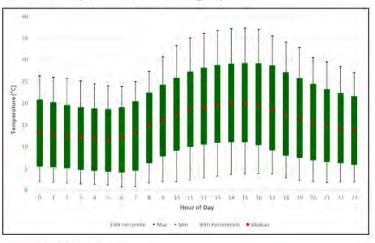
16 17 18 19 20 21 22 23







Annual Variability of Monin-Obukhov Length by Hour



Atmospheric Mixing Height by Hour

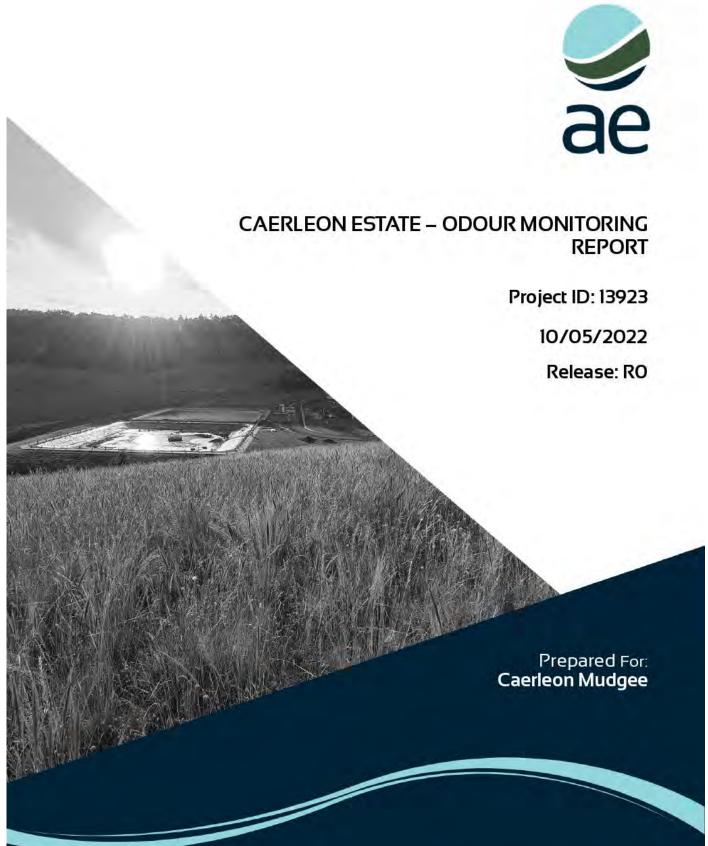
Figure 18: Meteorological Analysis at Subject Site

Temperature by Hour

Annual Atmospheric Stability by Hour



APPENDIX B: ODOUR MONITORING REPORT AND FIELD ODOUR SURVEYS



Assured Environmental



DOCUMENT CONTROL PAGE

Project Title: CAERLEON ESTATE - ODOUR MONITORING REPORT

Project Reference ID: 13923

Report Prepared by:

Assured Environmental Unit 7, 142 Tennyson Memorial Avenue Tennyson, QLD, 4105

Report Prepared for:

Caerleon Mudgee Level 5, 20 Bond Street Sydney, NSW, 2000

ill.

Author: David Arbuckle

Krishe

Reviewer: Rama Tirnaty

Table I: History of Revisions

Revision	Date	Issued to	Changes	
RO	10/05/2022	N. Davis	Initial Release	

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ACCREDITED FOR COMPLIANCE TO ISO/IEC 17025

The results of the tests, calibrations and/or measurements included in this document are traceable to Australian/national standards.

Accreditation ID: 19703



EXECUTIVE SUMMARY

The following tables provide an overview of the test results for the samples collected from the Mudgee Sewage Treatment Plant and Landfill over the course of November 2021 and January 2022.

Table 2: Results summary – STP

Source	Sample Date	Time of Sample	Odour Emission Rate	Odour Emission Rate
STP	dd-mm-yy	hh:mm	ou/m2/min	ou/m2/sec
inlet works	16/11/2021	8:05:00 AM	183	3.05
inlet works	16/11/2021	8:15:00 AM	468	7.80
Sludge lagoon (fresh / new)	27/01/2022	7:30:00 AM	32.8	0.55
Sludge lagoon (fresh / new)	27/01/2022	7:40:00 AM	24.4	0.41
Solid dewatering	27/01/2022	8:30:00 AM	52.4	0.87
Solid dewatering	27/01/2022	8:40:00 AM	38.9	0.65
Balance tank	27/01/2022	9:29:00 AM	6.4	0.11
Balance tank	27/01/2022	9:49:00 AM	125	0.21
IDEA (stagnant)	27/01/2022	10:32:00 AM	14.9	0.25
IDEA (aeration)	27/01/2022	10:4200 AM	40.6	0.68

Table 3: Results summary - Landfill ICC

Source LANDFILL	Sample Date dd-mm-yy	Time of Sample hh:mm	Odour Emission Rate ou/m2/min	Odour Emission Rate ou/m2/sec
Intermediate covered cells	16/11/2021	9:42:00 AM	126	0.21
Intermediate covered cells	16/11/2021	10:17:00 AM	15.8	0.26
Intermediate covered cells	16/11/2021	10:55:00 AM	11.2	0.19
Intermediate covered cells	16/11/2021	11:33:00 AM	9.2	0.15
Intermediate covered cells	17/11/2021	1200:00 PM	4.6	0.08
Intermediate covered cells	17/11/2021	12:37:00 PM	6.7	0.11
Intermediate covered cells	17/11/2021	1:15:00 PM	7.6	0.13



Table 4: Results summary – Landfill Leachate Pond

Source	Sample Date	Time of Sample	Odour Emission Rate	Odour Emission Rate
LANDFILL	dd-mm-yy	hh:mm	ou/m2/min	ou/m2/sec
Leachate pond	17/11/2021	7:40:00 AM	7	0.117
Leachate pond	17/11/2021	8:17:00 AM	7	0.110

Table 5: Results summary – Landfill Active Face

Source LANDFILL	Sample Date dd-mm-yy	Time of Sample hh:mm	Odour Emission Rate ou/m2/min	Odour Emission Rate ou/m2/sec
Active Face	27/01/2022	7:20:00 AM	78	1.30
Active Face	27/01/2022	8:10:00 AM	177	2.94
Active Face	27/01/2022	8:50:00 AM	426	7.11
Active Face	27/01/2022	9:30:00 AM	367	6.12
Active Face	27/01/2022	10:17:00 AM	17	0.285
Active Face	27/01/2022	10:52:00 AM	44	0.735
Active Face	27/01/2022	11:30:00 AM	15	0.254

Table 6: Results summary - Capped Cells

Source	Sample Date	Time of Sample	Odour Emission Rate	Odour Emission Rate
LANDFILL	dd-mm-yy	hh:mm	ou/m2/min	ou/m2/sec
Capped Cells - FRESH	18/11/2021	7:50:00 AM	1.5	0.025
Capped Cells - FRESH	18/11/2021	8:27:00 AM	1.3	0.022
Capped Cells - FRESH	18/11/2021	9:05:00 AM	1.3	0.022
Capped Cells - 2 years	18/11/2021	9:42:00 AM	0.9	0.0156
Capped Cells - 2 years	18/11/2021	10:20:00 AM	0.8	0.0138
Capped Cells - 2 years	18/11/2021	10:57:00 AM	0.9	0.0155



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1 INTRODUCTION

Odour sampling and analysis was performed by Assured Environmental (AE) for Caerleon at the Mudgee Sewage Treatment Plant and Landfill throughout the course of November 2021 and January 2022. Monitoring was conducted from the sources listed in Table 8.

2 SAMPLE METHODOLOGY & LOCATIONS

2.1 Methodology

All sampling and analysis were carried in accordance with the methods listed in Table 7 . Any sampling specific comments have been documented where required.

Table 7: Analytical methods & NATA

Parameter	Method	Limit of reporting	Analytical Laboratory	NATA Collection	NATA Analysis
Odour	AS4323.3	30ou/m ³	Assured Env	yes	yes

All samples were collected in one day and overnight freighted to our Brisbane based olfactometry laboratory where samples were analysed within 30-hours of collection.

2.2 Sampling Locations

The following tables provide an overview of the intended sampling locations and those actually sampled.

Table 8: Scope of work - STP

Source	Intended Samples	Actual Samples
Inlet works	2	2
Biofilter	2	0 [A]
Solid dewatering	2	2
IDEA (aeration / settling tank)	2 each (4 in total)	2 each (4 in total)
Balance tank	2	2
Filters	2	0 [B]
Backwash Storage	2	0 [C]
Sludge lagoon (fresh / new)	2 each (4 in total)	2 [D]
Total	20	12

NOTES

A - not used anymore or never at this site.

B – not used anymore or never at this site.

C – not used anymore or never at this site.

 D – Instructed by operator that both lagoons are identical (also insufficient safe access to second pond on day of sampling).





Table 9: Odour Sampling - Landfill

Source	Intended Samples	Actual Samples
Active face	7	7
Intermediate covered cells	7	7
Capped cells (fresh / 2 year)	3 each (6 in total)	3 each (6 in total)
Leachate pond	2	2
Total	22	22

AE was responsible for the collection and analysis of samples, unless otherwise indicated. The samples were recovered and stored in the appropriate manner until their return to the laboratory where the samples were prepared and analysed according to the methodologies listed below in this report.

The following figures provide an indication of where some of the samples were collected.



Figure 1: STP inlet works





Figure 2: Landfill - Capped Cells (Fresh) sampling



Figure 3: Landfill - Leachate Pond sampling





Figure 4: STP – Sludge Lagoon sampling



Figure 5: STP - Sludge truck sampling





Figure 6: STP – Balance Tank sampling



Figure 7: STP – IDEA stagnant sampling





Figure 8: STP – IDEA aeration sampling

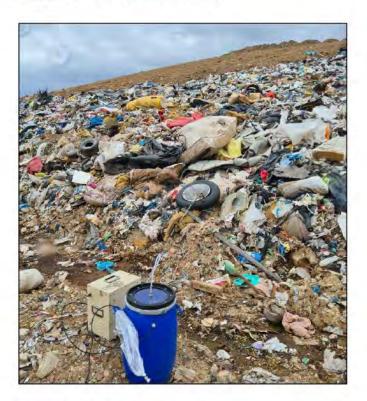


Figure 9: Landfill – Active Face sampling



3 QUALITY ASSURANCE & QUALITY CONTROL (QA/QC)

AE operates within a quality system based upon the requirements of ISO17025. Our quality system defines specific procedures and methodologies to ensure any project undertaken by AE is conducted with the highest level of quality given the specific confines of each project.

The overall objective of our QA/QC procedures is to representatively sample and accurately analyse components in the gas streams and therefore report valid measurements of emission concentrations.

To ensure representativeness of field work, our quality procedures target:

- I. Correct sampling locations
- 2. Sample time
- 3. Frequency of samples and
- 4. Method selection & adherence

To ensure representativeness of lab work, our quality procedures target:

- I. Sample preservation
- 2. Chain of custody (COC)
- 3. Sample preparation and
- 4. Analytical techniques

AE maintains strict quality assurance throughout all its sampling programs, covering on-site 'field work' and the analytical phase of our projects. Our QA program covers the calibration of all sampling and analytical apparatus where applicable and the use of spikes, replicate sample and reference standards. The test methodologies used for this project are outlined in the methods section of this document. Field test data has been recorded and calculated using direct entry into Microsoft Excel spreadsheets following the procedures of the appropriate test methods. Determination of emission concentrations has been performed using the same Microsoft Excel spreadsheets which are partially supplied as an attachment to this report. More detailed information can be supplied upon request.

QA/QC checks for this project will use validation techniques and criteria appropriate to the type of data and the purpose of the measurement to approve the test report. Records of all data will be maintained. Complete chain of custody (COC) procedures has been followed to document the entire custodial history of each sample. The COC forms also served as a laboratory sheet detailing sample ID and analysis requirements.

Table 10: Sampling data QA/QC checklist

Sampling Data QA/QC Checklist	Comment		
Use of appropriate test methods	Yes		
'Normal' operation of the process being tested	Yes – as instructed by client		
Use of properly operating and calibrated test equipment	Yes		
Use of high purity reagents	N/A		

Table II: Laboratory data QA/QC checklist

Laboratory Data QA/QC Checklist	Comment
Use of appropriate analytical methods	Yes
Use of properly operating and calibrated analytical equipment	Yes
Precision and accuracy comparable to that achieved in similar projects	Yes
Accurate reporting	Yes



Table 12: Olfactometer QA data

ltem	Comment
Methodology	AS/NZ4323.3 & AS/NZ4323.4:2001
Sample Media	Odour samples collected into Nalophan™ sample bags
Sample identification	All samples are labelled uniquely immediately following collection according to Assured Environmental's identification procedure. Each sample has the following recorded: project ID, sample number, location, date, time, dilution and any deviations to AS/NZ4323.3 and/or AS/NZ4323.4.
Timing	All measurements were conducted within 30 hours of sampling as specified by AS/NZ4323.3
Traceability	All panel results are traceable to reference standards held by Assured Environmental
Analysis conditions	Room temperature maintained at 22 °C ± 3 °C
Odour panel location	7/142 Tennyson Memorial Avenue Tennyson, QLD 4105
Reference odourant	36.3 ppm n-butanol
Odour panel threshold	20 ou



4 DEFINITIONS

The following terms and abbreviations may be used in this report.

Symbol	Definition
<	The analytes tested for was not detected; the value stated is the reportable limit of detection
Am³	Gas volume in cubic metres at measured conditions
AS	Australian Standard
вн	Back half of sample train (filter holder and impingers) (referred to during sample recovery)
°C	Degrees Celsius
CARB	California Air Resources Board methods
dscm	dry standard cubic meters
FH	Front half of sample train (probe and filter holder) (referred to during sample recovery)
f/ml	Fibres per millilitre
g	Grams
kg	Kilograms
m	Metres
m ³	actual gas volume in cubic metres as measured
mbar	Millibars
mg	Milligrams (IO ⁻³ grams)
min	Minute
ml	Millilitres
mmHzO	Millimetres of water
Mole	SI unit that measures the amount of substance
N/A	Not applicable
ng	Nanograms (10 ^{.9} grams)
NATO	North Atlantic Treaty Organisation
NIOSH	National institute for occupational safety and health (USA)
Nm ³	Gas volume in dry cubic metres at standard temperature and pressure (O°C and 101.3 kPa)
NMI	National Measurement Institute
NM VOC	Non methane volatile organic compound
ou	Odour unit
РМ	Particulate matter
ppb	Parts per billion
ppm	Parts per million
sec	Second
Sm³	Gas volume in dry cubic metres at standard temperature and pressure (0°C and 101.3 kPa) and corrected to a standardised value (e.g. 15% O_2)
STP	Standard temperature and pressure (0°C and IOI.3 kPa)
USEPA	United States Environmental Protection Authority
and the second sec	

ae



FIELD ODOUR SURVEY – MUDGEE STP & LANDFILL

CAERLEON MUDGEE

Project ID. 13923

R_O

DATE OF RELEASE: 9/05/2022

Unit 7, 142 Tennyson Memorial Avenue, Tennyson, Queensland 4105 Unit 17, 538 Gardeners Road, Alexandria, NSW 2015

Table 1: Document Approval

	Name	Position Title	Signature	Date
Author	David Arbuckle	Manager	Zill	10/5/2022
Reviewer	Michelle Clifton	Principal	M. Clifton	10/5/2022
Approved	David Arbuckle	Manager	2.11	10/5/2022

Table 2: Revision Register

Revision	Date	Name	Issued to	Comment
R_O	10/5/2022	D. Arbuckle	N. David	Formal report release

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ACCREDITED FOR COMPLIANCE TO ISO/IEC 17025 - TESTING

The results of the tests, calibrations and/or measurements included in this document are traceable to Australian/national standards.



Accreditation ID: 19703



EXECUTIVE SUMMARY

Field odour surveys were performed by Assured Environmental (AE) in the land surrounding the Mudgee STP and Landfill over the course of November 2021 and January 2022.

- · The majority of the odour when present is landfill related.
- Surveying directly downwind of the STP does result in STP related odours over landfill.



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1 INTRODUCTION

Assured Environmental (AE) was appointed to conduct field odour surveys at locations around the boundary of the Mudgee STP and Landfill over the course of November 2021 and January 2022. Five surveys were conducted in November 2021 and three in January 2022. The surveys were timed to take place in the earl morning and late afternoon/early evening to account for more stable conditions.

Assured Environmental was responsible for all field work undertaken.

2 SAMPLE METHODOLGY & LOCATIONS

2.1 Field Odour Intensity Surveys – Modified VDI 3940

The full requirements of VDI 3940 for performing field odour assessments was considered largely impractical for the purposes of this field odour survey. Although many requirements of VDI 3940 have been taken into consideration for this survey, a complete VDI survey requires a full year of data from field assessments performed throughout the seasons and various meteorological conditions. In recognition of this main limitation, hybrid adaptations of VDI 3940 have been accepted by authorities around Australia. The following hybrid approach has been utilised for this project.

2.2 Survey Methodology

The following modified version of the VDI 3940 method has been employed for the project:

- Before starting the survey, record the wind direction and wind speed in the vicinity of the site either by visual or from the nearest Bureau of Meteorology (BOM) or private weather station.
- Investigate whether odour can be detected at survey locations. Record intensity, offensiveness and characteristics of any odour detected.
- Record location at each monitoring point and mark on map.

A "Field Odour Survey Sheet" is used which has been developed in accordance with VDI Standard 3940 for recording odour intensity at each location. The procedure requires recording odour intensity every 10 seconds over a period of at least 10 minutes at each location. A standard ranking system based on the seven-point intensity scale found in the German Standard "Olfactometry Determination of Odour Intensity" (VDI 3882, 1992) is used for recording odour on a survey sheet. The intensity scale that will be used for the survey sheets is shown below.

Perceived Odour Strength	Intensity Level Rating
Extremely strong	6
Verystrong	5
Strong	4
Distinct	3
Weak	2
Very weak	<0
Not perceptible	0

Table 3: Odour Intensity Scale from VDI 3882



In addition to making intensity observations, the observers also noted the character of any odour detected (e.g. "fishy", "sewage", "earthy" etc.). General odour character descriptions such as those listed in the *Good Practice Guide for Assessing and Managing Odour in New Zealand* (NzMfe, 2003) can be used. The character descriptors, where possible, were specific to the facility in question and likely character descriptors of other odours likely present in the region. The ID's in the table below are commonly used to characterise the majority of nuisance odours.

Table 4: Example Odour Character Descriptors

ID	Descriptor	ID	Descriptor	ID	Descriptor
01	Fragrant	14	Burnt, smoky	27	Sharp, pungent, acid
02	Perfumy	15	Soapy	28	Metallic
EO	Sweet	16	Garlic, onion	29	Tar-like
04	Fruity	17	Cooked vegetables	30	Oily, fatty
05	Bakery	18	Chemical	31	Like gasoline, solvent
06	Coffee-like	19	Etherish; anaesthetic	32	Fishy
07	Spicy	20	Sour, acrid, vinegar	33	Putrid, foul, decayed
08	Meaty (cooked, good)	21	Like blood, raw meat	34	Paint-like
09	Marine/estuarine	22	Rubbish	35	Rancid
10	Herbal, cut grass	23	Compost	36	Sulphuric
11	Bark-like, birch bark	24	Silage	37	Dead animal
12	Woody, resincus	25	Sidtening	38	Faecal (like manure)
13	Medicinal	26	Musty, earthy, mouldy	39	Sewer o dour
ID	SITE SPECIFIC				
01	LANDFILL				-
02	STP				
EO	BUSH	1.0			

After the completion of each site visit, the data is translated from the field sheets into Microsoft excel. The data can then be manipulated into a format suitable for reporting.

2.3 Survey Locations

Sample locations were selected around the site based on accessibility and the prevailing wind conditions at the beginning of the sampling period.



3 QUALITY ASSURANCE & QUALITY CONTROL (QA/QC)

Assured Environmental operates within a quality system based upon the requirements of ISO17025. Our quality system defines specific procedures and methodologies to ensure any project undertaken by AE is conducted with the highest level of quality given the specific confines of each project

The overall objective of our QA/QC procedures is to representatively sample and accurately analyse components in the gas streams and therefore report valid measurements of emission concentrations.

To ensure representativeness of field work, our quality procedures target:

- Correct sampling locations
- 2. Sample time
- 3. Frequency of samples and
- 4. Method selection & adherence

To ensure representativeness of lab work, our quality procedures target:

- 1. Sample preservation
- 2. Chain of custody (COC)
- 3. Sample preparation and
- 4. Analytical techniques

AE maintains strict quality assurance throughout all its sampling programs, covering on-site 'field work' and the analytical phase of our projects. Our QA program covers the calibration of all sampling and analytical apparatus where applicable and the use of spikes, replicate sample and reference standards. The test methodologies used for this project are outlined in the methods section of this document. Field test data has been recorded and calculated using direct entry into Microsoft Excel spreadsheets following the procedures of the appropriate test methods. Determination of emission concentrations has been performed using the same Microsoft Excel spreadsheets which are partially supplied as an attachment to this report. More detailed information can be supplied upon request.

QA/QC checks for this project will use validation techniques and criteria appropriate to the type of data and the purpose of the measurement to approve the test report. Records of all data will be maintained. Complete chain of custody (COC) procedures have been followed to document the entire custodial history of each sample. The COC forms also served as a laboratory sheet detailing sample ID and analysis requirements.



4 DEFINITIONS

The following terms and abbreviations may be used in this report:

Table 5: Definitions

Symbol	Definition
AS	Australian Standard
°C	Degrees Celsius
mbar	Millibars
mīn	Minute
N/A	Not applicable
NR	Not required on this occasion
ou	Odour unit
sec	Second
STP	Standard temperature and pressure (O°C and IOI.3 kPa)
BOM	Bureau of meteorology



5 RESULTS

5.1 Field Odour Surveys Results

Wind direction appeared to be the determining factor in perceived odour character and odour intensity.

- STP like odours were observed at locations (<100 m) from the STP during down wind conditions from the STP.
- Beyond 100 m, STP like odours were generally very weak to not perceptible.
- Landfill like odours were observed at locations during down wind conditions from the landfill.
- No other malodours were recognised in the area during the survey periods.
- The landfill was the more predominant odour recognisable during the surveys.



Table 6: Summary of Field Odour Survey - Number 1

Date	15/11/2021				
Location	1	2	З	4	5
Time start	19:00	19:20	19:45	20:10	20:35
Time end	19:10	19:30	19:55	20:20	20:45
Wind Direction	SSW	SSW	S	S	S
Wind Speed	0.40	0.40	0.30	0.40	0.30
Number of positive responses	19	7	0	o	o
Total number of samples	61	61	61	61	61
Odour frequency (all odours)	31%	11%	0%	0%	0%
Odour frequency (Landfill odours)	31%	11%	0%	0%	0%
Odour frequency (STP odours)	0%	0%	0%	0%	0%





Figure 1: Field Odour Survey – 15th November - PM

Table 7: Summary of Field Odour Survey – Number 2

Date	16/11/2021					
Location	1	2	2	4	5	6
Time start	19:00	19:25	19:45	20:00	20:17	20:39
Time end	19:10	19:35	19:55	20:10	20:27	20:49
Wind Direction	W	W	w	w	W	W
Wind Speed	0.50	0.80	0.40	0.20	0.10	0.10
Number of positive responses	15	29	16	2	3	6
Total number of samples	61	61	61	61	61	61
Odour frequency (all odours)	25%	48%	26%	3%	5%	10%
Odour frequency (Landfill odours)	16%	48%	3%	3%	0%	0%
Odour frequency (STP odours)	0%	0%	8%	0%	5%	10%

ae





Figure 2: Field Odour Survey - 16th November 2021 - PM



Table 8: Summary of Field Odour Survey – Number 3

Date	17/11/2021						
Location	I.	2	3	4	5	6	7
Time start	5:00	5:15	5:45	6:05	6:20	6:45	6:45
Time end	5:10	5:25	5:55	6:15	6:30	6:55	6:55
Wind Direction	SSE	SSE	SSE	SSE	SE	SE	SE
Wind Speed	0.30	0.40	0.50	0.70	0.70	1.00	1.00
		-					
Number of positive responses	0	0	12	59	10	59	22
Total number of samples	61	61	61	61	61	61	61
Odour frequency (all odours)	0%	0%	20%	97%	16%	97%	36%
Odour frequency (Landfill odours)	0%	0%	20%	97%	16%	97%	36%
Odour frequency (STP adours)	0%	0%	0%	0%	0%	0%	0%

ae

Field Odour Survey – Mudgee STP & Landfill - R_O



Figure 3: Field Odour Survey - 17th November 2021 - AM



Table 9: Summary of Field Odour Survey – Number 4

Date	17/11/2021				
Location	1	2	3	4	5
Time start	19:00	19:35	19:55	20:15	20:45
Time end	19:10	19:45	20:05	20:25	20:55
Wind Direction	ENE	ENE	ENE	ENE	ENE
Wind Speed	0.20	0.20	0.20	0.20	0.10
		and the second			
Number of positive responses	Ō	0	41	29	Ö
Total number of samples	61	61	61	61	61
Odour frequency (all odours)	0%	0%	67%	48%	0%
Odour frequency (Landfill odours)	0%	0%	0%	48%	0%
Odour frequency (STP odours)	0%	0%	67%	0%	0%





Figure 4: Field Odour Survey – 17th November 2021 - PM

ae

Field Odour Survey – Mudgee STP & Landfill - R_O

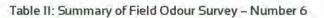
Table 10: Summary of Field Odour Survey – Number 5

Date	18/01/2021	1				-	
Location	1 - A	2-B	3-C	4 - D	5-E	6-F	7 - G
Time start	5:10	5:35	6:00	6:20	6:40	6:55	7:15
Time end	5:20	5:45	6:10	6:30	6:50	7:05	7:25
Wind Direction	SSE	SSE	SSE	SSE	SSE	SSE	SSE
Wind Speed	0.00	0.10	0.10	0.10	0.20	0.20	0.20
Number of positive responses	2	25	31	22	38	19	0
Total number of samples	61	61	61	61	61	61	61
Odour frequency (all odours)	34%	41%	51%	36%	62%	31%	0%
Odour frequency (Landfill odours)	34%	34%	10%	0%	0%	31%	0%
Odour frequency (STP odours)	0%	7%	41%	36%	62%	0%	0%





Figure 5: Field Odour Survey - 18th November 2021 - AM



Date	24/01/2022				
Location	I-A	2 - B	3 - C	4 - D	5 - E
Time start	18:00	18:30	18:55	19:15	19:35
Time end	18:10	18:40	19:05	19:25	19:45
Wind Direction	NNE	NNE	NNE	NNE	NNE
Wind Speed	1.5m/s	2lm/s	0.50	0.50	0.30
	1				
Number of positive responses	Ó	з	29	21	18
Total number of samples	61	61	61	61	61
Odour frequency (all odours)	0%	5%	48%	34%	30%
Odour frequency (Landfill odours)	0%	5%	5%	34%	30%
Odour frequency (STP odours)	0%	0%	43%	0%	0%





Figure 6: Field Odour Survey – 24th January 2022 - PM



Table 12: Summary of Field Odour Survey – Number 7

Date	26/01/2021					
Location	I-A	2-B	3 - C	4 - D	5-E	6 - F
Time start	6:07	6:35	7:00	7:20	7:50	7:50
Time end	6:17	6:45	7:10	7:30	8:00	8:00
Wind Direction	NW	NW	NW	NW	NW	NW
Wind Speed	0.10	0.10	0.20	0.30	0.30	0.30
						1
Number of positive responses	20	26	34	14	0	0
Total number of samples	61	61	61	61	61	61
Odour frequency (all odours)	33%	43%	56%	23%	0%	0%
Odour frequency (Landfill odours)	33%	43%	0%	15%	0%	0%
Odour frequency (STP odours)	0%	0%	56%	8%	0%	0%





Figure 7: Field Odour Survey – 25th January 2022 - AM



Table 13: Summary of Field Odour Survey – Number 8

Date	26/01/2021					
Location	I-A	2-B	3-C	4 - D	5-E	6-F
Time start	6:07	6:35	7:00	7:20	7:50	7:50
Time end	6:17	6:45	7:10	7:30	8:00	8:00
Wind Direction	NW	NW	NW	NW	NW	NW
Wind Speed	0.10	0.10	0.20	0.30	0.30	0.30
					and the second second	
Number of positive responses	20	26	34	14	0	0
Total number of samples	61	61	61	61	61	61
Odour frequency (all odours)	33%	43%	56%	23%	0%	0%
Odour frequency (Landfill odours)	33%	43%	0%	15%	0%	0%
Odour frequency (STP odours)	0%	0%	56%	8%	0%	0%





Figure 8: Field Odour Survey – 26th January 2022 - AM



CAERLEON MUDGEE CAERLEON ESTATE – ODOUR ASSESSMENT Reference: 13923

Version: RO

DATE OF RELEASE: 12/05/2022

Caerleon Mudgee Level 5, 20 Bond Street Sydney, NSW, 2000

ATTN: Nathan Davis [nathan@davisstack.com.au]

Please find enclosed the revised odour impact assessment of the Mid-Western Regional Council owned landfill and sewer treatment plant (STP) upon the Caerleon Estate, located in Mudgee, NSW.

This assessment (version RI dated 12 May 2022) is based on the following:

- The odour emission rates used in the modelling for the current STP and landfill operations are based on measured emissions undertaken at peak times and in accordance with an agreed methodology between Assured Environmental (AE) and The Odour Unit (TOU) on 10 November 2021;
- Field odour survey methodology was also agreed between AE and TOU on 10 November 2021;
- To represent the emission rates used in the model, the maximum OER have been used for the STP and the average for the landfill operations as per the agreed methodology between TOU, AE and MWRC on 19 April 2022. This included an acknowledgement that landfill odour and sewerage odour have different characters and are not cumulative, therefore individual and combined odour contours have been provided;
- Additionally, it was also agreed that sensitivity testing of the future use of the STP was the most suitable method to allow for any future STP design to achieve compliance at the Caerleon Estate boundary;
- The modelling has also been updated to reflect area sources for the landfill and ponds, in accordance with the peer review from TOU dated 4 August 2021.

Unit 7, 142 Tennyson Memorial Avenue, Tennyson QLD 4105

Caerleon Mudgee – Caerleon Estate – Odour Assessment – 13923



The revised modelling of current STP and landfill demonstrate compliance at the Caerleon Estate boundary. In addition, the results of the predictive modelling demonstrates that compliance can be achieved at the Caerleon Estate boundary regardless of the future design options of the STP that is implemented. The modelling has shown that the likelihood of odour complaints from future residents or other sensitive users of the Subject Site are very low. As such, AE does not see any reason why the current buffer on Caerleon Mudgee's land cannot be removed and therefore recommends the complete removal of the odour buffer zone from Caerleon Estate.

Caerleon Mudgee – Caerleon Estate – Odour Assessment – 13923



DOCUMENT CONTROL

Document Release

	Name	Position Title	Signature	Date
Author	Michelle Clifton	Consultant	M. Clifton	12-May-22

Revision Register

Revision	Date	Name	Comment	
RO	12-May-22	Michelle Clifton	Initial release	-

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Managing the impacts of State Significant Development

Final Report November 2023

Prepared for Mid-Western Regional Council





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Proudly funded by



This report has been prepared for Mid-Western Regional Council and has been funded by the NSW Government's Regional NSW – Business Case and Strategy Development Fund. This fund supports strategies and initiatives that will strengthen community infrastructure, regional prosperity, and planning for future projects.

Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC

Disclaimer

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This report is not intended to be read or used by anyone other than Mid-Western Regional Council. We prepared this report solely for Mid-Western Regional Council use and benefit in accordance with and for the purpose set out in our engagement letter with Mid-Western Regional Council dated 24 May 2023. In doing so, we acted exclusively for Mid-Western Regional Council and considered no-one else's interests.

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Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC

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- 02 Project context and approach

03 Demand analysis

04 Impact analysis

05 Strategy

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Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC

Mid-Western Regional Council (MWRC) commissioned PwC to assess the impacts of additional population on services, infrastructure and housing as a result of State Significant Development (SSD) projects in the Mid-Western Region Local Government Area (MWR LGA). The headline findings are outlined below.

Growth impacts

- As of October 2023, 25 SSD projects as well as EnergyCo's transmission lines have been identified for development in and around the MWR. Together, these projects have a peak workforce requirement of 7,010 workers in 2026.
- Accounting for workers who may bring spouses and families, the total additional population would be higher, peaking at 9,906 additional persons in 2026. This is a 40% increase in population in three years.
- ~5,000 of the additional population are assumed to be in temporary worker accommodation (TWA) arrangements. The remainder need to be housed in the MWR. This translates to a need for up to 1,515 additional dwellings in 2026. By comparison, MWRC has processed 1630 housing approvals in past 10 years (163 a year). The rental market is currently tight with only 74 properties vacant across the LGA as of October 2023.

Service/Infrastructure impacts

Growth will exacerbate existing constraints including:

- Water needs from TWAs and additional residential housing may demand, on average, up to an additional 708 ML per year in 2026. TWAs may generate, on average, up to 456 ML of wastewater per year in 2026 (assuming ~5,000 people are housed in TWAs). The MWRC does not have the operational capacity to service this demand.
- Up to 7,428 additional tonnes of waste is forecast to be produced in the peak construction year (2026) from additional residential housing and temporary worker accommodation.
- Increased demand on local road networks could increase average road maintenance costs by ~55%, rising to \$13,270 per km from \$8,539. The majority of this additional traffic demand would be generated by non-rate paying persons, creating a funding gap for maintenance.
- Up to an additional 5,085 ED presentations could be expected in 2026, a 35% increase and would necessitate a doubling of the current emergency department capacity at Mudgee Hospital if this activity were to be met within the Mid-Western Region.
- Up to an additional 25 classrooms may be required across primary and secondary schools at the peak construction period in 2026 due to workers who may bring families and children.

VBS

Collaboration opportunities

- Collaboration around these challenges could seed new industries for the region, in water and waste and the development of enhanced waste water recycling capability to provide sustainable source water for construction and industry. There are additional circular economy opportunities including exploring a potential upgrade of existing recycling facilities to become a regional construction waste processing hub.
- Beyond and in close proximity to the MWR LGA boundary, there are a significant number of projects which need to be incorporated into infrastructure planning and coordination to manage impacts on communities. These are not currently being considered by Energy Co.

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Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC

MWRC has sought analysis to understand the impacts of additional population on services, infrastructure and housing as a result of major projects in the region

Background and context

A number of state significant developments (SSD) are currently planned within and around the Mid-Western Regional Local Government Area (MWR LGA). The majority of these SSDs are related to the Central-West Orana Renewable Energy Zone (CWO REZ) and are central to the NSW Government's net zero transition to deliver clean, reliable and affordable energy for NSW.

This current and planned investment across a range of major projects in the MWR LGA will create significant opportunities for the region including, but not limited to, continuous demand for workers over the next decade. However, while the CWO REZ will deliver a range of benefits to NSW as a whole, the construction and delivery of these projects will create significant demand for workers over the next decade with flow-on impacts to housing, services and utilities in and around the MWR LGA.

Careful planning and proactive management is critical to ensure that this influx of investment leads to the best possible outcome for both the region and the NSW at large. NSW Energy Co has initiated a series of working groups as the basis for coordinated planning and action to mitigate negative impacts to regional communities. This report is intended to promote alignment amongst state and local government and provide the basis for further collaborative planning and risk mitigation. It should be seen as a starting point for informing appropriate state and local agencies to align growth planning for services, manage community impacts across the delivery phases and to determine need for additional analysis.

Purpose, scope and limitations of the report

This report provides a **point-in-time analysis** based on the best data available to assess cumulative impacts of additional population on services, infrastructure and housing as a result of major projects within and immediately surrounding the MWR LGA.

The analysis has three primary objectives:

- To estimate the likely number of workers expected across the both construction and operational phase of planned major projects in the region and determine the subsequent temporary and permanent increase to population within the MWR LGA.
- To determine the impact of this additional population on housing, infrastructure and services, including water, sewage, healthcare, schooling, childcare and emergency services.
- To outline strategies and potential investments required to mitigate the identified short-term impacts on housing, infrastructure and services as well as identify a series of longer-term economic development opportunities or legacy projects.

Note: The analysis in this report is limited by available data. All findings are based on information received up to October 2023 and therefore may not reflect an up-to-date view of planned projects in and surrounding the region. The analysis in this report are directly underpinned by the outputs from the worker and population estimates. Worker and population estimates are reliant on several core assumptions around workforce composition and project timing and include: (a) 98% of the required workforce will come from outside of the MWR LGA, (b) of the total workforce required, 16% are assumed to be family households and 6% are assumed to be couple households meaning they will bring spouses and/or children, (c) peak construction workforce requirements are currently forecast for 2026 as indicated by project proponents.

Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC

Source: MWRC, Census 2021, PwC

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Executive Summary

Information provided by project proponents indicate a peak workforce need of 7,010 in 2026 with between 6,115 and 6,500 likely to come from outside of the MWR LGA

As of October 2023, 25 SSD projects as well as EnergyCo's transmission lines have been identified for development in and around the MWR LGA. Based on information provided by project proponents and MWRC, these projects could generate demand for up to 7,010 workers at the peak delivery period in 2026. This estimate assumes that 98% of the workforce for new renewable projects will come from outside the MWR LGA (core scenario).¹ This assumption reflects the low unemployment rate in the region (<2% unemployed).

Results: Peak workforce demand, core scenario

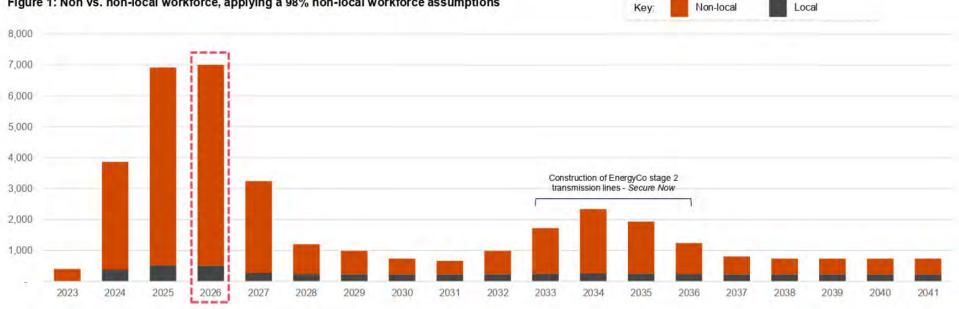


Figure 1: Non vs. non-local workforce, applying a 98% non-local workforce assumptions

Mid-Western Regional Council - Managing the Impacts of State Significant Development

1. Note, the results presented in the body of this report include two mining related projects (Moolarben Coal and Bodwens Silver) Aa 98% local vs, 2 % non-local ratio has been applied to these projects to accurately reflect current industry employment concentrations PwC for the region. This assumption is detailed in Appendix A.

Taking into account the likelihood that some workers may bring spouses and families, the total estimated additional population as a result of SSD projects in and around the MWR LGA will peak at 9,906 in 2026 comprising of 66% workers and 34% spouses and family

Of the total non-local workers required for the identified SSD projects, the modelling assumes that 78% will be single person households, 16% will be family households and 6% will be couple households, resulting in further additional population in the region. These assumptions are grounded in comparative analysis of similar regions that have a high reliance on external workfroce.

Results: Total additional population, highlighting additional population generated by spouses and families¹

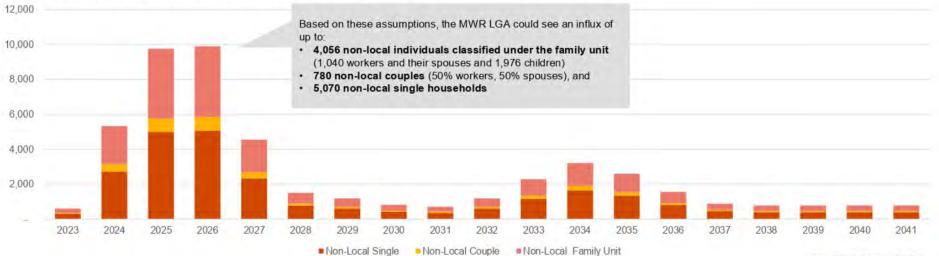


Figure 2: Composition of total additional population to 2041, core scenario

Non-local couples are defined as workers and their spouse. Non-local family units consist of workers, their spouse and children (and comprising 1.9 children as per the regional NSW average)

Source: MWRC, Census 2021, PwC

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Mid-Western Regional Council - Managing the Impacts of State Significant Development

PwC

While temporary, population increases of this magnitude will place increased demand and pressure on services, infrastructure and housing across the board

Service impacts have been assessed by determining the change in per capita service provision as a result of increased population to establish. This analysis is based on averages across the region. Housing and infrastructure impacts are based on the current level of operational capacity (e.g. sewage treatment capacity, provision of zoned land) as advised by MWRC.

Impact analysis summary

Service Area	Current state	Demand impact	Impact ¹	Detail
Housing	 74 vacant properties across the LGA² 1,630 housing approvals in past 10 years (163 a year) 	 Up to 1,493 additional dwellings in peak construction (2026) 2023-2041 median of 519 additional dwellings per annum (p.a.) 	>75% increase	Pages 32-34
Childcare	 11 childcare centres with 720 approved childcare places 0.35 childcare places per child (inner regional NSW average) 	 Up to 59 additional childcare places in peak construction period (2026) 2023-2041 median of new childcare places is 7 p.a. 	<25% increase	Pages 35 -36
Schools (Primary and Secondary)	 9 primary schools with 2294 students enrolled³ 16:1 average student to teacher ratio 	 Up to 26 additional primary school classes (751 students) in peak construction period (2026) 2023-2041 average of 4 additional primary school classes p.a. 	>25% <50% Increase	
	 4 secondary schools with 1852 students enrolled³ 11:1 average student to teacher ratio 	 Up to 30 additional secondary school classes (751 students) in peak construction period (2026) 2023-2041 average of 4 additional secondary school classes p.a. 	>25% <50% increase	Pages 37-38
GPs	 GPs within the LGA work 12.25 to 15.75 FTE Current GP to patient ratio of 1:1,168 	 Up to 8 additional dedicated GP FTE in peak construction period (2026) 2023-2041 median of 1 additional dedicated GP FTE p.a. 	>50% Increase	Pages 39-40
Hospitals	 Mudgee Health Services has 8 ED bay spaces 2 nurses per shift and 1 additional nurse for peak period (10:30-19:00) 14,583 total presentations in 2022 	 Up to an additional 8 ED bays and 7 nurses may be required in peak construction period (2026) ⁴ Up to an additional 5,085 ED presentations could be expected in 2026 	>75% increase	Pages 41- 42

Mid-Western Regional Council - Managing the Impacts of State Significant Development

PWC 1. Impact is calculated at peak demand 2. As at October 2023, As at October 2023, sourced from MWRC. 3.Count is for number of schools with 20 or more students only. Based on consultations, an assumption has been made that there is current capacity for an additional ~150 primary and secondary students. 4. Based on available data the old (2006) MoH methodology for projecting ED treatment spaces was utilised. This method could overestimate bays required.

Water supply and sewage systems will require significant upgrades to service the SSD workforce, whilst other services such as waste and roads may be able to adapt easier

Impact analysis summary

Service Area	Current rate of service	Service response	Impact ¹	Detail
Ambulance	 11,186 responses in 2022 for Mudgee- Lithgow SA3 1 paramedic for 330 residents (145 paramedics) Mudgee – Lithgow (SA3) 	 Up to 30 additional paramedics in peak construction period (2026) 2023-2041 median of 4 additional paramedics Up to 803 additional responses in peak construction period (2026) 	<25% increase	Pages 43-44
Water	 Current water supply systems across the LGA are at capacity and intended to grow with baseline population 	 Any additional growth in the region will require additional works Distribution infrastructure will need to be upgraded in consideration of surge capacity 	Forecasted to exceed current capacity	Page 47
Sewage	 Mudgee and Gulgong STPs have remaining capacity for the baseline (DPE) population growth with consideration to planned upgrades. 	 Up to 5000 additional residents may be housed in dwellings in peak construction period (2026), producing up to 524 megaliters 2023-2041 median of ~1,000 additional residents in dwellings p.a. producing a median of 86 megaliters p.a. 	Forecasted to exceed current capacity	Page 48
Waste	 In 2022-23, Mudgee Waste Facility collected a net waste total of 33,951 tonnes of waste Under baseline population projections (i.e. no additional demand generated by SSDs), the LGA has 40 years of solid waste land fill capacity 	 Up to 7,428 additional tonnes of domestic waste is forecast to be produced in peak construction year (2026) from the residential and worker population. Between 2023 and 2041, an average of 2,007 additional tonnes of domestic waste will be produced across from the residential and worker population. 	<25% Increase	Page 49
Roads	 2,460 km of local road network \$8,539 average maintenance cost per km of road in 2021-2022 	 Comparing FY22 to FY26, the maintenance cost increases by \$4,731 (to \$13,270) per km of road 	>25% <50% Increase	Page 50
Police		ct revealed a number of factors that may increase demand for policing urring at TWAs and resource management across the entirety of the	N/A	Page 45-46

Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC 1. Impact is calculated at peak demand

A series of recommendations have been developed to mitigate the impacts for each service sector

Action item	Recommendation
Housing	 Establish an accommodation coordination team that manages and monitors housing stock and room availability. Develop a campaign to promote and educate residents around infill medium-density development (including secondary dwellings) to encourage an increase in this housing typology coming to market. Financial incentives available to landowners should be included as part of the campaign. Boost number of planning staff within the Council to accelerate speed of development approval process in line with increased demand. Formalise requirements for proponents to provide temporary worker accommodation in appropriate locations. Explore opportunities for sharing, re-use and/or repurposing of TWAs between projects and/or for legacy uses. Review current staging and servicing of zoned land in the Mudgee and Gulgong Urban Release Strategy - including master planning of growth areas to assist in bringing land to market in a more timely manner and agility to respond potential peak accommodation requirements. Build essential worker housing as part of master planned areas. Explore policies to incentivise major master planned housing developments, including opportunities to fast track approvals.
Water	 Investigate the feasibility and funding options to upgrade the Mudgee and Gulgong Sewage Treatment Plants to provide waste water recycling capability for construction use and other ongoing uses post construction phase. Review current water distribution infrastructure phasing and timing to align with accelerated release of land as required. Work with NSW Government/energy project proponents to establish a clear requirement for all construction and TWA sites to provide on-site water supply systems (incl. source water independent of council allocation). Work with NSW Government to audit existing water allocations and identify unused or underutilized allocations for potential transfer and/or sharing arrangements Explore options to increase in water licenses/allocations for MWRC.
Sewage	 Determine a clear framework that requires energy project proponents to have onsite sewage processing in TWAs, including processes to manage sledge. Explore options for Mudgee and Gulgong STP expansion including temporary expansion; proponent built; servicing in neighbouring LGAs.
Waste	 Improve communication channels with proponents around roles and responsibilities for waste collection and processing at TWAs. Establish a regulatory framework setting benchmarks/quotas on REZ material and construction waste and TWA waste collection. (e.g. min % recyclables, construction clean fill reuse rules). Consult with neighbouring councils to ensure regulatory framework is consistent around landfill obligations for TWAs/project sites. Conduct a business case/costings on value-add opportunities for Council to upgrade recycling capabilities to improve recycling scope, capacity and quality.
Childcare	 Examine the feasibility of MWRC acting as a developer for a new childcare/multi-purpose centre in Gulgong following the build and lease model in Mudgee. Conduct an audit of childcare service providers' opening hours capability and expansion potential to cater for extended working hours of construction/REZ workers. Develop a platform for centralised communication of current childcare place availability in the region and ongoing demand monitoring. Advocate for developers/energy proponents to build-in childcare capacity to new developments/TWAs.
Schools	 Identify under-utilised assets and classrooms, including detailed audit of capacity on a school-by-school basis Advocate for the provision of additional temporary classrooms in peak construction years as required. Partner with local schools to develop a teacher retention strategy around non-monetary incentives focused on mentoring and community engagement

The actions and recommendations also identify longer-term opportunities and legacy projects with many of these focused around utilities infrastructure

ction item	Recommendation
Hospitals	 Conduct an audit on medical equipment available within the region and advocate for a CT scan in Mudgee Hospital. Work with NSW Health to explore potential 'virtual hospital' models, utilising telehealth to address and manage demand for low triage and GP activity. NSW Government to work with SSD project proponents to establish protocols for helicopter access to worker/project sites. Investigate contingencies to medical transfers to Dubbo Base Hospital. E.g. shell space at Mudgee Base Hospital, additional bed/staffing requirements. Explore requirements to mandate that TWAs to provide onsite medical services. NSW Health to work with project proponents to communicate clear protocols for emergency responses.
Primary Health Care	 Set minimum health care staffing requirements for TWA (e.g. prescribing nurses on-site, access to telehealth for all workers). Advocate for permanent placement of GP/GPs in Gulgong Collaboration between developers, project proponents and local pharmacies around medical supplies and ability to fill scripts. Development and promotion of telehealth models of care in region, including development of virtual care facility.
Ambulance	 Liaise with local NSW Ambulance to communicate the road/traffic implications of the REZ projects. Engage with SSD proponents to establish requirements/expectations for access to paramedics/ambulances on TWA sites. Investigate options for temporary service delivery and increase paramedic provision during peak construction (such as temporary ambulance stations)
Police	 Facilitate educational workshops for SSD proponents around risk minimisation for TWAs including road safety concerns. Communicate preference with energy proponents to establish 'dry'/alcohol-fee TWA sites.
Local roads	 SSD proponents and developers to build temporary/park and ride' car parks on private land. Education campaign aimed at residents, businesses community groups and energy proponents around traffic flow changes and associated safety protocols during peak construction years. Consideration of additional funding options/special grant application to fund asset road maintenance program.
Performance tracking	 Resource capability to monitor the region's population growth on a monthly basis. Collaboration with NSW Government to audit existing water allocations to identify underutilised allocations for potential transfer/sharing arrangements. Traffic modelling and ongoing traffic count Review parking capacity and controls in peak years. Improved centralised communication around current childcare placements in region. Ongoing monitoring of school enrolments and capacity. Monitoring of ED presentations and bed usage at Mudgee Hospital. Audit of current clinics on capacity to absorb additional GPs, and identification of potential sites for additional GP clinics. Monitor average incident rates – ambulance and police. Scenario modelling of current ambulance/police vehicle fleet/staffing capacity.

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MWRC has sought analysis to understand the impacts of additional population on services, infrastructure and housing as a result of major projects in the region

Background and context

The development of Renewable Energy Zones (REZ) is central to the NSW's governments vision to modernise the State's electricity system to deliver clean, reliable and affordable energy across NSW. Moderisation of the electricity system may also enable new industries, revive traditional industries with new sustainable fuels, and open diverse, high-quality job opportunities across our regional communities.

The State's first REZ is located in Central-West Orana region. Occupying approximately 20,000 square kms, the REZ overlaps with a significant proportion of the Mid-Western Regional Local Government Area (MWR LGA). As at September 2023, the REZ is hoped to contribute:

36 Projects identified by council in or surrounding the MWR LGA*

\$10 Billion expected in private investment to the REZ region by 2030 ~7000 additional construction and operation jobs supported at its peak*

This current and planned investment across a range of major projects in the MWR LGA (including those in the CWO REZ) will create significant opportunities for the region including, but not limited to, continuous demand for workers over the next decade. At the same time, this investment will take place in an already highly pressurised environment of service delivery, with acute housing and worker shortages currently being felt across regional NSW.

Careful planning and proactive management is critical to ensure that this influx of investment leads to the best possible outcome for both the region and the NSW at large.

* 36 Projects represents all projects identified by the MWRC that are in the LGA or surrounding as at October 2023. ~7000 jobs is conditional on select projects used in this report occurring as currently scheduled. These project are explicitly outlined in appendix A.

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Purpose, scope and limitations of analysis

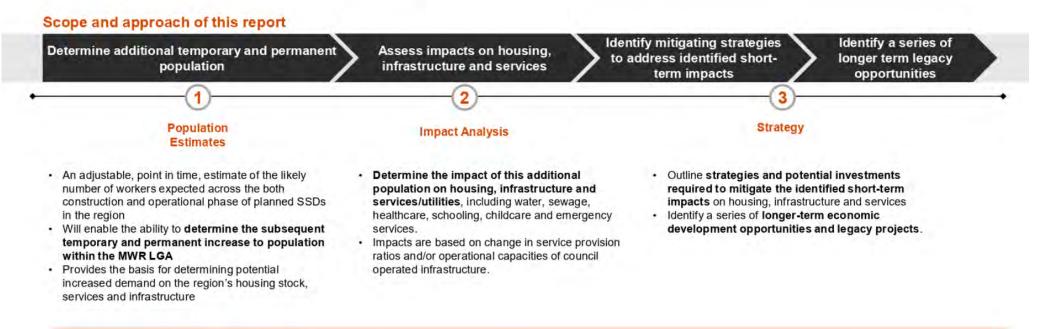
This report provides a **point-in-time analysis** based on the best data available to assess cumulative impacts of additional population on services, infrastructure and housing as a result of major projects within and immediately surrounding the MWR LGA.

The analysis has three primary objectives:

- To estimate the likely number of workers expected across the both construction and operational phase of planned major projects in the region and determine the subsequent temporary and permanent increase to population within the MWR LGA.
- To determine the impact of this additional population on housing, infrastructure and services, including water, sewage, healthcare, schooling, childcare and emergency services.
- To outline strategies and potential investments required to mitigate the identified short-term impacts on housing, infrastructure and services as well as identify a series of longer-term economic development opportunities and legacy projects.

This report is intended to promote alignment amongst state and local government and provide the basis for further collaborative planning and risk mitigation. It should be seen as a starting point for informing appropriate state and local agencies to align growth planning for services, manage community impacts across the delivery phases and to determine need for additional analysis.

A three-staged approach was used to develop this report, drawing on data and consultation from MWRC and NSW government agencies



Limitations

The analysis in this report is limited by available data and provides a points in time analysis. All findings are based on information received up to October 2023 and therefore may not reflect an up-to-date view of planned projects in and surrounding the MWR LGA. The analysis in this report are directly underpinned by the outputs from the worker and population estimates. Worker and population estimates are reliant on several core assumptions around workforce composition and project timing and include: (a) 98% of the required workforce will come from outside of the MWR LGA, (b) of the total workforce required, 16% are assumed to be couple households meaning they will bring spouses and/or children, (c) peak construction workforce requirements are currently forecast for 2026 as indicated by project proponents. In practice, start dates might be delayed and construction timelines extended due to supply chain constraints or access to finance, for example. The reliability of the estimates in this report are expected to increase as further and more detailed information becomes available to council.

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Six steps were undertaken to estimate the likely additional population as a result of State Significant Development (SSD) projects in and surrounding the MWR LGA

The diagram below outlines the key steps used to estimate the required workforce needed to construct and operate SSD projects in the region and determine the subsequent increase in permanent and temporary population. The population estimates generated through this approach have been used as the basis for assessing impact on housing, infrastructure and services in the MWR LGA in Chapter 4. Further detail on the assumptions and results in each step are provided in subsequent pages.

Outline of approach

Confirm baseline population projection scenario

- Confirms the 'base case' population growth
- Utilises Department of Planning and Environment's (DPE) Common Planning Assumptions.

Confirm scope of employment generating projects

Confirms which projects will be included to assess population impacts based on current available information.

Confirm number of anticipated workers

Confirms the current estimate of number of workers required to construct and operate projects identified in Step 2

 Utilises information in the 2023 Mudgee and Gulgong Urban Release Strategy (URS) and updated information provided by MWRC.

Confirm the source of workers

- Applies assumptions about the proportion of workers identified in Step 3 that will be sourced locally (i.e. from within the LGA) and non-local (i.e. outside the LGA) on a project-by-project basis
- Three scenarios have been developed reflecting the varying degrees to which the required workforce may be sourced locally.

Calculate population impacts

Based on the assumptions in Step 4, applies a further set of assumptions to the non-local workforce component to determine the likely household structure of these workers, and therefore additional population beyond the worker estimate.

Conduct sensitivity testing

Conducts a range of sensitivity tests around (i) potential increases or decreases in the number of projects (ii) different project delivery profiles.

Key data sources for these estimates include the 2023 Mudgee and Gulgong Urban Release Strategy (URS), SSD project information provided by MWRC, DPE Common Planning Assumptions and ABS Census data

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Current common planning assumptions estimate that the MWR LGA will grow to from 25,713 persons in 2021 to 30,155 persons by 2041 (an increase of 4,442)

Step 1: Confirming baseline population growth and demographic characteristics

Baseline population growth

Key demographic characteristics

- Consistent with the 2023 Mudgee and Gulgong Urban Release Strategy (URS), NSW DPE population projections are used as the baseline population projections for the MWR LGA.
- · Additional temporary and permanent population from SSDs is not already counted in this DPE baseline projection.
- Over the period 2021 to 2041, the MWR LGA is projected to grow by 4,442 people (0.8 per cent per year).

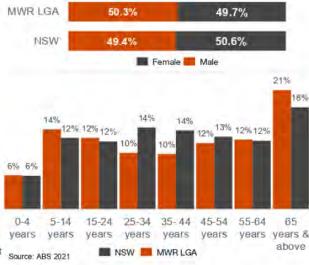
31.000 30,000 29,000 28,000 27,000 26,000 25,000 24,000 23,000 2021 2026 2031 2036 2041 Source: NSW DPE

Figure 3. Population projections to 2041: MWR LGA



- · The MWR LGA has a similar demographic gender spilt compared to the State, with 50.3% male and 49.7% of being female.
- The LGA has a slightly older existing population when compared to the overall State and with a lower proportion of population in primary working age (25-54).

Figure 4. Age and gender distribution of workers in MWR LGA



The household size in MWR has remained consistent over the past decade and on par with the regional NSW average of 2.4.

The proportion of family households within the LGA has increased since 2011 by 11%, accounting for 67% of total households in 2021. Other households, which includes visitor households and other non-classifiable households, has decreased by 18% since 2011.

Table 1. Household Size (2001-2011)

Area	2021	Change 2011-2021
MWRLGA	2.4	0%

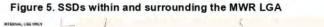
Table 2. Household types (2011-2021)

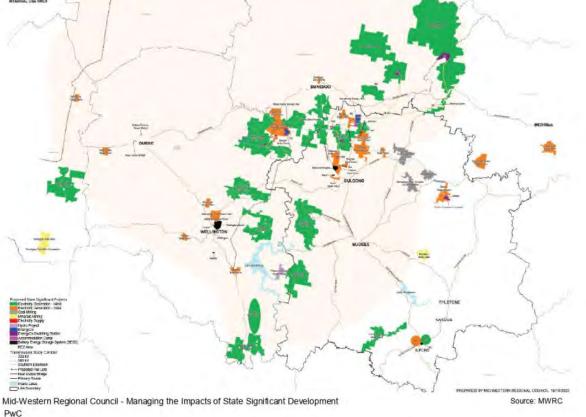
Description of the second	MWR LGA			
Household Type	2021	Growth since 2011		
Family	67%	11%		
Lone Person	23%	8%		
Group household	2%	6%		
Other household	7%	-18%		
Total	100%	7%		
Source: ABS 2011, 2021		9		

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The model considers 25 SSD projects plus EnergyCo's transmission lines that are situated within and in close proximity to the MWR LGA

Steps 2 and 3: Confirming scope of employment generating projects and associated worker requirements





As of October 2023, a total of 36 SSD projects plus EnergyCo's transmission lines have been slated for development in and around MWR LGA. A total of 25 projects, as well as EnergyCo's transmission lines, have been included as 'in-scope' for the purpose of this analysis. Projects included in-scope were based on several criteria including whether the project is: (1) located (entirely or partially) within the MWR LGA; (2) within or approximately 40 minutes drive of Mudgee or Gulgong, (3) closer to Mudgee or Gulgong than any other significant centre or town in the region. The projects identified at this point in time vary in maturity. For "in-scope" projects, a maturity assessment and greater detail of these projects can be seen in the following slide and Appendix A.

The projects listed "in-scope" are included in the tables below

Steps 2 and 3: Confirming scope of employment generating projects and associated worker requirements

Table 3. SSDs within the MWR LGA

Table 4. SSDs surrounding the MWR LGA

Project	Estimated Workforce		Timeframe (targeted)	
	Construction	Operation	Construction	Operation
Bowdens Silver Mine	320	228	2024 ,18 months	2026 to 2045
Moolarben Coal	250		2025, 36 moths	2028, to 2038
Ulan Coal	0	931	2021	2021, to 2035
Mayfair Solar	150	2	2025 12 months	2026 to 2046
Narragamba Solar	400		2025, 36 months	2028 to 2053
Wollar Solar Project	400		2023, 12-18 months	2024 to 2050
Stubbo Solar Project	507		2024, 24 months	2026 to 2050
Tallawang Solar Farm	430		2024, 34 months	TBD
Birriwa Solar Farm	800		2024, 36 months	2027, to 2057
Mavis Solar	150		2025, 12 months	2026 to 2065
Barneys Reef Wind Farm	340		2024, 28 months	2026, to TBD
Burrendong Wind Farm	250		2023, 30 months	TBD
Piambong Wind Farm	400		2026, 30 months	2028, to 2058
Orana Wind Farm	580		2026, TBD	2028, to TBD
Liverpool Range Wind Farm	800	47	2024, 36 months	2027, to 2052
ТВА	300		2026, 15 months	2028 to 2058
Bellambi Heights Battery	100		2024, 12-18 months	TBD
Beryl Battery			2025, 12 months	2026 to 2051

Not included in current projections

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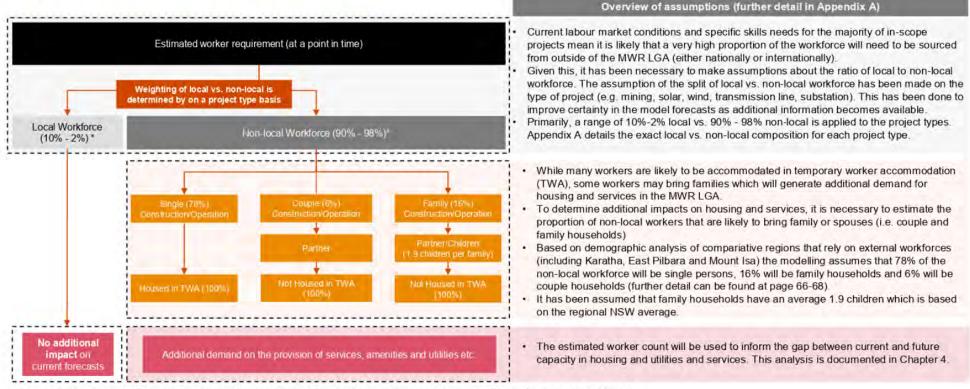
Included in current projections

Key:

Project	Estimated Wor	kforce	Timeframe (targeted)	
	Construction	Operation	Construction	Operation
Cobbora Solar Farm	700		2024, 36 months	2027, to TBD
Dunedoo Solar Farm	125		2022, 12 months	2023, to 2053
Dapper Solar Farm	350		2025, 18-24 months	2027, to 2057
Wellington Solar Farm	200	3	2019, 48 months	2023, to 2053
Wellington North Solar Farm	400	4	2023, 24 months	2025, to 2055
Sandy Creek Solar Farm	700		2025, 24 months	2027, to 2057
Goulburn River Solar Farm	350		2023, 36 months	2026, to 2061
Pinecrest Solar*	175	7	2025, 18 months	2027, to TBC
Merriwa Solar Farm*	500	20	TBC	TBC
Valley of the Winds	400		2023, 42 months	2027, to TBD
Spicers Creek Wind Farm	250	12	TBD, 30 months	TBD, 30 years
Jungula Wind Farm	262	12	2023, 36 months	TBC
Apsley battery*	50	TBC	TBC, 12 to 18 months	TBC, 30 years
Drana Battery storage*	100-150	TBC	TBC, 12 to 18 months	TBC
Wellington South BESS*	100	30	2023, 12 to 18 months	2024, TBC
Phoenix pumped hydro	500	50	2026, 50 months	2030, to 2080
Central-West Orana REZ	1800		2024, 36 months	2027, to TBD
Central-West Orana REZ (Secure Now)*	1250	49	2033, 12 months	2035 to TBD
Related Projects to Secure	1080	37	2032, 60 months	2037 to TBD

The majority or workers are likely to come from outside the MWR LGA and some workers may bring spouses and families, generating additional population beyond worker requirements





"Note, mining projects are assumed to have 95% local vs. 5% non-local as current information states they are utilising their existing workforce. This may change with future mining projects.

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Given the limitations of a point-in-time analysis, two types of sensitivity tests have been developed to account for the uncertainty around project timing and completion

Step 6: sensitivity testing

Sensitivity Test 1: project/worker volume1

There are currently 36 known projects within and surrounding the MWR LGA. The results presented in the next chapter have assumed 25 of these projects will be constructed and become operational directly impacting the LGA as described in page 13.

A sensitivity test has been developed to account for the possibility of some of these 25 identified projects not commencing. This has been presented as a **'reduced' scenario**. SSDs have been randomly selected to not be included under this scenario (with further detail provided at Appendix B).

Additionally, a sensitivity test that includes all 36 known projects has been run to illustrate the impacts of additional projects and/or a higher worker requirements on the results presented in this report. This has been presented as a 'plus' scenario. Results are provided at page 28.

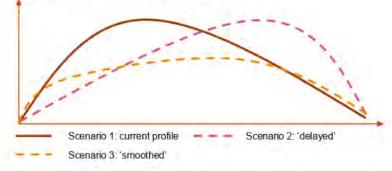
Sensitivity Test 2: project timing

Under The Energy Corporation of NSW' (EnergyCo's) NSW Network Infrastructure Strategy, the "deliver now" stage will see the completion of the NSW Central West Orana REZ transmission line, a key piece of enabling infrastructure for other renewable energy projects within the region.

The Network Infrastructure Strategy proposes that the transmission lines under the "deliver now,"" for the Central-West Orana will be completed by 2027/2028. To provide a variation of timing of projects, the modelling explores an additional scenario where the completion of this line is delayed by 2 years. Accordingly, all renewable projects in the model are assumed to also delay by 2 years. This scenario is reflected indicatively in the figure below with results provided for the core scenario on page 25 and 26. Note that mining projects and other projects that do not rely on the transmission line are not subject to this variation.

Additionally, a hypothetical smoothed scenario has been run where projects' construction time lengths have been increased by 50%, and randomly selected projects have been delayed so that there is limited cross over in construction phase of like projects. This has been presented as a 'smoothed' scenario. Results are provided at page 25.

Figure 6. Indicative timing scenarios



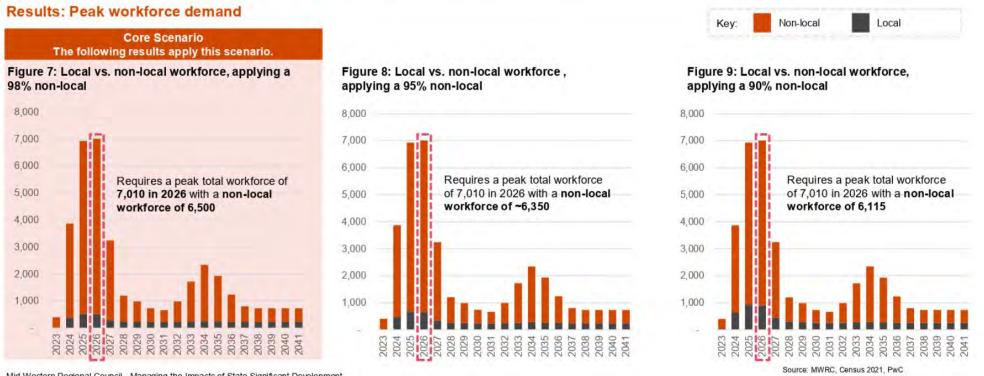
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PwC 1. Note, currently the model considers each worker unique to each project. Appendix B provides some preliminary estimates to account for worker mobility which could be informed with greater access to data in the future.

23

Results indicate a peak workforce of 7,010 in 2026 with between 6,115 and 6,500 likely to come from outside of the MWR LGA when considered across a range of scenarios

Building on the assumptions outlined on page 19, the charts below show the construction and operational worker requirement based on information provided by project proponents and MWRC. Three scenarios are presented, with each scenario applying a different ratio of local vs. non-local workforce sourcing for new renewable projects. The results presented on the following pages and throughout this report relate to the core scenario which assumes that 98% of the workforce requirement will be non-local for new renewable projects.1 This assumption reflects the low unemployment rate in the region (<2% unemployed).



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PWC 1. Note, the results presented in the body of this report include two mining related projects (Modarben Coal and Bodwens Silver). A 98% local vs. 2 % local ratio has been applied to these projects to accurately reflect current industry employment concentrations for the region. This assumption is detailed in Appendix A.

The construction workforce is estimated to peak in 2025 at 6,823 workers. The operational workforce will stabilise around CY 2028 providing ~ 660 going jobs, and ~ 430 renewable jobs on an ongoing basis.

Breaking down the total worker composition by construction workers and ongoing operational workers highlights a peak construction workforce of 6,823 in Q4 2025. The operational workforce will stabilise by Q3 2030 at around 660 jobs before peaking in 2037 at 735 jobs. Bodwens Silver Mine will contribute around 220 of these ongoing jobs with the remaining ~430 in the renewables sector. This trend is reflective of the greater longevity and decreased intensity of labour required to operate renewables.

Results: Total workers, by construction or operational work

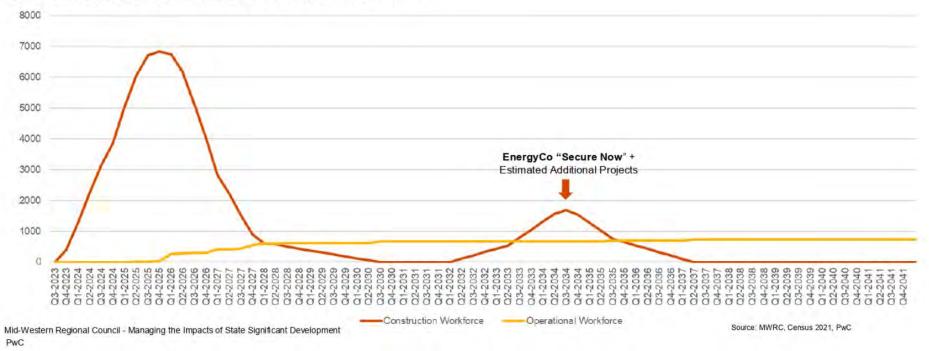


Figure 10: Composition of total workforce required to 2041, core scenario

Taking into account the likelihood that some workers bring spouses and families, the total estimated additional population as a result of major projects in and around the MWR LGA will peak at 9,906 in 2026 comprising of 66% workers, and 34% spouses and family

As outlined on page 19, the modelling used to determine the total population increase assumes that some workers will bring their families and spouses to the region. Of the total non-local workers required for in-scope projects, the modelling assumes that 78% will be single person households, 16% will be family households and 6% will be couple households. Non-local couples are defined as workers and their spouse. Non-local family units consist of workers, their spouse and children (and comprising 1.9 children as per the regional NSW average). With these considerations and assumptions, the total additional population could peak up to ~9,900 in 2026.

Results: Total additional population, highlighting additional population generated by spouses and families



Figure 11: Composition of total additional population to 2041, core scenario

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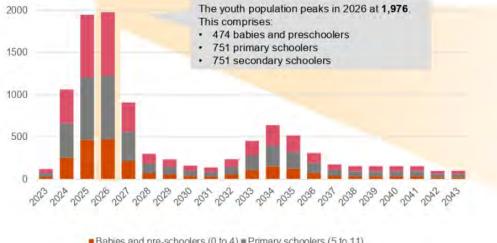
With the possibility of families moving to the region, there is the potential for a peak of an additional 1,976 childcare and school aged children to be located within the MWR LGA in 2026

For the purposes of the impact assessment, in particular for schools and childcare facilities, the regional NSW demographic profile has been overlayed over the family unit projections to develop an example demographic profile of the potential additional youth population as a result of worker families moving to the region. This example shows the potential growth in different age bands. It is important to note that this example does not allow for any change in relative growth rates between and within these age bands over this period.

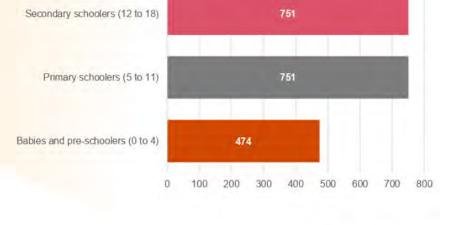
Results: Additional childcare and school aged children

Figure 12. Projection of Additional Children Age Structure to 2041, core scenario

Figure 13. Projection of Peak Children Age Structure (2026), core scenario



Source: MWRC, Census 2021, PwC



Babies and pre-schoolers (0 to 4) Primary schoolers (5 to 11)

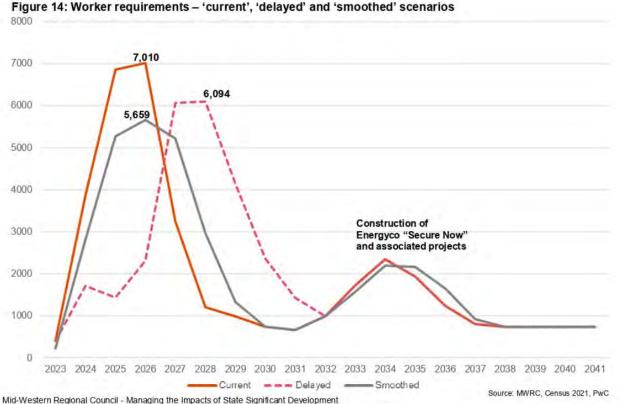
Secondary schoolers (12 to 18)

Source: MWRC, Census 2021, PwC

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A delayed scenario pushes the workforce peak back to 2028, with assumed flow on population impacts also pushing out to this period. Likewise, a 'smoothed' scenario spreads peak workforce over a ~4 year period (2025 -2029)

Results: project timing sensitivity



PWC Note: Additional sensitivity analysis that speculate worker mobility is included in appendix B (see pages 75-76)

The chart to the left illustrates three timing scenarios of the total workforce requirements outlined in the preceding pages.

The **current scenario** assumes all projects in the MWR LGA and surrounding projects are constructed and delivered on time leading to a jump in the REZ workforce to 3,869 and 6,721 by the end of 2024, 2025 respectively.

The **delayed scenario** involves delaying the REZ projects that are due to be delivered in 2024-2027 and shifts them 2 years into the future, shifting the peak to 2028. The 'Deliver Now' transmission lines from EnergyCo construction timeline has been extended by 2 years, and the 'Secure Now' transmission line (2032-2034) remains on schedule, assuming there is some efficiencies gained from constructing the first ('Deliver Now') transmission lines. This timeline amendment results in minimal change to the peak workforce.

A hypothetical **smoothed scenario**, which aims to minimise like projects (e.g. solar, wind) that have the same start time, both reduces the peak to 5,659 and results in 5 years (2024-2028) where the workforce is above 2,750 workers.

A 20% increase project and worker requirements would push peak workforce to almost 8,500, while a reduction in projects based on a high-level viability assessment could result in ~150 less workers at peak

Results: project / worker volume sensitivity

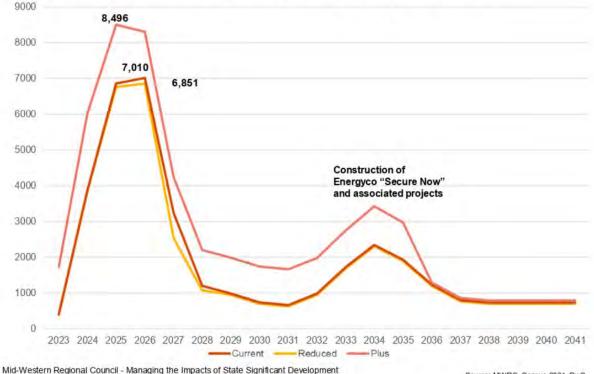


Figure 15: Total worker requirements - 'current', 'reduced' and 'plus' project scenarios

The chart to the left indicates the results of a sensitivity test to estimate the impacts on worker requirements in light of a reduced and increased number of projects proceeding when compared to in-scope projects under the core scenario. These scenarios are:

- Current: in-scope projects as outlined on page 18.
- Reduced: only select projects that are associated with EnergyCo and/or assessed as highly likely to proceed (see appendix A for further detail on projects not included in this scenario).
- Plus: all identified projects included.

Considering the reduced estimate, additional workers required would peak in **Q1 2026 at 6,851**. On the other hand, the plus estimate sees a peak of **8,496 total workers** in the same quarter (Q1 2026).

In the medium term, from 2037, as a result of longer term operational jobs there would be:

- ~ 790 operational workers required under the plus scenario
- ~ 700 operational workers would be required under the reduced scenario

This compares to the current scenario which estimates ~ 735 operational jobs on an ongoing basis.

PWC Note: Additional sensitivity analysis that speculate worker mobility is included in appendix X.

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The impact analysis provides a high level assessment of the impact that increased population will have on services, housing and infrastructure with intention of aligning growth planning and mitigation across levels of government

Purpose of Impact Analysis

This analysis quantifies, at a high level, the impact that the additional surge in worker population will have on:

- demand for housing
- demand for social and other services provided by local and/or state government, and
- operational and/or maintenance impacts on council operated infrastructure assets including sewage, water, waste management and local roads

The impact analysis is intended to promote alignment amongst state and local government and provide the basis for further collaborative planning and risk mitigation. It should be seen as a starting point for informing appropriate state and local agencies to align growth planning for services, manage community impacts across the delivery phases and to determine need for additional analysis.

Interpreting the results of the impact analysis

The impact analysis is directly underpinned by the outputs from the worker and population estimates outlined in the preceding chapter. The worker and population estimates are reliant on several core assumptions around workforce composition and project timing and workforce need:

- 98% of the required workforce will come from outside of the MWR LGA
- Of the total workforce, 16% will be family households and 6% will be couple households meaning they will bring
 spouses and/or children.
- Peak construction workforce is 2026, reflecting the project timing and worker needs as communicated by proponents.

The starting point for understanding the impacts on housing, services and infrastructure has largely been determined by either:

- Determining the current ratios of service provision relative to the current population (e.g. number of GPs per 1,000 people), and/or
- · Understanding the current level of operational capacity (e.g. sewage treatment capacity).

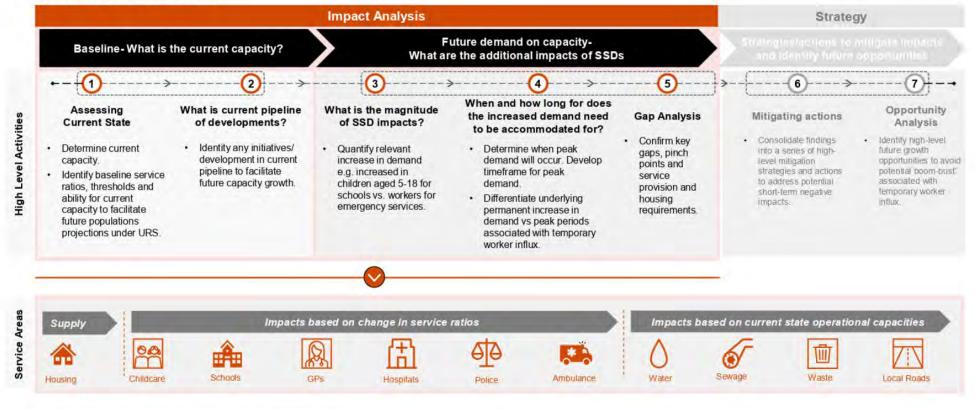
In determining impacts on rates of service provision the approach has broadly covered the following three steps:

- 1. Determine the current ratio of service provision
- 2. Establish the service gap resulting from increased population and economic migration
- 3. Size of the response needed over the next 20 years to meet the service gap

Note: Importantly, this analysis does not consider whether the current rates of service provision are adequate. That is, it takes current levels of service as a given and the impact is determined by the investment or service response required to return to current service levels, rather than an optimal service level.

Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC A standardised framework has been developed to assess impacts of increased population on housing, services and utilities, however differing approaches have been used to benchmark current 'supply'





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Availability of housing underpins the ability for the LGA to ultimately attract and retain the workforce. As a direct flow on, childcare, hospital and ambulance services are likely to experience service pressures.

Service Area	Current state	Demand impact	Impact ¹	Factors impacting ability to meet demand	> Detail
Housing	 74 vacant properties across the LGA² 1,630 housing approvals in past 10 years (163 a year) 	 Up to 1,493 additional dwellings in peak construction (2026) 2023-2041 median of 519 additional dwellings per annum (p.a.) 	>75% increase	 Availability of zoned land Rate and speed of zoning, approvals and servicing Ability to provide mixed and varied dwelling types Ability to preserve local short-term lease / rental market for visitor economy 	Pages 32-34
Childcare	 11 childcare centres with 720 approved childcare places 0.35 childcare places per child (inner regional NSW average) 	 Up to 59 additional childcare places in peak construction period (2026) 2023-2041 median of new childcare places is 7 p.a. 	<25% increase	 Qualified workforce (currently experiencing national shortage) Buildings/land to house certified childcare centres Approval processes for additional childcare services The depth/breadth of childcare service provider market in the region Available and suitable housing for childcare workers to live 	Pages 35 -36
Schools (Primary and Secondary)	 9 primary schools with 2294 students enrolled^a 16:1 average student to teacher ratio 	 Up to 26 additional primary school classes (751 students) in peak construction period (2026) 2023-2041 average of 4 additional primary school classes p.a. 	>25% <50% Increase	 The MySchools data indicates that schools in the MWR LGA have a lower teacher to student ratio compared to the maximum allowable. This suggests that there may be existing capacity within the school system to absorb the additional demand generated by children of 	Pages
Ĥ	 4 secondary schools with 1852 students enrolled³ 11:1 average student to teacher ratio 	 Up to 30 additional secondary school classes (751 students) in peak construction period (2026) 2023-2041 average of 4 additional secondary school classes p.a. 	>25% <50% increase	 worker families. This additional capacity, however, is dependent on physical space in existing classrooms Supply of additional new classrooms Supply / ability to attract additional teachers to the MWR LGA Available and suitable housing for teachers to live 	37-38
General Practitioner (GP)	 GPs within the LGA work 12.25 to 15.75 full time equivalent (FTE) Current GP to patient ratio of 1:1,168 	 Up to 8 additional dedicated GP FTE in peak construction period (2026) 2023-2041 median of 1 additional dedicated GP FTE p.a. 	>50% increase	 Supply / ability to attract additional GPs to the MWR LGA Increased utilisation of alternative healthcare delivery models, such as telehealth, to offset peak demand Available and suitable housing for GPs to live Prescribing nurses and access to prescription medication 	Pages 39-40
Hospitals	 Mudgee Health Services has 8 emergency department (ED) bay spaces 2 nurses per shift and 1 additional nurse for peak period (10:30-19:00) 14,583 total presentations in 2022 	 Up to an additional 8 ED bays and 7 nurses may be required in peak construction period (2026)⁴ Up to an additional 5,085 ED presentations could be expected in 2026 	>75% increase	 Ability to better use current ED layout and setup Triaging and transferring of patients between rural hospitals Ambulance direct deliveries to other hospitals based on patient needs i.e. Dubbo Base Hospital Increased utilisation of alternative healthcare delivery models, such as telehealth, for lesser triage category presentations 	Pages 41-42

Mid-Western Regional Council - Managing the Impacts of State Significant Development

PWC 1. Impact is calculated at peak demand 2. As at October 2023, sourced from MWRC 3. Count is for number of schools with 20 or more students only. Based on consultations, an assumption has been made that there is current capacity for ana additional ~150 primary 32 and secondary students. 4. Based on available data the old (2006) MoH methodology for projecting ED treatment spaces was utilised. This method could overestimate bays required.

Water supply and sewage systems will require significant upgrades to service the SSD workforce, whilst other services such as waste and roads may be able to adapt easier

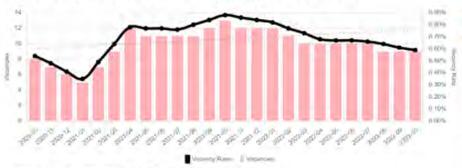
Service Area	Current rate of service	Service response	> Impact ¹	Factors impacting ability to meet demand	Detail
Ambulance	 11,186 responses in 2022 for Mudgee- Lithgow SA3 1 paramedic for 330 residents (145 paramedics) Mudgee – Lithgow (SA3) 	 Up to 30 additional paramedics in peak construction period (2026) 2023-2041 median of 4 additional paramedics Up to 803 additional responses in peak construction period (2026) 	<25% increase	 The incoming worker profile is assumed to be a younger and healthier cohort, however an increased risk of traffic vehicle accidents may cause and increase in responses Proximity of ambulance services to major construction sites Supply / ability to attract additional paramedics Supply of ambulance vehicles 	Pages 43-44
Water	Current water supply systems across the LGA are at capacity and intended to grow with baseline population	 Any additional growth in the region will require additional works Distribution infrastructure will need to be upgraded in consideration of surge capacity 	Forecasted to exceed current capacity	 Water licenses are at near-full allocation Ability to access and viability of ground water reserves 	Page 47
Sewage	 Mudgee and Gulgong STPs have remaining capacity for the baseline (DPE) population growth with consideration to planned upgrades. 	 Up to 5000 additional residents may be housed in dwellings in peak construction, period (2026), producing up to 524 megaliters (ML) 2023-2041 median of ~1,000 additional residents in dwellings p.a. producing a median of 86 ML p.a. 	Forecasted to exceed current capacity	 Current processing facility is at capacity and would require expansion Ability to distribute population across regional centres within the LGA 	Page 48
Waste	 In 2022-23, Mudgee Waste Facility collected a net waste total of 33,951 tonnes of waste Under baseline population projections (i.e. no additional demand generated by SSDs), the LGA has 40 years of solid waste land fill capacity 	 Up to 7,428 additional tonnes of domestic waste is forecast to be produced in peak construction year (2026) from the residential and worker population. Between 2023 and 2041, an average of 2,007 additional tonnes of domestic waste will be produced across from the residential and worker population. 	<25% increase	 There is limited capacity for existing waste facilities to absorb construction waste, and other waste types generated over the construction phase of SSDs necessitating a need for proponent to source arrangements on a project-by project basis. 	Page 49
Roads	 2,460 km of local road network \$8,539 average maintenance cost per km of road in 2021-2022 	 Comparing FY22 to FY26, the maintenance cost increases by \$4,731 (to \$13,270) per km of road 	>25% <50% increase	 Availability of equipment, workforce and budget to upkeep roads from increased heavy freight and equipment 	Page 50
Police	that may increase demand for policing	em Police District revealed a number of factors service around traffic incidents, potential rce management across the entirety of the LGA.	N/A	 Active management of police resources Prevention and education activities 	Page 45 46

The MWR LGA rental and housing markets are characterised by extremely low vacancy rates and growing house prices

Assessing Current State

- The housing market in the MWR LGA has historically been tight with a <1% vacancy rate. Only 68 rental properties were available as at the end of 2022 across the LGA.
- Changes to overarching macroeconomic conditions have seen an easing of this tightness in 2023. As at September 2023, 75 properties in Mudgee and 5 properties in Gulgong were available—nonetheless this still reflects a vacancy rate close to 1%.
- Overall the tight rental market reflects, in part, an increased prevalence of short-term rental market listings (i.e. Airbnb listings). As at October 2023, there are 266 Airbnb listings within the LGA, 244 of which are located in Mudgee.¹
- The low vacancy rate has also impacted the affordability of rentals. Currently, the median
 rent for houses in the LGA is \$510 per week.

Figure 16: Mid-Western Regional Vacancy Rates (houses), 2020-2022



Source: URS (2023), Mid-Western Housing Delivery Plan, Domain Quarterly House Price report

Mid-Western Regional Council - Managing the Impacts of State Significant Development PWC 1. Source: MWRC

Current Supply Pipeline

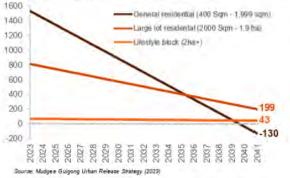
Figure 17 highlights the housing supply for baseline population growth in Mudgee (excluding SSDs), assuming lots are serviced and zoned in a timely manner. Given a buffer (5 years of demand), the Mudgee and Gulgong Urban Release Strategy finds that currently Mudgee has land supply to ensure:

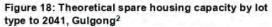
- General residential land to around 2037. Demand will exceed supply by 130 lots in 2041.
- Large lot residential land to around 2041 (199 spare lots).
- Lifestyle block land to beyond 2041 (43 spare lots).

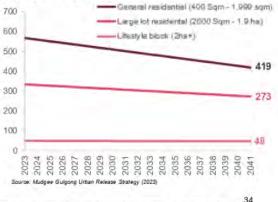
Figure 18 highlights the housing supply for baseline population growth in Gulgong (excluding SSDs), assuming lots are serviced and zoned in a timely manner. Given a buffer (5 years of demand), the URS finds that currently Gulgong has land supply to ensure:

- General residential land to beyond 2041 (419 spare lots).
- Large lot residential land to beyond 2041 (273 spare lots).
- Lifestyle block land to beyond 2041 (48 spare lots).

Figure 17: Theoretical spare housing supply by lot type to 2041, Mudgee²







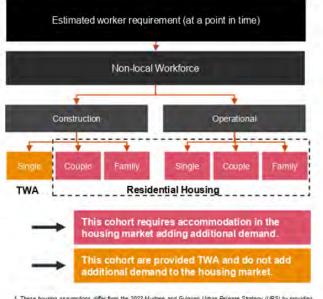
2. As outlined in the 2023 Urban Release Strategy, theoretical supply is dependent on council's ability to approve < 166 dwellings compared to the surrent rate of 60 dwellings per annum, Additionally, the Urban Release Strategy may underestimate demand of lifestyle block due to limited availability of data. As a result, theoretical supply could be overestimated.

residential housing.

The current and planned supply of housing will likely be unable to accommodate a sharp increase to the local population of up to an additional ~1,500 dwellings at peak demand in 2026

Revised Implied Dwelling Demand

The housing needs of the incoming workforce associated with SSD projects in the MWR LGA are derived from a worker profile which allocates a worker as either a single, couple or family. Profiles are tied to housing type (i.e. market housing or temporary worker accommodation - TWA). ¹ This method is depicted in the graphic below.

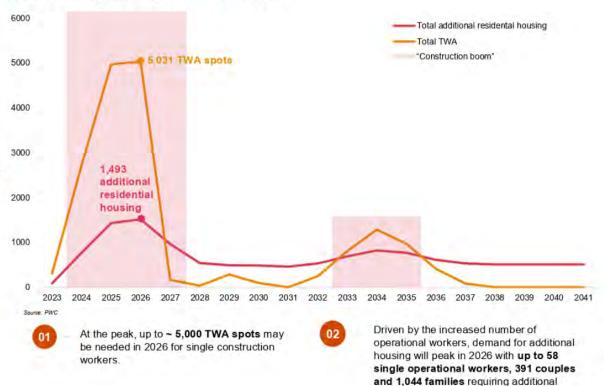


 These housing assumptions differ form the 2023 Mudgee and Guigong Urban Release Strategy (URS) by providing housing based on a worker profile. The URS allocated residential housing based on composition of the nonlocal workforce. The URS states that 100% operational and 10% of the construction nonlocal workforce will be provided residential housing.

Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC



Figure 19: Housing demand by characteristics per year

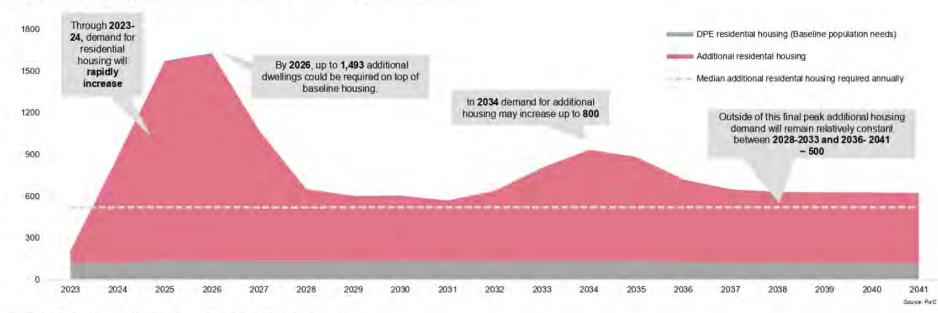


Based on the current rate of DA approvals and supply of land, the housing market in the MWR LGA may not be able to meet the rapid increase in demand for residential housing by 2026

Implications for MWR LGA

The figure below highlights additional residential dwellings required over and above baseline population projections. This is based on the assumption that all couple and/or family households moving to the region will not be provided accommodation in TWA—these figures may vary should the proportion of workers bring families and/or couples be higher or lower. From 2023 to 2041 the median additional dwellings required annually is **519**. In practice, the rate of supply will vary based on the housing market conditions, speed of approvals and supply of labour and materials. Additionally, the timing of the housing demand is dependent on projects proceeding on schedule and maintaining the expected completion date.

Figure 20: Additional residential housing demanded by SSD workforce (and dependents)



Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC Mudgee town centre has a higher rate of childcare places to children compared to the Inner regional NSW average, however additional demand will place pressure on existing services

Assessing Current State



PwC

The current national median of childcare places per child is 0.38. The 2022 report, '*Childcare deserts* & *oases: How accessible is childcare in Australia?*', provides a best practice benchmark where a region is considered to have a critical shortage of early childhood education places if there is less than **0.33** childcare places per child.¹

In inner regional NSW (which covers Mudgee), the median childcare places per child is 0.35.¹ Outer regional NSW (where Mudgee Region – West and Mudgee Region – East are situated) has a lower childcare places per child of 0.24.¹

Regional Area (SA2)





Using the minimum threshold of 0.33, both the inner regional and national childcare places per child are above this rate. For the purpose of this impact analysis, it is assumed that future supply of childcare services will aim to achieve either the inner or national rates. This assumption is made so additional childcare places will need to be created in order to facilitate any increase the relevant population (0-4 years).

Mid-Western Regional Council - Managing the Impacts of State Significant Development

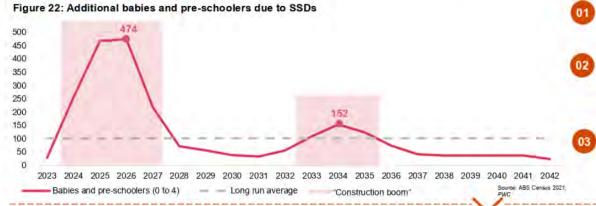
1. Hurley, P (2022), Childcare deserts & bases: How accessible is childcare in Australia?; 2. ACECQA National Register ,3. Australian Government Department of Education (2023); Priority areas for limited supply grant 3.

Figure 21: Childcare access by SA2 for the MWR LGA area

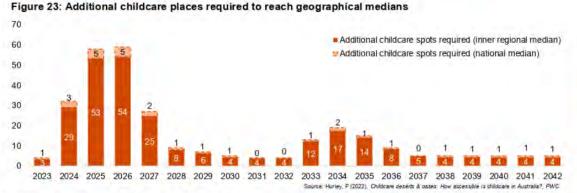
In aggregate, the LGA has **720** approved childcare centre based places across **11 child care centres**.² As depicted in the graphic above, these places are concentrated in and around Mudgee. In recognition of this, the Commonwealth's Department of Education has identified Mudgee Region – West as a priority area for new early childhood education and care services under the Community Child Care Fund limited supply grant program.³

The increased demand driven by the influx of workers and their families, may require up to 59 additional childcare places in 2026 on top of baseline population projections

Demand for Childcare services



Implications for MWR LGA



Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC Currently, there is limited capacity for childcare services in the LGA outside of Mudgee. Any additional children requiring childcare will necessitate extra places to be created.

There are two expected peaks which align with the initial construction boom (2026) and second boom associated with "Secure Now" transition line (2034). Up to an additional **474 babies and preschoolers** will be in the region in **2026**, and up to an additional **152 babies and pre**schoolers will be in the region in **2034**.

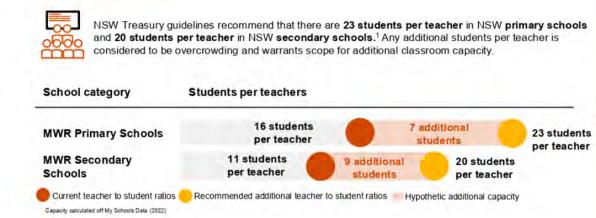
Demand for childcare services will vary significantly depending on actual workers attracted. Above existing population projections and outside of the two peaks (2026 and 2034), the yearly long run average is **102 additional children and babies**.

Figure 23 highlights the number of additional childcare places needed to maintain either the inner regional or national median childcare ratio. One childcare place represents access to 3 days of care a week. Aligned to NSW state averages, it is assumed that 32.6% of additional babies and preschoolers may need care.¹ Under these assumptions:



Schools in Mid-Western Region are below maximum student to teacher ratio indicating there may be spare capacity within the school system to absorb additional demand

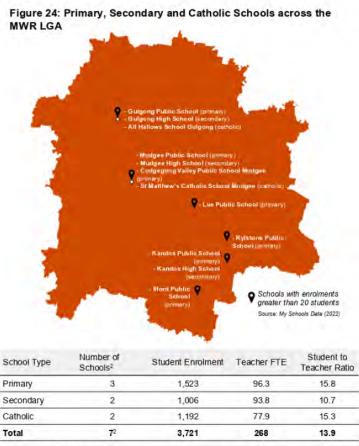
Assessing Current State



Based on My Schools teacher and student data, primary and secondary schools in the MWR LGA have a current student to teacher ratio of 16:1 and 11:1 respectively. This suggests that there may be additional capacity within the existing school network to absorb additional students. Using NSW Treasury's guidelines, primary school classes could have up to an additional 7 students per classroom. Similarly, secondary school classes could have up to an additional 9 students per classroom. In practice, the main constraint to this additional capacity is physical classroom space. Due to the limited availability of data pertaining to physical classroom size, this impact analysis assumes that classrooms currently have spare capacity in line with the analysis above. There is the potential for this additional capacity to be leveraged through to newly constructed classrooms.²

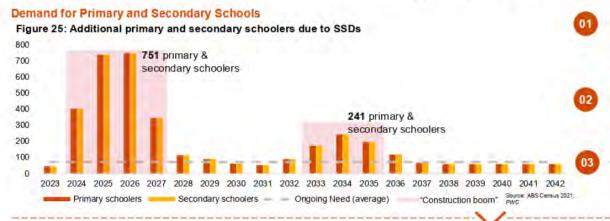
 NSW Treasury (2018). Cost-Benefit Analysis Framework for School Investment, p. 8 2. These calculations assume that all classes are homogenous (i.e. no distinction between science labs, workshops and classrooms) and are based on a rate of treasther per class. In practice, this assumption better reflects primary schools where dassrooms have a dedicated teacher rather than secondary schools where teachers are allocated based on disciptine. Moreover, the analysis assumes capacity is distributed evenly across schools, where in practice some schools maybe at capacity and offers rent.

Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC



Source: My Schools Data (2022)

 Note, schools geographically located below Mudgee Town Centre have been removed from this count as it is assumed that due to the fact that the majority of SSDs are located closest to Guigong and Mudgee these catchments will receive the vast majority of additional school age dhildren. The potential increase in school age children moving to the region will see a need to expand the number of available classroom during the peak construction period

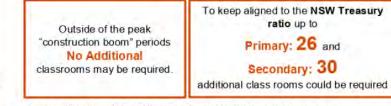


Estimated primary and secondary schoolers are based on regional NSW demographics.¹ Families with children in final years of schooling are less likely to move relative to families with children in earlier years of school.² As a result, the estimates to the left likely overestimate the amount of secondary school students that will come to the LGA.

There are two expected peaks which align with the initial construction boom (2026) and second boom associated with "Secure Now" (2034). At its peak, in 2026 there could be an additional **751** primary and **751** secondary goers over and above existing population projections.

Demand for schooling will vary significantly depending on actual families attracted. Above existing population projections and outside of the two peaks (2026 and 2034), there could be an additional ~70 primary and secondary goers annually (ongoing need).

The figure to the left highlights the additional number of primary and secondary classrooms that may be needed. Based from consultation with the local school system, it is assumed that the system is currently not at capacity. From these consultation a conservative estimate is made that on average the schools system has 10% additional capacity across all classes. This has been applied to the modelling by assuming that there is additional capacity for ~ 150 primary and 150 secondary school students in the current MWR school system.³



1. ABS Census 2021 2. Mobility of students in NSW government schools, 2016 NSW Government 3. It is important to note that this is average additional capacity. For example, it is recognised that Mudgee Public is currently at capacity whilst St Mathew's has additional capacity on the margin.

40

0 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042

Implications for MWR

35

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10

5

Classrooms

Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC

Figure 26: Additional classrooms required due to SSDs

Source: ABS Census 2021, My Schools, PWC analysis

Additional primary school classes (NSW Ratio)

Additional secondary school classes (NSW Ratio)

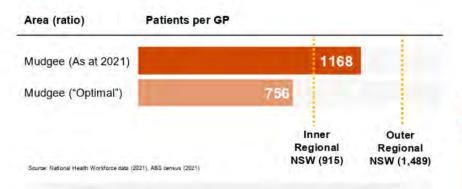
362

The MWR LGA is currently at capacity for GP services, however increased use of alternative service delivery methods, such as telehealth, may provide additional capacity

Assessing Current State



For inner regional NSW (includes Mudgee) and outer regional NSW (includes Gulgong and remainder of the MWRC LGA) the average number of patients per GP is **915** and **1,489** respectively.



Given that the current patient to GP ratio for the MWR LGA sits within the inner and outer regional NSW averages, for the purpose of this impact analysis, it is assumed that GP services within the LGA are at capacity. This assumption is made so that any increase in demand will require additional GPs so that the current ratio is maintained. Further, analysis undertaken by MWRC suggests that to meet current demand for GP services based on the existing population an optimal rate of service provision would be 756 patients per GP¹.

Mid-Western Regional Council - Managing the Impacts of State Significant Development

PWC 1.Me-Wester Region Health Services Proposal, December 2022 2. National Health Workforce data 2. Productivity Commission, Report on Government Services 2023

Regional NSW (both inner and outer) experience greater barriers to accessing a GP compared to urban and metropolitan areas

 There is a city/country divide in being able to access GPs. As at 2021, in Sydney the ratio of doctors to patients is 1:300. In comparison, outer regional NSW has an average patient per GP ratio of 1,489. Inner regional NSW has a comparatively stronger average of 1 GP per 915 patients.

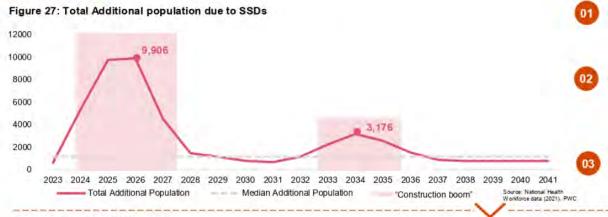
MWR LGA currently experiences comparable GP to patient ratios as regional NSW

- Currently, the MWR LGA has a GP to patient ratio of 1:1,168 which falls within NSW's inner and outer regional averages. GPs within the LGA work 12.25 to 15.75 FTE.²
- Mid-Westem Regional Council's 2022 Health Services Proposal, provides an "optimal" staffing number for GPs. This optimal staffing includes an additional 10 GPs in Mudgee and 2 GPs in Gulgong. This addition reflects the amount of GPs required to enable wait times for apppointments to be reduced to a 48 hour turn around period. In consideration of this "optimal" staffing, as at 2021, the MWR would have a GP to patient ratio of 1:756.
- It is important to note that there are a number of local GPs currently in a pre-retirement phase with several expected to retire in 2024/25.

MWR is at capacity for the provision of GPs services. However, emerging patterns in how patients access GPs may generate additional capacity through enhanced flexibility in service delivery.

 NSW, as a whole, experienced a 35% increase in the use of telehealth appointments to access GP services from 2020-21 to 2021-22.² This may translate into MWR residents accessing geographically diverse GPs via telehealth. Up to 8 additional GPs would be required to maintain current service ratios to meet additional demand generated by a sharp increase in population to the region

Demand for GPs



Implications for MWR

Figure 28: Additional GPs required

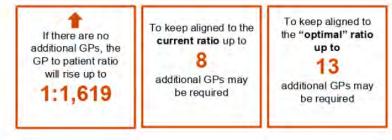


It is assumed that the additional population are as likely to use GPs services within the LGA as the existing population. Therefore any addition to the population will require more GPs to maintain the current GP to patient ratio.

There are two expected peaks which align with the initial construction boom (2026) and second boom associated with EnergyCo's "Secure Now" (2034). An additional population of **9,906 individuals** will be in the region in **2026**, and an additional population of **3,176 individuals** will be in the region in **2034**.

Demand for GPs services will vary significantly according to total additional population. The long-run annual additional median population is ~ **1,200** throughout the forecast period (2023-2041).

The figure to the left highlights the number of additional GPs that may be needed to maintain either the current or optimal GP to patient ratio. These projections assume that the additional population are as likely to access local MWR GPs as current residents. Under this assumption:



42

Historically, Mudgee Health Services has been able to adapt to growing demand. Limited physical space for the ED to expand may restrict its ability to facilitate a substantial increase to the population.

Assessing Current State

MWR LGA has one major hospital, Mudgee Health Services. The hospital underwent a \$70.7 million redevelopment which was completed in 2020. The hospital provides 31 beds for palliative care, emergency department (ED), paediatrics and birthing, as well as a range of additional services. The secondary medical centre, Gulgong Multi Purpose Service, also has emergency and inpatient facilities, though are limited in their capabilities.¹ This impact assessment focuses on additional demand on ED activity as it is expected that this will be the activity stream that will likely see the sharpest increase.

The number of emergency department (ED) presentations have increased from 2,567 in Jan-Apr 2017 to 3,647 in 2023 Apr-Jun. This absolute increase is consistent across the Western Health District ².Presentation rates per 1,000 population have grown at a greater rate for MWR compared to the WNSWLHD— from roughly 461 presentations per 1,000 people in 2017 to 569 presentations per 1,000 people in 2022 (~23% increase).³

Figure 29: Number of ED presentations by quarter, Mudgee Health Services and Western NSW Health District, 2018-2023



Mid-Western Regional Council - Managing the Impacts of State Significant Development

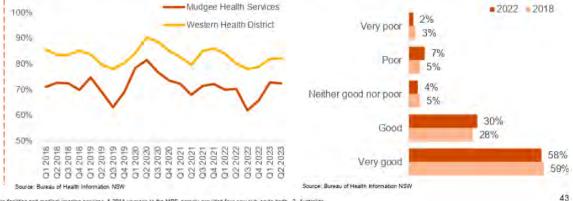
Currently, Mudgee Health Services has 8 total ED bay spaces accompanied by 2 registered nurses for each shift (morning, midday and night) and an additional nurse working peak period 10:30-19:00.

ED performance is benchmarked against time to be seen and quality targets. As highlighted in figures below, despite the recent increase in Mudgee's ED activity, the ED infrastructure has handled the increased demand relatively well. Timely access to treatment has remained constant with~70% of patients starting treatment on time and only a limited drop off in the quality of service provided has been seen in spite of increased demand.

Whilst the hospital has historically been able to adapt to meet demand, consultations have highlighted the potential future constraint of physical space. Currently, the hospital is looking at how to better use the existing ED spaces, including the interview room, to improve efficiency. However, there is no available additional spaces that could be used if the ED is to increase in size. A further increase in presentations could impede the ability to maintain current levels of service provision and quality.

Figure 30: Percentage of patients start treatment on time for Mudgee Health Services and Western Health district, 2018 to 2023

Figure 31: Overall how would you rate the care you received while in ED? (For Mudgee Health Services, 2018 and 2022)



PWC 1. The medical centre provides, 24-hour emergency care, Inpatient beds including general medicine, rehabilitation and palliative care, aged care facilities and medical imaging services. A 2014 upgrace to the MPS, namely provided four new sub-acute beds. 2. Australian Institute of Health and Welfare (2022), 3. The Western Health district increased from 832 to 868 presentations per 1000 population between 2018 and 2022.

A surge in population will have flow on effect to the region's hospital system, increasing emergency presentations and placing increased demand on existing bed and staffing capacity

Impact of external workforce on ED presentations

The rate of ED presentation differs based on age. Data shows the highest rates of ED presentation are for the 0-4 and 75+ year age groups ¹.

Given that the likely age of the incoming population will be a lower risk cohort (the median age of construction workers nationally is 38), the future demand, from the additional population, has been 'risk-adjusted' to highlight the higher rate of presentations by 0-4 year olds but relative constant rate by the remaining population.²

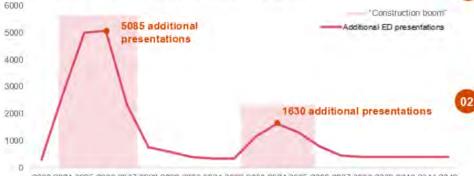
Limitations

Due to limited availability of ED data, this impact analysis utilises a superseded NSW Ministry of Health (MoH) methodology for projecting ED treatment spaces. As a result, the forecasted ED bays should be seen as an indictive estimate.

It is important to note the practical impact of triaging and transferring of patients between rural hospitals. Given the proximity of Mudgee to other major hospitals (e.g. Dubbo Base Hospital), patients may initially present in Mudgee but then may be transferred to other hospitals to receive treatment. In practice this could lessen the direct demand on MWR's health system.

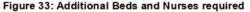
Demand for Hospital care

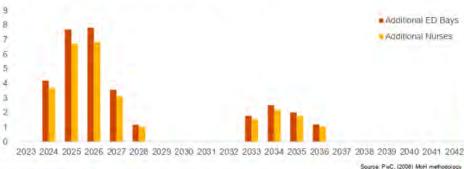
Figure 32: Total Additional ED presentations, 2023 to 2041



2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 Source: PwC

Implications for MWR





In aggregate, ED presentations for the hospital have varied from **11,902 to 14,583 between 2019-22**. It is important to note that this is not a unique per person count. This means that the same individual can present to ED multiple times over the course of a year and each individual presentation is counted.

There are two expected peaks which align with the initial construction boom (2026) and second boom associated with "Secure Now" (2034). Up to an additional **5,085 ED presentations** could be expected in **2026**, and an up to **an additional 1,630 ED** presentations in **2034**.

The figure to the left highlights additional nurses and ED bays that may be required over and above baseline population projections. This figure is derived by using NSW MoH methodology. It should be noted that this method applies differing number of presentations to trigger the need for an additional bay. As a result, some years require no additional beds as this trigger is not met.



Mid-Western Regional Council - Managing the Impacts of State Significant Development

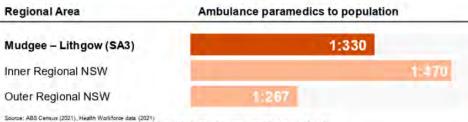
PWC 1. Public Health Information Development Unit (PHDU). Age-related rates of Emergency Department presentation. Adelaide: PHDU, Torrens University Australia, March 2023 2. An annual ED presentations per 1,000 persons by age group of 525 for the 0-4 yr old population. The remaining population has a rate of 280 annual ED presentations per 1,000 persons.

The increased workers in the region may place upward pressure on existing ambulance services during the peak of workforce demand

Assessing Current State



In inner regional NSW (which covers Mudgee), the average ratio of ambulance paramedics to population is 1:470.¹ Outer regional NSW (where Mudgee Region – West and Mudgee Region – East lie) has a paramedics to population of 1:267.¹ Mudgee – Lithgow sits within these two averages with 1 paramedic for 330 residents.

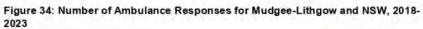


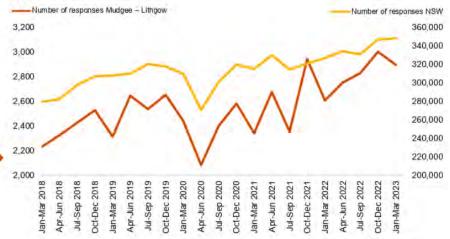
1.NSW ambulance data is reported at an SA3 level. For consistency of data information is presented at this level rather than LGA.

The current ratio of paramedics to population for Mudgee – Lithgow (SA3) is within the bounds of inner and outer regional averages. Accordingly, it is assumed that this current ratio is an appropriate benchmark to be maintained given population growth. Therefore, to avoid future supply shortfalls, additional paramedics at the ratio of 1 paramedic to 330 residents will be required to facilitate any increase in the population.

The ability for paramedics to effectively service the community is dependent on their ability to respond to emergency calls in a timely manner. In addition, it is noted that some ambulance staff staffed to region may not live locally and may result in limitations on local road knowledge which in turn could impeded response times. Any increase in population and corresponding paramedics requires additional ambulance vehicles to ensure the community can be efficiently serviced. The NSW ambulance vehicles to NSW paramedic ratio is 0.305.²

Mid-Western Regional Council - Managing the Impacts of State Significant Development PWC 1 National Health Workforce data p.5; 2, NSW Ambulance Year-In-Review 2021-22, p.4.





Source: Bureau of Health Information

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The number of responses has been steadily increasing for both NSW and Mudgee-Lithgow from 2018. In the first quarter of 2023 (Jan-March), Mudgee-Lithgow reported **2,894 responses**, an 11% (288 responses) increase from the same quarter in 2022. The median responses per 1,000 population per annum for Mudgee-Lithgow SA3 is 212. This is higher than the NSW average of 156 per 1,000 population per annum.

Given that the SA3 rate is significantly higher than the NSW average and that the incoming population will be relatively young and fit, future additional demand will be 'risk-adjusted' to reflect the potential lower incidents of call outs.

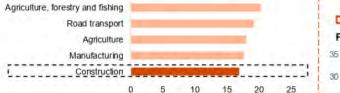
While the construction workforce represents a younger demographic than the region, the size and scale of the population increase will require additional paramedics and vehicle fleet to maintain the current state

Impact of external workforce on paramedics

A core determinant in the rate of utilisation of emergency ambulances is age. For example, studies using demonstrated Ambulance Victoria data show an significant increase in utilisation by patients aged 65+ years with 60-64 year olds twice as likely to utilise ambulances as 35-39 year olds.¹

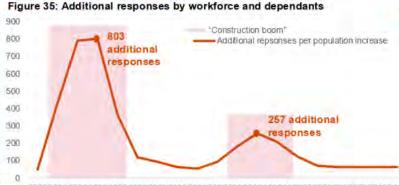
Further, consultation with proponents has highlighted the increased importance of workplace health and safety in constructions sites. As highlighted in figure 33, the **incident rate per 1,000 employees for the construction industry is 16.9**, less than that of agriculture or manufacturing, for example.

Figure 33: Rate of serious injury claims per 1,000 employees industry, 2020-21²



Given that the likely age of the incoming population will be a lower risk cohort (the median age of construction workers nationally is 38) and increased safety of the construction industry, this impact analysis assumes that on average the additional population will utilise ambulances at a lower rate than the existing residents of Mudgee-Lithgow. Therefore, future demand, from the additional population, has been 'riskadjusted' to reflect the potential lower incidents of call outs.

Demand for Ambulance Services

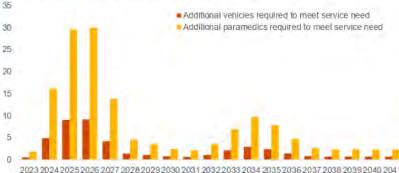


Applying a risk adjusted ratio, additional responses by paramedics are likely to spike in 2026 with up to 803 additional responses. For reference, Mudgee- Lithgow SA3 saw 11,186 responses in 2022 alone.

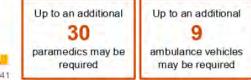
2023202420252026202720282029203020312032203320342035203620372038203920402041

Demand for Paramedics and Ambulance Vehicles

Figure 36: Additional paramedic and ambulance vehicles



The figure to the left highlights additional paramedics and ambulance vehicles that may be required over and above baseline population projections. This figure is derived from population ratios whilst demand for additional responses is derived from riskadjusted growth rates. As a result, estimates for paramedics and vehicles represent a 'worst-case scenario' and may be overstated.



Mid-Western Regional Council - Managing the Impacts of State Significant Development

PWC 1. Increasing utilisation of emergency ambulances, as a result of the younger age group moving to the area discounted rate of 81 responses per 1,000 population per annum has been applied to the additional population?, Australian workers' compensation statistics 2020-2021, ABS Census 2021

The increased presence of workers moving into the region for major project delivery will place upward pressure on existing police services across multiple fronts

Assessing Current State

Mid-Western Regional LGA is situated within the Orana-Mid Western Police District (PD). As of 2021-22, the Orana-Mid Western PD had 238 police officers and 26 administrative staff. Mudgee and Dubbo Police Stations are the two 24-hour police stations in the region, meaning they are safeguarded by a First Response Agreement's minimum response level and are required to be staffed at all times. Other stations within the PD are staffed on a needs basis, with officers often on call to respond to incidents and on rotation across the PD according to service need.

Figure 37: Rate and number of crimes in MWR LGA, 2019-20221

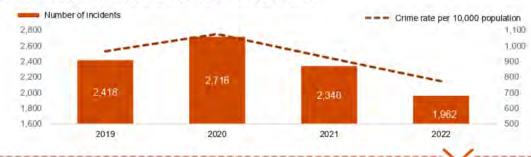


Figure 38: Response time for Orana Mid Western PD, 2018-19 to 2020-212



Mid-Western Regional Council - Managing the Impacts of State Significant Development

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Source: 1. BOCSAR, 2. NSW Police Force, Statistics relating to average response times for urgent calls; 3

The total number of crimes committed in the MWR LGA has steadily decreased since 2020 to 1,962 in 2022. This 28% decrease in crimes committed since 2020 is also reflected in the relative crime rate that has also decreased to **773 crimes** committed per 10,000 population in 2022.

Responding to crime comprises just one of the many roles and responsibilities of the Police District. Other activities include monitoring and promoting road safety, maintaining social order, performing and coordinating emergency responses and other general community related services and activities. Therefore, decreased rates of crime does not necessarily correlate with lower levels of resource demand.

Orana-Mid Western PD response times have improved between 2019-20 and 2020-21, dropping below the Western PD average of **14 minutes and 33 seconds**. As of 2020-21 **82% of urgent calls are answered in benchmark time (under 12 minutes)**. With the numbers of workers coming to the region as the construction period peaks, increased pressure will be placed on maintaining this ongoing improvement in response times, especially as resources are likely to come from within the Orana-Mid Western PD as opposed to additional staffing requirements.

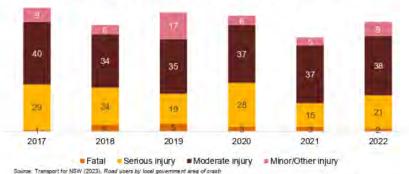
The increased presence of workers moving into the region presents multiple challenges to police service delivery including responding to increased traffic and TWA related incidents

Impact of external workforce on police service delivery

Consultation with the Orana-Mid Western Police District revealed a number of factors that may impact demand for policing services:

- Increase in volume of cars and trucks on major roads into the region: With a surge in freight and people traveling into the region along the two major entry/exit points - the Golden Highway and Great Western Highway, there is an expectation of an increased number of traffic incidents that police will need to respond to on these major roads. With large volumes of heavy industrial freight coming from the Port of Newcastle, this will likely affect road conditions at various points while DIDO workers will be travelling early morning/late afternoon, increasing risk of traffic/crashes.
- This expected increase comes on top of an already high incident rate. TfNSW crash data for the period 2018-2022 shows there were 348 casualty crashes across the Mid-Western Regional Council area resulting in 450 casualties. When fatal and serious injury crashes are combined in the period 2018-2022, Mid-Western had 124 casualties in the LGA.

- Animal strikes are a real risk in country areas, especially with the high potential for livestock, native animals such as kangaroos, wombats, emus, and feral animals such as pigs and deer to enter the roadway. According to data compiled by NRMA Insurance for NSW in 2019, Mudgee was in the top five worst areas for animal strikes (also included was Dubbo, Armidale, Goulburn and Muswellbrook).
- Management of Temporary Worker Accommodaiton: Police may need to liaise with project proponents to manage the risk of potential incidents occurring at workers camps. Stakeholder consultation highlighted potential increases in drunk and disorderly behaviour, assaults and mental health related incidents as potential increased risk at workers accommodation.
- Managing resources across the LGA: With a significant pipeline of major projects, the pressure
 of managing the confluence of demand across multiple project sites/workers camps will place
 pressure on existing resource capability.



Mid-Western Regional Council - Managing the Impacts of State Significant Development

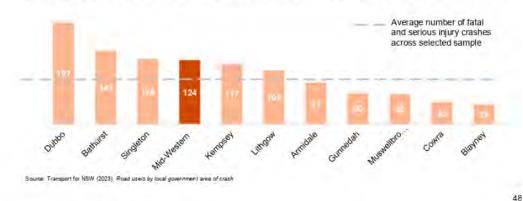


Figure 40: Number of fatal and serious injury crashes across select regional LGAs, 2018-2022 1

PwC

Figure 39: Number of traffic incidents in the MWR LGA, 2017-2022

Additional population from SSDs will trigger the need for MWR to develop additional water supply systems sooner than expected

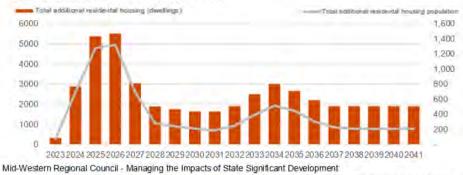
MWRC has distinct roles and responsibilities as it relates to the provision of potable (and/or other water) for personal use and consumption between additional residential housing and TWAs. It is assumed that council will be responsible for the provision of and the major infrastructure needed to supply water for personal use and consumption for additional residential housing. For the purposes of this analysis it has been assumed that responsibility for supply of water for personal use and consumption at TWAs will rest with proponents, though acknowledging a need to work with council.

Residential Housing

MWRC has 3 water supply systems that include distribution systems and three water treatment plants. These are:

- 1. Mudgee that sources raw water from the Cudgegong River and Burrundulla bore field
- 2. Gulgong that sources raw water from Cudgegong River, and
- 3. Rylstone that sources water from the Council owned Rylstone dam.
- · Water systems are currently at capacity for baseline population growth.
- The systems, in particular the distribution systems required to service approved lots, will
 require additional works to increase capacity in response to any additional residential
 population. The geographical location of lots is critical in the ability of MWRC to supply
 lots.
- It is important to note, water systems need to be upgraded to accommodate surge capacity rather than average water usage.

Figure 41: Total additional demand for residential lots and associated residential population (above baseline), 2023 to 2041



PWC 1. Consultations with sourcei indicated that on average 250 L of water would be used per person per day in TWAs. This figure includes TWAs with laundries and commercial kilchens.

TWA

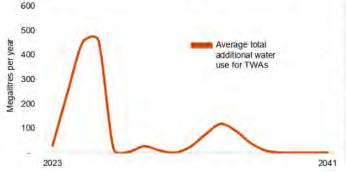


For the purposes of this analysis TWAs will need to rely on trading water licenses or access groundwater reservoirs to provide water for personal use.

- TWAs are assumed to source water for personal use independent of council.
- Consultations with council have highlighted that river water licensees (Cudgegong River) are near full allocation. As a result, TWAs will be required to either acquire water licenses on the secondary market or acquire groundwater licenses.
- Groundwater has been largely untested. The viability of groundwater as a stable source of raw water has not been tested. This additional testing would be at the cost of the proponent.

Total demand should refer to potential peak or surge water usage. In the absence of this data, an indicative estimate has been developed in consultation with council so that the range of average water usage per person per month for a TWA is 7609 L¹

Figure 42: Total demand for water by TWA, 2023 to 2041



Based on TWA population presented on page 33 (forecasts a peak of ~5,000 individuals living in TWAs in 2026), additional water use for TWAs may demand-as a conservative estimate—up to 459 **ML per annum in 2026** (~ 1.25 ML a day additional demand).

Sexisting capacity of the MWR's sewage treatment plants (STP) may be insufficient to cope with short-term demand increases generated by SSDs

MWRC has distinct roles and responsibilities in the provision of wastewater treatment, facilities, and reticulation for additional residential housing and TWAs. It is assumed that council will be responsible for wastewater treatment capacity and reticulation to site for additional residential housing. For the purposes of this analysis it has been assumed that TWAs will be responsible for their own wastewater treatment capacity and/or their ability to cart waste to treatment facilities. This analysis only focuses on domestic production. It is assumed an average of 200–300L of wastewater is produced per person per day for both additional residential housing and TWAs.!

Residential Housing

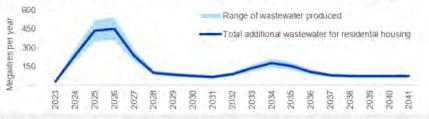
Additional residential housing is assumed to be concentrated around Mudgee and Gulgong. Both centres have a sewage treatment plant (STP):

- Mudgee designed to service an estimated residential population of 14,000 and a nonresidential of 2,000.
- 2. Gulgong designed to service an estimated population of 4,450.

Given baseline population growth, Mudgee STP is projected to exceed its capacity by 2036. Gulgong will have spare capacity beyond 2041.

- With a current population of 11,680, Mugdee STP has a current spare capacity of ~2300 people.
- Gulgong will have addition capacity for ~ 1000 additional people even by 2041

Figure 43: Wastewater production and total population for residential dwellings¹



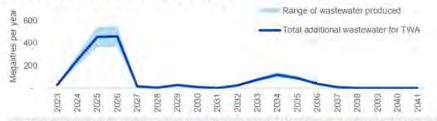
- Wastewater production in Figure 43 is derived from housing demand as presented on slide 33. At a peak in 2026, up to ~ 4,900 additional individuals may reside in residential dwellings.
- Combined, Mudgee and Gulgong TWPs have capacity for an additional ~3,300 people. Assuming that an additional total population of ~5000 live in residential housing in 2026 based on demand model projections, currently there is not sufficient capacity.
- Outside of this peak, ~ 1000 additional individuals may live in residential housing producing ~75 ML per year of wastewater.
- Mi .

TWA

TWAs will need to rely on developing their own wastewater treatment capacity and/or carting waste to appropriate facilities.

- Given that TWAs will predominately be located significant distances from urban centres in the LGA, they will not be able to connect to existing and expanding sewage systems.
- Mudgee STP does have the capability to receive and treat waste. Currently, has approval to receive 20KL of sewage waste for processing, however, this allocation is already at capacity. Additional capacity would require upgrades and modifications

Figure 44: Wastewater production and total population for TWAs¹



- Wastewater production in Figure 44 is derived from TWA demand as presented on slide 33. At a peak in 2026, up to - 5,000 additional individuals may reside in TWAs.
- Additional wastewater produced by TWAs may produce, on average, up to 459 ML per year in 2026 with an upper range of 551ML and lower of 367 ML.
- Wastewater production by TWAs will vary significantly aligned to the construction schedule. For example, demand by TWAs drops from 459ML in 2026 to 18ML in 2027 as a majority of construction will be completed.

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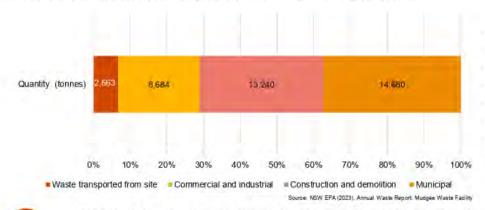
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Additional waste from projected residential dwellings and TWA requirements will place pressure on existing waste management facilities during the peak

Assessing Current State

Figure 45: Type of solid waste collected by Mudgee Waste Facility, 2022-23



In 2022-23, Mudgee Waste Facility (the only landfill facility in the LGA) collected a net waste total of 33,951 tonnes of waste. On current baseline population projections (i.e. no additional demand generated by SSDs), the region has 40 years of solid waste land fill capacity based on existing and new supply that will come into market. This includes the new landfill cell currently under construction. MWRC has curb side collection in Mudgee, Gulgong, Kandos and Rylstone while more rural parts of the LGA have service centres for waste collection.

A new landfill cell is under construction and is expected to be live in 2024 with additional life cycle capacity to 2031-32 based on existing population projections. With additional SSD workforce in the region, the effective life of this new landfill cell will be reduced and additional resources and trucks may be needed to meet increased demand for waste collection.

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Measuring increased demand due to State Significant Development (SSD)

Figure 46: Average additional solid waste (tonnes) produced by additional residential and TWA residents 2023-41 ²



With further uplift in market housing and TWA required to meet the demand of the state significant development, there will be additional demand generated for solid waste collection in the MWR LGA. This is captured in the above graph, which sees 2024-2026 as the peak years aligning with the surge in construction workers on the SSD.

The key assumptions here are:

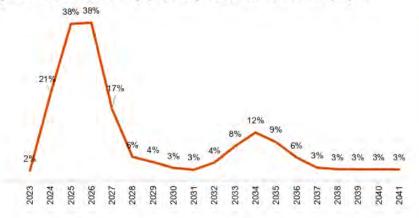
- Additional population in residential households will peak in 2026 at 4,900 individuals
- · Average waste per additional residential household member is 1 tonne annually.
- Average waste per additional TWA worker is 0.5 tonnes annually.
- Construction waste has not been included on the assumption that this will be resolved by SSD proponents as part of their project plans.

A surge in population during the peak construction years may place increased demand on local road use and freight flow – driving up road asset maintenance costs

Assessing Current State

- With a surge in population and workforce tied to SSD in the LGA, there can be an
 expectation that traffic growth and road use will increase commensurate with the rate of
 population growth year-on-year (pictured below).
- Mid-Western Regional Council manages and maintains 2,460 km of local road network.
- In 2021-22, Mid-Western Regional Council spent \$21,007,000 to maintain road assets to a 'satisfactory standard' for road users. ² This equates to an asset maintenance cost of \$8,539 per kilometre of road.

Figure 47: Rate of additional population growth attributable to SSD projects



Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC, 1. TINSW (2022), Guide for Estimating the Problem Cost, p. 38: 2. Mid-Western Regional Council (2022), Annual Financial Statements, p. 124

Measuring increased demand due to State Significant Development (SSD)

- In applying the population growth rate as a proxy for increased road usage, the additional SSD-related costs are calculated in the graph below by multiplying by the per kilometre road maintenance cost.
- Like other service delivery areas, the greatest jump comes in the peak construction years of 2025-2027 whereby the workforce surges. There is again a smaller peak in the period 2033-2035 as the second wave of SSD flows through to increased worker movement and freight flows. An escalation rate of 3 per cent per annum is applied.
- Additional road maintenance costs may be incurred due to the heavy flow of freight and capital
 equipment into the region during construction years.

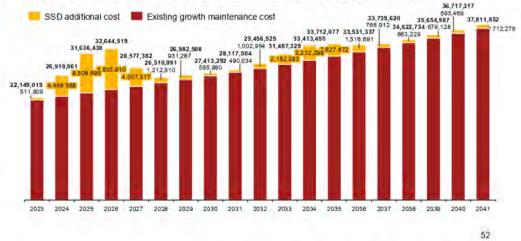


Figure 48: Capital cost of road maintenance attributable to SSD population growth

Contents

01 Executive Summary

02 Project context and approach

03 Demand analysis

04 Impact analysis

05	Strategy
06	Appendix

With clear impacts to services, housing and infrastructure a range of mitigating strategies have been developed to inform ongoing planning and management of community impacts

Purpose

This section outlines recommendations to help address and/or mitigate the impacts on services, housing and infrastructure due to a rapid increase in population from SSD projects occurring in the region.

In addition, opportunities for collaboration and legacy projects are identified where investment helps to both mitigate impacts and seed new industries for the region. These are particularly focused on water security and waste and circular economy opportunities.

Recommendations are aligned to service areas and the levers available to government stakeholders. The intent of these recommendations are to inform ongoing collaborative planning with relevant government and non-government stakeholders. They should be seen as a starting point for informing appropriate state and local agencies to align growth planning for services, manage community impacts across the delivery phases and to determine need for additional analysis. For each recommendation the relevant stakeholders who may need to be engaged in the delivery of the recommendation have been listed.

How the recommendations were developed

The recommendations on the following pages are based on an understanding of the nature of increased demand on services and the levers available to address this increased demand. They have been developed in consultation with MWRC. Three main steps were used to develop the recommendations:

1. Confirm key gaps and pinch points

This involved reviewing the magnitude and direction of impact and the key drivers of supply and demand for each service area; mapping gaps by service area and operational capability; and confirming the response required to maintain current service provision.

2. Identified levers

This involved identifying key stakeholders and the levers available as well as an understanding of the factors impacting the ability to meet demand (for example resources such as land, staff, regulatory requirements, etc.). Examples of levers include regulatory control, financial incentives, information and guidance, monitoring and evaluation, direct service provision, direct capital investment.

3. Identification of mitigation and/or response measures

This involved workshopping potential measures to soften the impacts of prolonged increase in demand by service area (for example through demand management, resourcing sharing, staging and provision of information to improve decision-making) as well as identifying potential capital and/or operating responses that may be needed to meet potential increases in demand.

The recommendations are summarised on the following pages.

Service Area	Category	Recommendation	Key Stakeholders	Rationale
	Governance	 Establish an accommodation coordination team that manages and monitors housing stock and room availability. Develop a campaign to promote and educate residents around infill medium-density development (including secondary dwellings) to encourage an increase in this housing typology coming to market. Financial incentives available to landowners should be included as part of the campaign. Explore policies to incentivise major master planned housing developments, including opportunities to fast track approvals. 	Regional NSW, Mid- Western Regional Council, Dubbo Regional Council, Warrumbungle Shire Council	Provide more accommodation options across the region within existing and new-to-market housing stock.
Housing	People and skills	 Boost number of planning staff within the Council to accelerate speed of development approval process in line with potential increased development application activity associated with need for increased housing. 	Mid-Western Regional Council, NSW DPE	Improve the speed of the planning process, reducing the time spent between DA application and build.
	Land use	 Formalise requirements for proponents to provide temporary worker accommodation in appropriate locations. Explore opportunities for sharing, re-use and/or repurposing of TWAs between projects and/or for legacy uses. Review current staging and servicing of zoned land in the Mudgee and Gulgong Urban Release Strategy, including master planning of growth areas to assist in bringing land to market in a more timely manner and agility to respond potential peak accommodation requirements. Build essential worker housing as part of master planned areas. 	Mid-Western Regional Council, REZ project proponents, EnergyCo, land developers, NSW DPE	Establishing clear frameworks for temporary worker accommodation and maximise sustainability of worker accommodation. Master planned land to get to market faster than fragmented land ownership.
	Infrastructure	 Investigate the feasibility and funding options to upgrade the Mudgee STP to provide waste water recycling capability for construction use and other ongoing uses post construction phase. 	Mid-Western Regional Council, REZ Energy proponents, EnergyCo	Maximise the sustainability of REZ projects and unlock circular economy opportunities for the MWR LGA.
\wedge	Land use	Review current water distribution infrastructure phasing and timing to align with accelerated release of land as required.	Mid-Western Regional Council, landholders, water agencies	Ensure land release is synced with staged upgrade of water distribution infrastructure.
Water	Governance	 Work with NSW Government/energy project proponents to establish a clear requirement for all construction and TWA sites to provide on-site water supply systems (incl. source water independent of council allocation). Work with NSW Government to audit existing water allocations and identify unused or underutilized allocations for potential transfer and/or sharing arrangements. Explore options to increase in water licenses/allocations for MWRC to provide water. 	Mid-Western Regional Council, NSW DPE, EnergyCo, SSD proponents	Clear line of responsibility / accountability for energy project proponents to deliver water to worker accommodation camps.

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Service Area	Category	Recommendation	Key Stakeholders	Rationale
65	Governance	 Determine a clear framework that requires energy project proponents to have onsite sewage processing in TWAs, including processes to manage sledge. 	SSD proponents, EnergyCo, Mid-Western Regional Council	Ensure functionality of the TWAs as local council sewage system does not have the capacity to absorb TWAs demand increase.
Sewage	Infrastructure	 Explore options for Mudgee and Gulgong STP expansion including temporary expansion; proponent built; servicing in neighbouring LGAs. 	Mid-Westem Regional Council, SSD proponents, EnergyCo	Determine the best pathway to accommodate increase in sewage demand.
	Governance	 Improve communication channels with proponents around roles and responsibilities for waste collection and processing at TWAs. 	Mid-Western Regional Council, SSD proponents, EnergyCo, waste operators/sub-contractors.	Avoid operational issues that have arisen at landfill/waste processing sites.
Waste	Regulation	 Establish a regulatory framework setting benchmarks/quotas on REZ material and construction waste and TWA waste collection (e.g. min % recyclables, construction clean fill reuse rules, etc.). Consult with neighbouring councils to ensure regulatory framework is consistent around landfill obligations for TWAs/project sites. 	Mid-Westem Regional Council, EnergyCo, neighbouring councils, SSD proponents	Reduce solid waste and single-use materials throughout construction, bolstering project sustainability and loca character. Build collaboration with neighbouring councils to support sustainable delivery of the REZ.
	Infrastructure	 Conduct a business case/costings on value-add opportunities for Council to upgrade recycling capabilities to improve recycling scope, capacity and quality. 	Mid-Western Regional Council, waste operators/sub-contractors, EnergyCo	Build a stronger circular economy and unlock new opportunities for value-add industry in the local economy.

ervice Area	Category	Recommendation	Key Stakeholders	Rationale
	Infrastructure	 Examine the feasibility of MWRC acting as a developer for a new childcare/multi-purpose centre in Gulgong following the build and lease model in Mudgee. 	Mid-Western Regional Council, childcare operators	Meet additional demand for childcare outside of Mudgee and in close proximity to project sites. Build in flexibility for additional uses post construction phase.
Childcare	Services	 Conduct an audit of childcare service providers' opening hours and expansion potential to cater for extended working hours of construction/REZ workers. Develop a platform for centralised communication of current childcare place availability in the region and ongoing demand monitoring. 	NSW Department of Education, ACECQA, Childcare operators, SSD proponents	Cater for additional demand generated by 12-hour shift workers on REZ development.
	Land use	Advocate for developers/energy proponents to build-in childcare capacity to new developments/TWAs.	SSD proponents, land developers	Accommodate demand generated by families moving into the region.
Â	Infrastructure	 Identify under-utilised assets and classrooms, including detailed audit of capacity on a school-by-school basis Advocate for the provision of additional temporary classrooms in peak construction years as required. 	SINSW, local schools network, NSW Department of Education	Maximise existing infrastructure utility in the local schools network and cater for demand surge in peak construction years.
Schools	People and skills	 Partner with local schools to develop a teacher retention strategy around non-monetary incentives focused on mentoring and community engagement 	Local schools network, NSW Department of Education, NSW Teachers Federation	Compliment NSW Government initiatives to retain teachers in the region long-term.

Service Area	Category	Recommendation	Key Stakeholders	Rationale
	Infrastructure	 Conduct an audit on medical equipment available within the region and advocate for a CT scan in Mudgee Hospital. Work with NSW Health to explore potential 'virtual hospital' models, utilising telehealth to address and manage demand for low triage and GP activity 	Western NSW LHD, NSW Health	Boost the breadth and quality of health services within the region (currently no CT scan/limited access to X-ray and MRIs in the LHD). Virtual care infrastructure can provide legacy use beyond construction.
Hospitals	Land use/services	 NSW Government to work with SSD project proponents to establish protocols for helicopter access to worker/project sites. 	SSD proponents, Western NSW LHD, Aviation Authorities	Ensure efficient medical access to project and workers sites given their remoteness within the LGA.
	Governance	 Investigate contingencies to medical transfers to Dubbo Base Hospital (e.g. shell space at Mudgee Base Hospital and additional bed/staffing requirements) Explore requirements to mandate that TWAs to provide onsite medical services. NSW Health to work with project proponents to communicate clear protocols for emergency responses 	Mid-Westem Regional Council; NSW Health, Westem NSW LHD	Large truck movements along major highway to Dubbo will have an impact on medical transfers. TWAs to have adequate health services accessible to workers.
-	Governance / services	 Set minimum health care staffing requirements for TWA (e.g. prescribing nurses on-site, access to telehealth for all workers). 	Mid-Western Regional Council, SSD proponents, Western NSW LHD, NSW DPE	Adequate provisioning of health care at worker accommodation.
Primary Health Care	People and skills	Advocate for permanent placement of GP/GPs in Gulgong	Mid-Western Regional Council, NSW Health, GP advocacy groups	Currently, there is limited full time access to a GP in Gulgong and it is in close proximity to new REZ developments.
	Services	 Collaboration between developers, project proponents and local pharmacies around medical supplies and ability to fill scripts. Development and promotion of telehealth models of care in region, including development of virtual care facility. 	SSD proponents, local pharmacies, pharmacy advocacy bodies; NSW Health Western NSW LHD	Ensure local pharmacies can meet the demand that the TWAs will generate for medicines on top of fulfilling current state obligations. Delivery of efficient and accessible health care, especially t rural and remote areas of the LGA.

Service Area	Category	Recommendation	Primary advocate/s	Rationale
*	Governance	 Liaise with local NSW Ambulance to communicate the road/traffic implications of the REZ projects. Engage with SSD proponents to establish requirements/expectations for access to paramedics/ambulances on TWA sites. 	Mid-Western Regional Council, NSW Ambulance, SSD proponents, EnergyCo	Address information asymmetry with FIFO/DIDO paramedics to reduce response time blowout. Set clear expectations for TWAs around onsite paramedic/ambulance access.
Ambulance	Services	 Investigate options for temporary service delivery and increase paramedic provision during peak construction (such as temporary ambulance stations). 	NSW Ambulance, SSD proponents, EnergyCo	Account for surge in incident rate during the height of REZ construction window.
	Governance	 Facilitate educational workshops for SSD proponents around risk minimisation for TWAs including road safety concerns. Communicate preference with energy proponents to establish 'dry'/alcohol-fee TWA sites. 	NSW Police, SSD proponents	Raise awareness and encourage preventative behaviour adoption to avoid incident rates tied to crime, mental health and driver fatigue of workers residing in TWAs.
	Infrastructure	 Advocate for SSD proponents and developers to build temporary/'park and ride' car parks on private land. 	SSD proponents, Mid-Western Regional Council	Prevent existing car parks and on-street parking from being oversubscribed by surge in project workforce.
Local roads	Governance	Education campaign aimed at residents, businesses community groups and energy proponents around traffic flow changes and associated safety protocols during peak construction years.	Mid-Westem Regional Council, EnergyCo, SSD proponents	Raise awareness and understanding around traffic changes/impacts during REZ construction.
	Infrastructure	 Seek additional funding options/special grant application to fund asset road maintenance program. 	Mid-Western Regional Council, TfNSW, local road crew operators, EnergyCo	Sufficiently fund the road asset maintenance program due to increase in traffic flow/freight capacity.

Ongoing monitoring framework

Consultation with key stakeholders highlighted the need for a series of 'performance tracking' strategies tied to establishing a monitoring framework to capture the ongoing SSD development impact on the Mid-Western Regional Council, and to see how measures introduced are going in minimising the specified impacts.

Service Area	Indicator	Measure
Housing	 Population growth DA applications Dwelling completions 	 NSW CPA population growth ABS population growth ABS Land parcel counts and new dwelling approvals ABS Building approvals – Number of dwelling units approved.
Water	TWA consumption per worker Consumption per residential house	 Estimated water usage by TWAs Estimated increased water required by residential dwellings
Sewage	 TWA generation per worker Waste water per residential house 	Estimated increased sewage generation by TWA and residential dwellings
Waste	Waste processing capacity	 SSD project type generation per MW (e.g. solar, wind etc) Waste per residential house
Childcare	Number of available childcare places	 Estimated additional 0-5 y/o population Estimated demand for childcare places
Schools (Primary and Secondary)	Class size Number of teachers Staff to student ratio	 Estimated additional 5-12 y/o population Estimated additional 12-18 y/o population SINSW 'Eagle eye' forecasts
Hospitals	 ED beds to average annual ED presentations Current staffing (Nurses) 	 Number of ED presentations – AIHW/BH NSW data Change in average annual ED presentations (risk-adjusted)
GPs	Number of GPs GP to population ratio	 Estimated increase in population Change in number of GPs to population
Ambulance	Change in average ambulance call outs (risk-adjusted)	Ambulance response time and incident rate
Police	Change in incident rates – crimes, road incidents, domestic and family violence callouts	Incident rate and response time statistics – BOCSAR/TfNSW
Local roads	 Traffic modelling and ongoing traffic count – private car and freight usage Parking capacity 	TfNSW Freight Data Hub/Traffic Volume Viewer

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PwC

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Appendix

A

Demand Analysis – Detailed Assumptions

Additional assumptions and limitations

Non-local Workforce inter-LGA commute vs DIDO/FIFO

The model does not distinguish between daily commuters from outside the LGA vs DIDO/FIFO workers. All additional people in the workforce (i.e. non-locals) are assumed to require additional housing, services and utilities. While this might lead to an overestimate of housing and other services required, the assumption will minimise the detrimental impacts on tourism caused by underestimates.

Ramping up of Workforce

This model does provide consideration to the gradual ramping up and down of the workforce. With respect to the specific project's peak construction workforce and construction duration, the peak construction workforce ramps up on a quarterly basis so that the overall trend line is indicative of a standard bell curve.

Construction of Transmission Lines

Energy Corporation of NSW (EnergyCo) will develop transition lines under three stages (deliver now, secure now and plan for the future). The required workforce is only publicly available for the first stage, deliver now. Workforce numbers have been estimated for the final two stages based on the ratio of network capacity added compared to the known workforce for deliver now. Timing of the final two stages is aligned to that proposed in the Network Infrastructure Strategy NSW.

Movement of families

It should be noted that if there are not sufficent existing services (e.g. schools, or for other factors) families might self-select not to move to the region as a family unit or even entirely. This model does not explicitly consider that situation.

Mobility of workers

This model considers each worker to be unique to the project. In practice this mean that there is no mobility of workers between like projects e.g. concreting, ditching between solar projects. As a result, the output of the model might overestimate the unique worker count.

input data

Construction start dates and programs for the projects are subject to change. The model will need to continue to be developed and updated as new information becomes available as projects move closer to construction and delivery.

As of October 2023, 36 SSD projects have been identified for development in and around the MWR LGA

Project	Estimated Wor	kforce	Timeframe (targeted)		
	Construction	Operation	Construction	Operation	
Bowdens Silver Mine	320	228	2024 ,18 months	2026 to 2045	
Moolarben Coal	250		2025, 36 moths	2028, to 2038	
Ulan Coal	0	931	2021	2021, to 2035	
Mayfair Solar	150	2	2025, 12 months	2026 to 2046	
Narragamba Solar	400		2025, 36 months	2028 to 2053	
Wollar Solar Project	400		2023, 12-18 months	2024 to 2050	
Stubbo Solar Project	507	10	2024, 24 months	2026 to 2050	
Tallawang Solar Farm	430	27	2024, 34 months	TBD	
Birriwa Solar Farm	800		2024, 36 months	2027, to 2057	
Mavis Solar	150		2025, 12 months	2026 to 2065	
Barneys Reef Wind Farm	340		2024, 28 months	2026, lo TBD	
Burrendong Wind Farm	250		2023, 30 months	TBD	
Piambong Wind Farm	400		2026, 30 months	2028, to 2058	
Orana Wind Farm	580		2026, TBD	2028, to TBD	
Liverpool Range Wind Farm	800	47	2024, 36 months	2027. to 2052	
тва	300		2026, 15 months	2028 to 2058	
Bellambi Heights Battery	100		2024, 12-18 months	TBD	
Beryl Battery			2025; 12 months	2026 to 2051	

Project	Estimated Wor	kforce	Timeframe (targeted)		
	Construction	Operation	Construction	Operation	
Cobbora Solar Farm	700	8	2024, 36 months	2027, to TBD	
Dunedoo Solar Farm	125		2022, 12 months	2023, to 2053	
Dapper Solar Farm	350	20	2025, 18-24 months	2027, to 2057	
Wellington Solar Farm	200	3	2019, 48 months	2023, to 2053	
Wellington North Solar Farm	400	4	2023, 24 months	2025, to 2055	
Sandy Creek Solar Farm	700	15	2025, 24 months	2027, to 2057	
Goulburn River Solar Farm	350		2023, 36 months	2026, to 2061	
Pinecrest Solar*	175	7	2025, 18 months	2027, to TBC	
Merriwa Solar Farm*	500	20	TBC	TBC	
Valley of the Winds	400	50	2023, 42 months	2027, to TBD	
Spicers Creek Wind Farm	250	12	TBD, 30 months	TBD, 30 years	
Uungula Wind Farm	262	12	2023, 36 months	TBC	
Apsley battery*	50	TBC	TBC, 12 to 18 months	TBC, 30 years	
Orana Battery storage*	100-150	TBC	TBC, 12 to 18 months	TBC	
Wellington South BESS*	100	30	2023, 12 to 18 months	2024, TBC	
Phoenix pumped hydro	500	50	2026, 50 months	2030, to 2080	
Central-West Orana REZ	1800	98	2024, 36 months	2027, to TBD	
Central-West Orana REZ (Secure Now)*	1250		2033, 12 months	2035 to TBD	
Related Projects to Secure Now**	1080	37	2032, 60 months	2037 to TBD	

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*Worker numbers not currently available, estimated ustilising like project requirements.

**Related project to secure now refers to the mix of wind, solar and battery projects needed to meet the 1.5 GW increase in 64 transmission line capacity. This estimate is derived from current projects and workforce requirements

Source: MWRC

Project Type	Warkforce Ori	igin	Project	Estimaled Workfurce		Timeframe (largeled)		Included in Reduced Scenari
College (1996	Local	Non-local		Construction	Operation	Construction	Operation	
Mining			Bowdens Silver Mine	320	228	2024 ,18 months	2026 to 2045	Y
$\left \right\rangle$	98%	2%	Moolarben Coal	250	0	TBD	TBD, 2038	Y
			Ulan Coal	0	931	TBD	TBD, 2035	N
Solar			Mayfair Solar	150	2	2025, 12 months	2026 to 2046	N
(<u>)</u>	2%	98%	Narragamba Solar	400	10	2025, 36 months	2028 to 2053	Y
3 Well			Wollar Solar Project	400	5	2023, 12-18 months	2024 to 2050	Y
			Stubbo Solar Project	507	10	2024, 24 months	2026 to 2050	Y
			Tallawang Solar Farm	430	27	TBD, 34 months	TBD	Y
			Birriwa Solar Farm	800	15	2024, 36 months	2027, to 2057	Y
			Mavis Solar	150	5	2025. 12 months	2026 to 2065	N
Wind	100	1.00	Barneys Reef Wind Farm	340	10	2024, 28 months	2026, to TBD	Ŷ
A	2%	98%	Burrendong Wind Farm	250	15	TBD, 30 months	TBD	Ŷ
66			Piambong Wind Farm	400	15	2026, 30 months	2028, to 2058	N
			Orana Wind Farm	580	27	2026, TBD	2028, to TBD	Y
			Liverpool Range Wind Farm	800	47	2024, 36 months	2027, to 2052	Y
Battery			ТВА	300	15	2026, 15 months	2028 to 2058	N
	2%	98%	Bellambi Heights Battery	100	TBD	TBD, 12-18 months	TBD	Y
			Beryl Battery	40	1	2025, 12 months	2026 to 2051	N
Supply		man a ba	Central-West Orana REZ	1500	98	2024, 36 months	2027, to TBD	Ŷ
贯	2%	98%	Central-West Orana REZ - Secure Now	798	49	2033, 12 months	2035 to TBD	Ŷ
0.0			Related Projects to Secure Now*	1080	37	2032, 60 months	2037 to TBD	Y

Project information and assumptions (within MWR LGA) as at Oct 2023

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PwC *Related project to secure now refers to the mix of wind, solar and battery projects needed to meet the 1.5 GW increase in transmission line capacity. This estimate is derived from current projects and workforce requirements

Project information and assumptions (surrounding MWR LGA) as at Oct 2023

oject Type	Workforce Origin		Project	Estimated Workforce		Timeframe (targeted)		Distance to:		Included In Reduced Scenario
alees () he	Local	Non-Local		Construction	Operation	Construction	Operation	Mudgee	Gulgong	
Solar			Cobbora Solar Farm	700	8	2024, 36 months	2027, to TBD	55 min	35 min	Y
NO.			Sandy Creek Solar Farm	700	15	2024, 24 months	2026, to 2061	1hr	40 min	Y
			Dunedoo Solar Farm	125	3	2022, 12 months	2023, to 2053	>1hr	40 min	Ŷ
			Dapper Solar Farm	350	20	2025, 18-24 months	2027, to 2057	1hr	40 min	Y
	2%	98%	Wellington North Solar Farm	400	4	2023, 24 months	2025, to 2055	thr	45 min	Y
			Goulburn River Solar Farm	350	10	2023, 36 months	2026, to 2061	~1 hr	~ 1 hr	Y
			Pinecrest Solar*	175	7	2025, 18 months	2027, to TBC	~ 1 hr 20min	~2hr	N
			Merriwa Solar Farm*	500	20	TBC	TBC	~1hr	~1hr 30min	Ň
Wind			Valley of the Winds	400	50	2023, 42 months	2027, to TBD	>1hr	45 min	Y
A	2%	98%	Spicers Creek Wind Farm	250	12	TBD, 30 months	TBD, 30 years	50 min	35 min	Y
50			Uungula Wind Farm	262	12	2023, 36 months	TBC	~1hr 30min	~1 hr	Y
Battery			Apsley battery*	50	ТВС	TBC, 12 to 18 months	TBC, 30 years	~1hr 10min	~1 hr	Y
	2%	98%	Orana Battery storage*	100-150	TBC	TBC, 12 to 18 months	TBC	thr	50 min	N
			Wellington South BESS*	100	30	2023, 12 to 18 months	2024, TBC	-1hr	~50 min	N
Other	2%	98%	Phoenix pumped hydro	500	50	2026, 50 months	2030, to 2080	1hr	>1hr	Y
X										

Estimating the proportion of workers that may bring families and/or spouses

Filter raw 2021 census data

East Pilbara.

Apply Usually Resident Assumptions

NPRD =

two

persons

Method 1 - Persons usually resident in a dwelling

Number of Persons Usually Resident in Dwellings i.e.

Assumptions: To better reflect mobile workforce

Location Filters: LGA: East Pilbara

Single

Visitor

NPRD =

Not

applicable

resident' filter

NPRD

= one

person

To determine additional impacts on housing and services, it is necessary to estimate the proportion of non-local workers that are likely to bring family or spouses (i.e. couple and family households). The approach to this is documented in the slides following.

Comparative approach to deriving a family ratio

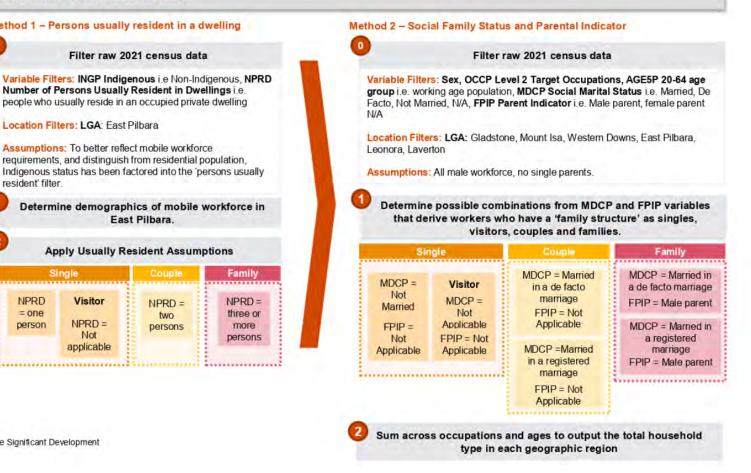
In order to derive an appropriate ratio to inform the family/couple/ single spilt of the additional population two approaches were utitised:

- 1. Persons usually resident in a dwelling
- 2. Social Family Status and Parental Indicator

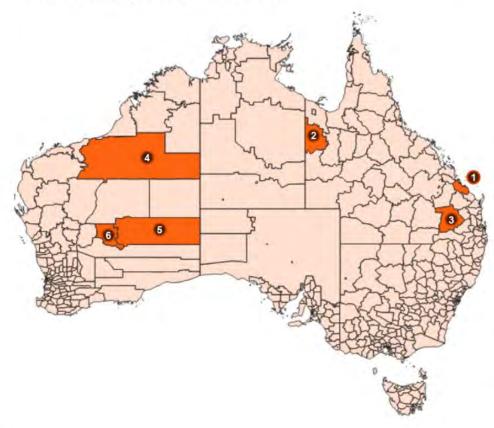
The first method was compared against the second method to provide a level of quality assurance.

Ultimately the first method was used in the model as housing availability in the MWR LGA is the largest constraint in enabling a REZ workforce. For model 1. usual residents has been used to infer a preferred dwelling size.

The following slides provide additional detail that underpinned the ratio selection.



A sample of LGAs were identified based on their similarity to the MWR region (e.g. population, proximity to major cities, industry growth) to provide an indicative range of single/couple/family ratios using the 2nd method

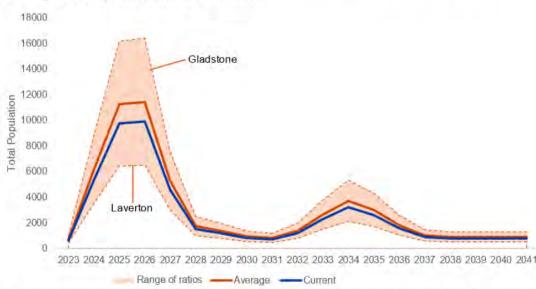


LGA	Single %	Couple%	Family%
	31%	25%	44%
1. Gladstone (QLD)	(1823)	(1444)	(2604)
	39%	23%	39%
2. Mount Isa (QLD)	(855)	(500)	(865)
	44%	21%	35%
3. Western Downs (QLD)	(1023)	(496)	(817)
	91%	3%	6%
4. East Pilbara (WA)	(4356)	(138)	(273)
	100%	0%	0%
5. Laverton (WA)	(808)	(0)	(0)
	93%	2%	5%
6. Leonora (WA)	(639)	(13)	(35)
Average	66%	12%	22%

Worker composition as at 2021 (utilising method 2)

Given the baseline scenario (all projects occur as currently scheduled), there would be a range of 2,015 to 6,500 singles, o to 1,625 couples and o to 2,860 families, when single/couple/family ratios from comparable areas are applied

Total population impact on the MWR LGA, with lower and upper cases, as well as average of comparable areas, 2023-2042



The additional population is the additional non-local workforce required plus any dependents that they bring i.e. spouses and or children. The maximum additional population occurs in 2024

- Under the current ratio the maximum additional population is 9906
- Under the average ratio the maximum additional population is 11,427
- Under the Gladstone ratio the maximum additional population is 16,419
- Under the Laverton ratio the maximum additional population is 6,500

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Peak count of nonlocal workforce by work profile for baseline scenario¹

Nonlocal Singles	Nonlocal Couples	Nonlocal Family
2,015	1,625	2,860
2,537	1,390	2,537
2,860	1,365	2,275
5,915	195	390
6,500	0	0
6,045	130	325
4,290	780	1,430
5,070	390	1,040
	Singles 2,015 2,537 2,860 5,915 6,500 6,045 4,290	Singles Couples 2,015 1,625 2,537 1,390 2,860 1,365 5,915 195 6,500 0 6,045 130 4,290 780

1 Note the peak occurs in 2026 for all counts 2 Current is based on the previous method

Appendix

B

Demand Analysis – Detailed Scenario Results

Under the sensitivity analysis there are 9 possible varying forecasts

C ti

Sensitivity Analysis Outcomes

Given the limitations of a point-in-time analysis, two types of sensitivity tests have been developed to account for the uncertainty around project timing and completion.

There are two key forms of sensitivity analysis applied to the model

1. Sensitivity Test 1: project/worker volume

2. Sensitivity Test 2: project timing

As depicted in the graphic to the right, 9 potential results are possible. Detailed results of these 9 scenarios are provided on the following page.

It should be noted that these scenarios are largely hypothetical as they are intended to test the sensitivity of the model. As more data becomes available these scenarios may change to more accurately reflect construction of the REZ.

Note, the two outputs on slides 72 to 74 are:

- Total workers required: Total local and non-local workers required to facilitate the construction and operation induced by identified SSDs.
- Total additional population: Additional population from nonlocal workers i.e. non-local singles, non-local couples and nonlocal family units.

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Peak workforce and additional population under different scenarios

	Reduced	Current	Plus				
urrent	Workforce: 6,851 (2026)	Workforce: 7,010 (2026)	Workforce: 8,496 (2025)				
ming	Population: 9,669 (2026)	Population: 9,906 (2026)	Population: 10,751 (2025)				
year	Workforce: 5,967 (2027)	Workforce: 6,094 (2028)	Workforce: 7,264 (2028)				
elay	Population: 8,589 (2027)	Population: 8,778 (2028)	Population: 9,178 (2028)				
moothed	Workforce: 5,504 (2026)	Workforce: 5,659 (2026)	Workforce: 7,089 (2025)				
	Population: 7,777 (2026)	Population: 8,009 (2026)	Population: 8,650 (2025)				

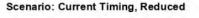
Project volume and timing variations (within MWR LGA)

Project	Estimated Workforce		Timeframe (Targeted)		Timeirame (Delayed)		Timeirame (Smoothe	Included in Reduct Scenario	
	Construction	Operation	Construction	Operation	Construction	Operation	Construction	Operation	
Bowdens Silver Mine	320	228	2024 .18 months	2026 to 2045	No change	No change	No change	No change	Ŷ
Moolarben Coal	250	0	TBD	TBD, 2038	No change	No change	No change	No change	Y
Mayfair Solar	150	2	2025, 12 months	2026 to 2046	2027, 12 months	2028 to 2048	2027, 22 months	2029 to 249	N
Narragamba Solar	400	10	2025, 36 months	2028 to 2053	2027, 36 months	2030 to 2055	2026, 40 months	2029 to 2054	Y
Wollar Solar Project	400	5	2023, 12-18 months	2024 to 2050	No change	No change	2024, 20 months	2026 to 2052	Y
Stubbo Solar Project	507	10	2023, 24 months	2026 to 2050	No change	No change	2023, 32 months	2027 to 2051	Y
Tallawang Solar Farm	430	27	TBD, 34 months	TBD	2026, 34 months	2029 to TBD	No change	No change	Y
Birriwa Solar Farm	800	15	2024, 36 months	2027 to 2057	2026, 36 months	2029 to 2059	2025, 36 months	2028, to 2058	Y
Mavis Solar	150	5	2025, 12 months	2026 to 2065	2027, 12 months	2028 to 2067	2025, 18 months	2027 to 2068	N
Barneys Reef Wind Farm	340	10	2024, 28 months	2026 to TBD	2026, 28 months	2028 to TBD	2024, 30 months	2026 to TBD	Y
Burrendong Wind Farm	250	15	TBD, 30 months	TBD	TBD, 30 months	TBD	No change	No change	Y
Piambong Wind Farm	400	15	2026, 30 months	2028 to 2058	2028, 30 months	2030 to 2060	2027, 30 months	2029 to 2058	N
Orana Wind Farm	580	27	2026, TBD	2028 to TBD	2028, TBD	2030 to TBD	No change	No change	Y
Liverpool Range Wind Farm	800	47	2024, 36 months	2027 to 2052	2026, 36 months	2029 to 2055	No change	No change	Y
ТВА	300	15	2026, 15 months	2028 to 2058	2028, 15 months	2030 to 2060	2027, 24 months	2029 to 2059	N
Bellambi Heights Battery	100	TBD	TBD, 12-18 months	No change	No change	No change	No change	No change	Y
Beryl Battery	40	1	2025, 12 months	2026 to 2051	2027, 12 months	2028 to 2053	2025, 20 months	2027 to 2052	N
Central-West Orana REZ	1500	98	2024, 36 months	2027 to TBD	2024, 60 months	2029 to TBD	No change	No change	Y
Central-West Orana REZ - Secure Now	798	49	2033, 12 months	2035 to TBD	2033, 12 months	2035 to TBD	No change	No change	Y

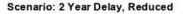
Project volume and timing variations (surrounding MWR LGA)

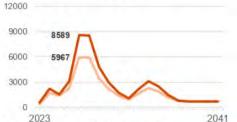
Project	Estimated Wo	rkforce	Timeframe (Targeted)		Timeframe (Delayed +2	2 yrs)	Timeframe (Smoothe	Included in Reduced Scenario	
	Construction	Operation	Construction	Operation	Construction	Operation	Construction	Operation	
Cobbora Solar Farm	700	8	2024, 36 months	2027 to TBD	2026, 36 months	2029 to TBD	2025, 36 months	2028 to TBD	Y
Sandy Creek Solar Farm	700	15	2024, 24 months	2026 to 2061	2026, 24 months	2028 to 2063	2026, 24 months	2028 to 2063	Y
Dunedoo Solar Farm	125	3	2024, 12 months	2025 to 2055	2026, 12 months	2027 to 2057	2026, 18 months	2028 to 2058	Y
Dapper Solar Farm	350	20	2025, 18-24 months	2027 to 2057	2027, 18-24 months	2029 to 2059	2026, 24 months	2028 to 2058	Y
Goulburn River Solar Farm	350	10	2023, 24 months	2026 to 2061	2025, 36 months	2028 to 2063	No change	No change	Y
Valley of the Winds	400	50	2023, 42 months	2027 to TBD	2025, 42 months	2029 to TBD	2024, 42 months	2028 to TBD	Y
Spicers Creek Wind Farm	250	12	TBD, 30 months	TBD, 30 years	2027, 30 months	2030 to 2060	2026, 42 months	2030 to 2060	Y
Phoenix pumped hydro	500	50	2026, 50 months	2030 to 2080	2028, 50 months	2032 to 2082	2027, 50 months	2031 to 2081	Y

Total workforce and total additional population across scenarios









2023 20 Scenario: Smoothed, Reduced



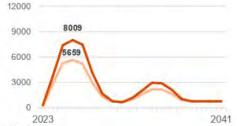
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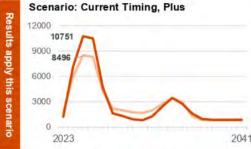


Scenario: 2 Year Delay, Current



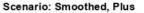
Scenario: Smoothed, Current

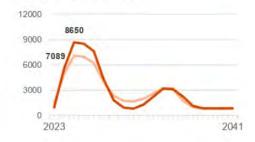












Peak workforce timing and magnitude vary based on the particular scenario.

```
The Current Timing, Plus
produces the highest peak (2025,
10,751 additional population and
8,496 total workers). The
Smoothed, Reduced produces
the smallest peak (2026, 7,777
additional population and 5,504
total workers).
```

The table below summaries the forecast data under the nine scenarios providing the maximum value for each calendar year. (1/2)

Scenario: Current timing, Reduce	d																		
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	403	3869	6759	6851	2537	1077	951	701	627	952	1686	2307	1896	1201	768	699	699	699	699
Total additional population	602	5325	9618	9669	3466	1285	1097	724	613	1099	2195	3122	2509	1471	824	721	721	721	721
Scenario: Current timing, Current																			
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	403	3869	6854	7010	3243	1202	987	737	663	988	1722	2343	1932	1237	804	735	735	735	735
Total additional population	602	5325	9760	9906	4520	1472	1151	778	667	1152	2249	3176	2562	1524	878	775	775	775	735 775
Scenario: Current timing, Plus																			
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	1731	6026	8496	8299	4245	2204	1989	1739	1665	1978	2745	3426	2969	1296	863	794	794	794	794
Total additional population	1237	7199	10751	10483	4669	1621	1300	926	816	1283	2429	3446	2763	1612	966	863	863	863	863
Scenario: Delay, Reduced								-							-			-	
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	403	1710	1434	2309	5967	5933	3440	2182	1391	952	1686	2307	1896	1201	768	699	699	699	699
Total additional population	602	2214	1569	3125	8589	8538	4815	2936	1754	1099	2195	3122	2509	1471	824	721	721	721	721
Scenario: Delay, Current										-									
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	403	1710	1434	2309	6062	6094	4146	2362	1427	988	1722	2343	1932	1237	804	735	735	735	735
Total additional population	602	2214	1569	3125	8731	8778	5869	3205	1808	1152	2249	3176	2562	1524	878	775	775	775	775
Scenario: Delay, Plus																			
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	1697	3277	2947	4043	7232	7264	5148	3364	2429	1978	2712	3333	2922	1376	883	794	794	794	794
Total additional population	1187	3146	2481	4367	9130	9178	6018	3353	1957	1283	2379	3307	2693	1732	996	863	863	863	863

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The table below summaries the forecast data under the nine scenarios providing the maximum value for each calendar year. (2/2)

Scenario: Smoothed, Reduced					-								_				-		
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	225	2817	5108	5504	4803	2482	1149	701	627	952	1535	2158	2123	1615	882	699	699	699	699
Total additional population	336	3754	7152	7777	6850	3384	1393	724	613	1099	1969	2900	2848	2089	994	721	721	721	721
Scenario: Smoothed, Current			-					-											
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	225	2817	5268	5659	5214	2963	1329	737	663	988	1571	2194	2159	1651	918	735	735	735	735
Total additional population	336	3754	7391	8009	7464	4102	1662	778	667	1152	2023	2954	2901	2143	1048	775	775	775	775
Scenario: Smoothed, Plus																			
Year	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041
Total workers required	1544	4915	7089	6968	6216	3965	2331	1739	1665	1978	2594	3251	3196	1710	977	794	794	794	794
Total additional population	958	5539	8650	8495	7613	4251	1810	926	816	1283	2203	3184	3102	2231	1136	863	863	863	863

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Currently, the model assumes each worker associated with a project's peak workforce is unique. In practice it is likely that a worker will be engaged on multiple projects. Sensitivity analysis has been undertaken to illustrate this scenario.

Substitution of workers between projects

Consultation with proponents has highlighted that workers may be able to move between projects given similar construction phases and requirements. For example, concreting for multiple solar projects. Further, consultation highlighted that individual proponents are likely to select for a non-exhaustive pool of subcontractors for construction of SSDs. For example, ACEN might use the same subcontractors, and hence workers, across their 4 projects. The figure to the right highlights the proponent landscape detailing which proponents are responsible for which projects.

Given this mobility, it is likely that the model in its' current state estimates the highest likely additional workforce. However, at this point in time, effective modelling of this worker mobility is limited by data availability. In light of this limitation, this model proposes 3 hypothetical sensitive analysis scenario to account for worker mobility:

- 20% worker mobility: 20% of the total construction workers are assumed to move between multiple projects
- 30% worker mobility: 30% of the total construction workers are assumed to move between multiple projects
- 40% worker mobility: 40% of the total construction workers are assumed to move between multiple projects

These scenario are illustrated on the following slide overleaf.

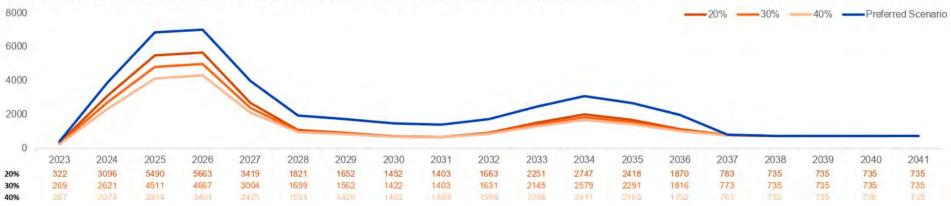
Proponent Landscape



1. There are 19 other proponents in total as at September 2023 Source; MWRC

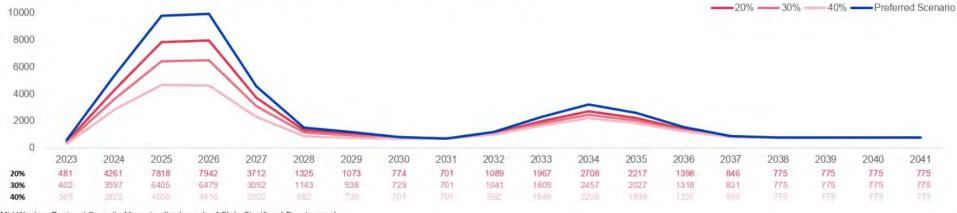
Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC

Total workforce and total additional population across 20%/30%/40% project substitution rates



Total Additional Workforce for SSDs, baseline and 20%/30%/40% substitution between multiple projects during construction

Total Additional Population for SSDs, baseline and 20%/30%/40% substitution between multiple projects



Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC

Appendix

С

Impact Analysis – Sensitivity Testing

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The table below summarises the peak impact values under the different timing and volume variations.

	Timing Variation	Results in report apply	Curr	ent		2 year Delay			Smoothed	
	Volume Variation	this scenario (current, current)	Reduced	Plus	Reduced	Current	Plus	Reduced	Current	Plus
sing	Total Residential Dwellings	1,493 - 2026	1,454 -2026 (-39) 🖊	1,614 - 2025 (121)	1,306 -2028 (-187) 🖊	1,340 -2028 (-185) 🖊	1,468 -2028 (-25)	1,154 -2026 (-339) 🐥	1,191 -2026 (-302) 🐥	1,314 -2026 (-179)
Housing	Total TWA	5,031 -2026	4,914 - 2026 (-117)	5,452 - 2025 (421)	4,352 - 2028 (- 679)	4,443 - 2028 (-588)	4,576 -2028 (-455)	3,949 - 2026 (-1,082)	4,067 - 2026 (-964)	4,379 - 2026 (-652)
Childcare	Total Children (0-4)	474 - 2026	460 - 2026 (-14) 🖊	515 – 2025 (41) 🕈	411 - 2028 (-65) 🖊	420 – 2028 (-54) 4	439 - 2028 (-33)	372 - 2026 (-102)	383 - 2026 (-91)	414 - 2026 (-60)
Child	Number of Childcare Places	541- 2026	53 -2026 (-1)	59 -2025 (5) 📌	47 -2028 (-7)	48 -2028 (-6) 🖊	50 -2028 (-4) 🖊	42 -2026 (-12) 🖊	44 -2026 (-10) 🖊	47 -2026 (-7) 🖊
	Total Children (4-18)	1,502 - 2026	1,466 – 2026 (-36) 🖊	1,630 - 2025 (128)	1,307 - 2028 (-195) ♣	1,331 - 2028 (-171)♣	1,391 – 2028 (-111)♣	1,179 - 2026 (-323) 🗸	1,214 - 2026 (-288) ♣	1,311 – 2026 (-191) ♣
Schools	Number of Additional Primary Classrooms	26 -2025/26	25 -2026 (-1)	29 -2025 (3)	22 -2028 (-4) 🖊	22 -2028 (-4) 🖊	24 -2028 (-2)	19 -2026 (-7) 🖊	20 -2026 (-6) 🖊	22 -2026 (-4) 🖊
s	Number of Additional Secondary Classrooms	30 - 2026	29 -2026 (-1) 🖊	33 -2025 (3) 👚	25 -2028 (-5) 🖊	26 -2028 (-4) 🖊	27 -2028 (-3)	22 -2026 (-8) 🖊	23 -2026 (-7)	25 -2026 (-5) 🖊
GPs	Additional GPs (Current Ratio)	8 - 2026	8 -2025/26 (0) -	9 -2025/26 (1)	7 -2027/28 (-1) 🖊	8 -2027/28 (0) —	8 -2027/28 (0) —	7 -2025/26 (-1) 🖊	7 - 2025/26 (-1) 🗸	7-2025/26 (-1) 🖊
-	Additional ED Presentations	5,085 -2026	4,963 – 2026 (-122)	5,518 – 2025 (433) 1	4,408 – 2028 (-677) ↓	4,506 – 2028 (-579) <mark>4</mark>	4,711 – 2028 (-374) ↓	3,992 – 2026 (-1,093).♣	4,111 – 2026 (-974) ♣	4,400 – 2026 (-685)
Hospital	Additional ED Bays	8 - 2025/26	8 -2025/26 (0)	8 -2025 (0) -	7 -2027/8 (-1) 🖊	7 -2027/8 (-1) 🖊	7 -2027/8 (-1) 🖊	6 -2025/26 (-2) ♣	6 -2025/26 (-2) ♣	7 -2025/26 (-1) 🖊
T	Additional Nurses	7 - 2025/26	7 -2025/26 (0)=	7 -2025 (0) -	6 -2027/28 (-1) ♣	6 -2027/28 (-1) -	€ -2027/28 (-1) ♥	5-2025/26 (-2) ♣	6 -2025/26 (-1)♥	6-2025/26 (-1) 🖊
lce	Additional Responses	803 - 2026	784 - 2026 (-19) 🖡	871 - 2025 (68) 🕈	696 - 2028 (-107) 🖊	711 – 2028 (-92)♣	744 – 2028 (-59) 🖊	630 – 2026 (-173) <mark>4</mark>	649 - 2026 (-154)♣	701 – 2026 (-102)
Ambulance	Additional Paramedics	30 – 2026	29 -2025/26 (-1)	33 -2025 (3) 🕈	26 -2027/8 (-4) -	27 -2027/8 (-3) ♣	28 -2027/8 (-2)	24 -2025/26 (-6) ♣	24 -2025/26 (-6) ♣	26 -2025/26 (-4) ♣
A	Additional Ambulance Vehicles	9 - 2026	8 -2025/26 (-1) 🖊	9 -2025 (0) 👚	8-2027/28 (-1)	8 -2027/28 (-1) 🖡	9 -2028 (0) 🖊	7 -2025/26 (-2) 🖊	7 -2025/26 (-2) 🖊	7 -2025/26 (-2) 🖊

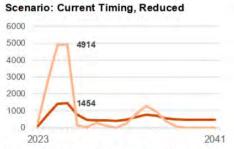
Mid-Western Regional Council - Managing the Impacts of State Significant Development PwC 1. Inner Regional Median

Under the sensitivity analysis the peak additional residential housing varies from 1,154 to 1,605 and total TWA varies from 3,949 to 5,265

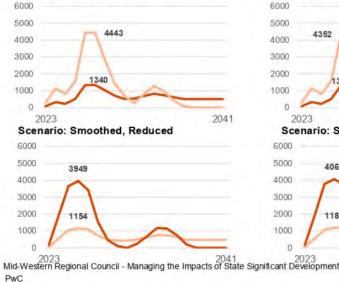
2041

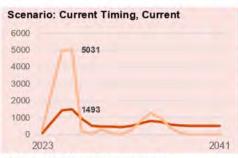
Total Additional Residential Housing and TWA for various timing sensitivities



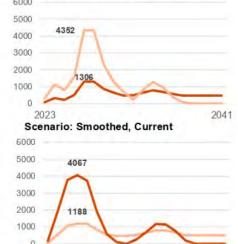


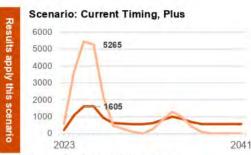
Scenario: 2 Year Delay, Reduced



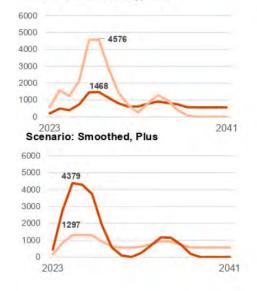


Scenario: 2 Year Delay, Current





Scenario: 2 Year Delay, Plus



Peak residential housing and TWA vary based on the particular scenario.

The **Current Timing, Plus** produces the highest peak in 2025, with 5,265 individuals requiring TWAs, and 1,605 residential dwellings may be required. The **Smoothed, Reduced** produces the smallest peak in 2026 with 3,949 individuals requiring TWAs, and 1,154 residential dwellings may be required.

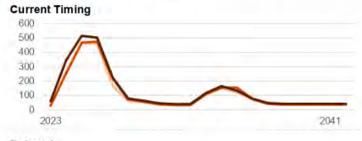
403

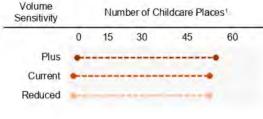
Under the sensitivity analysis, the peak additional children (aged 0 - 4 years) varies from 372 to 515, and may require up to 42 to 59 additional childcare places.

Total Additional Children (aged 0-4 years) for various timing sensitivities

Plus Current Reduced

00





Number of Childcare Places¹

Number of Childcare Places¹

45

30

45

60

60

30

Volume

Sensitivity

Plus

Current

Reduced

Volume

Sensitivity

Plus

Current

Reduced

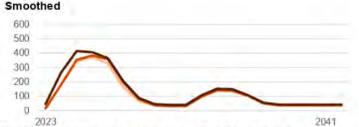
0

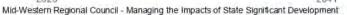
0

15

15

Delayed 600 500 400 300 200 100 0 2023 2041





PWC 1. Number of child care places reflect the number of places aligned to the inner regional average. More childcare places would be required to ineet the national median.

The Plus volume variation produces the highest peak in 2025 with 515 additional children that may require up to 59 addition childcare places.

The **Reduced** variation peaks in 2026 with 460 additional children and up to 53 additional childcare places.

The Plus volume variation produces the highest peak in 2028 with 439 additional children that may require up to 50 addition childcare places.

The **Current** volume produces a peak also in 2028, with 420 additional children and up to 48 additional childcare places. The **Reduced** variation also peaks in 2028 with 411 additional children and up to 47 additional childcare places.

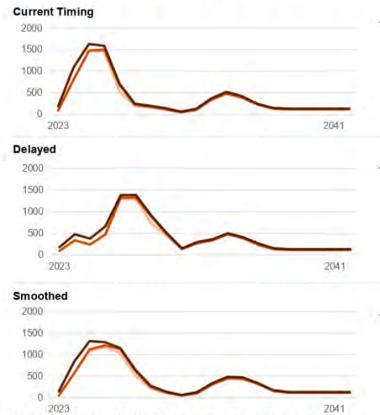
The Plus volume variation produces the highest peak in 2026 with 414 additional children that may require up to 47 addition childcare places.

The **Current** timing, current volume produces a peak also in 2026, with 383 additional children and up to 44 additional childcare places. The **Reduced** variation also peaks in 2026 with 372 additional children and up to 42 additional childcare places.

Under the sensitivity analysis, the peak additional children (aged 4 – 18 years) varies from 1,179 to 1,630, and may require up to 19 to 29 primary classes and 22 to 33 secondary classes.

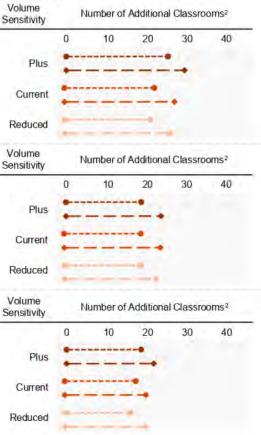
Total Additional School Age Children (aged 5 - 18 years) for various timing sensitivities1

Plus - Current Reduced Primary Classrooms - Secondary Classrooms



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PWC 1 Based on ABS data for negional NSW, the demographic spit between primary schoolers and higher schoolers is 50/50. Therefore if there are a bial of 1000 additional school age children (5-18), 800 would be primary schoolers and 500 would be high schoolers 2. Assumes no current spare capacity



The Plus volume variation produces the highest peak in 2025 with 1,630 additional school age children who may require up to 29 primary and 33 secondary classrooms.

The **Reduced** variation peaks in 2026 with 1,466 additional school age children who may require up to 25 primary and 29 secondary classrooms.

The Plus volume variation produces the highest peak in 2028 with 1,397 additional school age children who may require up to 24 primary and 27 secondary classrooms.

The **Reduced** variation peaks in 2028 with 1,307 additional school age children who may require up to 22 primary and 25 secondary classrooms. Similarly, the **Current** variation peaks in 2028 with 1,336 students and up to 24 primary and 27 secondary classrooms.

The Plus volume variation produces the highest peak in 2025 with 1,311 additional school age children who may require up to 22 primary and 25 secondary classrooms.

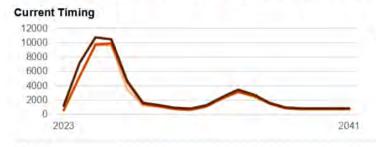
The **Reduced** variation peaks in 2026 with 1,179 additional school age children who may require up to 19 primary and 22 secondary classrooms. Similarly, the **Current** variation peaks in 2026 with 1,214 students and up to 20 primary and 23 secondary classrooms.

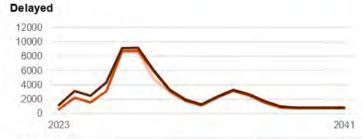
405

Under the sensitivity analysis, the peak additional GPs vary from 7 to 8 when applying the current ratio, and 11 to 14 when applying the optimal ratio.

Total Additional population for various timing sensitivities

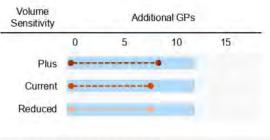
Plus -Current -Reduced Optimal" ratio for additional GPs

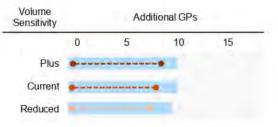






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The Plus volume variation produces the highest peak with up to 9- 14 additional GPs (current ratio – optimal ratio) in both 2025 and 2026.

The **Reduced** variation peaks in both 2025 and 2026 with up to 8 - 13 additional GPs (current ratio – optimal ratio). The **Current** project volume ratio provides the same additional GPs as the reduced variations (8-13).

The Plus volume variation produces the highest peak with up to 8-12 additional GPs (current ratio – optimal ratio) in both 2027 and 2028.

The **Reduced** variation peaks in both 2027 and 2028 with up to 7 - 11 additional GPs (current ratio – optimal ratio). The **Current** project volume ratio provides the same additional GPs as the plus variations (8-12).

The Plus volume variation produces the highest peak with up to 7 - 11 additional GPs (current ratio – optimal ratio) in both 2025 and 2026.

The **Reduced** variation peaks in 2026 with up to 7 - 10 additional GPs (current ratio – optimal ratio). The **Current** project volume ratio provides the same additional GPs as the plus variations (7-11) but only in 2026.

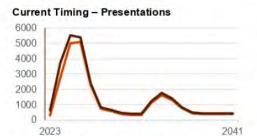
PWC 1. Based on ABS data for regional NSW, the demographic split between primary schoolers and higher schoolers is 50/50. Therefore if there are a bial of 1000 additional school age children (5-18), 500 would be primary schoolers and 500 would be high schoolers 2. Assumes no current spare capacity

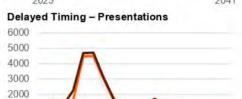
Under the sensitivity analysis, the peak additional: presentations vary from 3,992 to 5,518, ED Bays vary from 6 to 8 and nurses vary from 3 to 4.

Smoothed Timing - Nurses

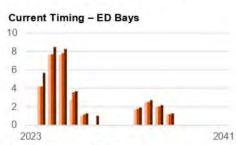
Total Additional ED Presentations, Bays and Nurses for various timing sensitivities

Plus Current Reduced

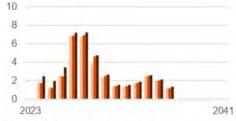




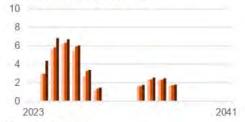
Smoothed Timing - Presentations



Delay Timing - ED Bays



Smoothed Timing – ED Bays





Peak Demand Under Current Timing

Presentations (YYYY)	ED Bays (YYYY)	Nurses (YYYY)
5,518 (2025)	8 (2025)	7 (2025)
5,085 (2026)	8 (2025/26)	7 (2025/26)
4,963 (2026)	8 (2025/26)	7 (2025/26)
	(YYYY) 5,518 (2025) 5,085 (2026)	(YYYY) (YYYY) 5,518 (2025) 8 (2025) 5,085 (2026) 8 (2025/26) 4 963 (2026) 8

Peak Demand Under Delayed Timing

Volume variation	Presentations (YYYY)	ED Bays (YYYY)	Nurses (YYYY)
Plus	4,711 (2028)	7 (2027/28)	6 (2027/28)
Current	4,506 (2028)	7 (2027/28)	6 (2027/28)
Reduce	4,408 (2028)	7 (2027/28)	6 (2027/28)

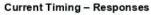
Peak Demand Under Smoothed Timing

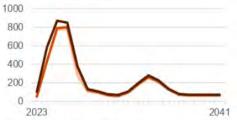
Presentations (YYYY)	ED Bays (YYYY)	Nurses (YYYY)
4,400 (2025)	7 (2025/26)	6 (2025/26)
4,111 (2026)	6 (2025/26)	5 (2025/26)
3,992 (2026)	6 (2025/26)	6 (2025/26)
	(YYYY) 4,400 (2025) 4,111 (2026)	(YYYY) (YYYÝ) 4,400 (2025) 7 (2025/26) 4,111 (2026) 6 (2025/26)

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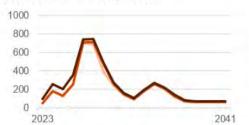
Under the sensitivity analysis, the peak additional: responses vary from 630 to 871, paramedics vary from 24 to 33 and ambulances vary from 7 to 9.

Total Additional Responses, Paramedics and Ambulance Vehicles for various timing sensitivities

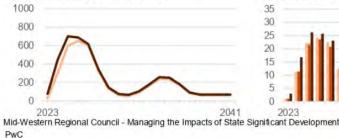


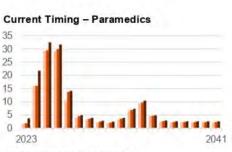


Delayed Timing – Responses

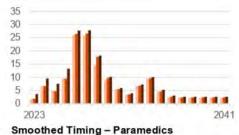


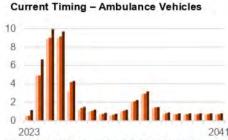
Smoothed Timing – Responses





Delay Timing – Paramedics





Current Timing – Ambulance Vehicles



Peak Demand Under Current Timing

Volume variation	Responses (YYYY)	Paramedics (YYYY)	Ambulances (YYYY)
Plus	871 (2025)	33 (2025)	9 (2025)
Current	803 (2026)	30 (2025/26)	9 (2025/26)
Reduce	784 (2026)	29 (2025/26)	8 (2025/26)

Peak Demand Under Delayed Timing

Volume variation	Responses (YYYY)	Paramedics (YYYY)	Ambulances (YYYY)
Plus	747 (2028)	28 (2028)	9 (2028)
Current	714 (2027)	27 (2027/28)	8 (2027/28)
Reduce	699 (2027)	26 (2027/28)	8 (2027/28)

Peak Demand Under Smoothed Timing

Volume variation	Responses (YYYY)	Paramedics (YYYY)	Ambulances (YYYY)
Plus	701 (2025)	26 (2025/26)	8 (2025/26)
Current	649 (2026)	24 (2026)	7 (2026)
Reduce	630 (2026)	24 (2026)	7 (2026)

MID-WESTERN REGIONAL COUNCIL | ORDINARY MEETING – 13 DECEMBER 2023 REPORT 8.5 – ATTACHMENT 1

Event Start Date	Description	Total amount requested	Requested Amount Cash	Requested Amount In kind	Request for Multi-Year Funding
22/07/2023	The 2023 Championship dog show was held on 22 July 2023 at Rylstone Showground/ The proposed event had an attendance of 250 people (both local and visiting). \$625 of in-kind assistance is requested to cover the cost of waste management. It is recommended that if council wishes to support this event in 2023 the recommended amount of funding based on the scoring scale is \$625.		\$-	\$ 625.00	No

Local Community /Volunteer Participation	Capacity to ensure event continues and develops in the future	Economic Activity Generated from event	Bonus Points	Total Score	Recommendation
1	3	4	0	8	\$625 in-kind

Events Assistance Program



Before you begin

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

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

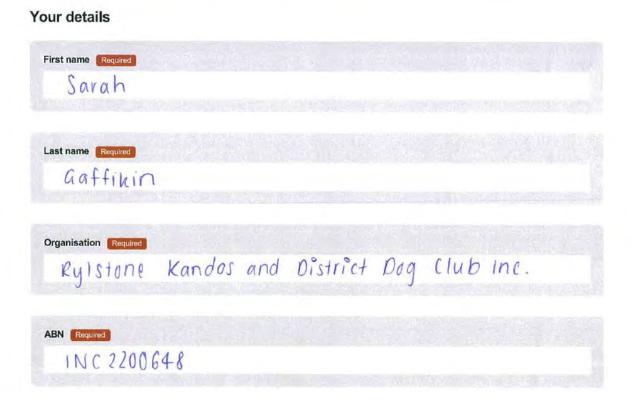
- · Your business or organisation details

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

Please ensure you have read the eligibility guidelines and criteria to ensure you are eligible to apply for Events Assistance Funding.

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

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



Email Required A copy of your submission will be sent to this email address. brighthelmjacks@gmail.com

Phone number Required 0427020203

Address Required PO BOX 10, COOLAH 2843

Can't find your address? (Select 1 or more options) My address is not listed

Answer this question if you made a selection that includes 'My address is not listed' in Your details > Can't find your address?

Street address

Answer this question if you made a selection that includes 'My address is not listed' in Your details > Can't find your address?

Suburb

tate (Select 1 option)						
ACT						
NSW						
NT						
QLD						
SA						
TAS						
WA						
Answer this question if you mad	e a selection that incl	udes 'My address i	s not listed' in You	r details > Can't i	ind your address	?
ostcode						

Organisation details



Certificate of Currency Please upload a copy of your current Certificate of Currency. Required
Please note: Events MUST have insurance current at time of the event, to be eligible to receive funding. If this will expire before your event date, an updated version will be required before funding is released.

Please attach all files to the end of this form before submitting it.

Event details

Name of the event Re 2023 Char	and the second se	Dog	Shows		
Event start date Requi					
Number of event days	Required				
Event location Require		nd.			
How often is the event					
What year was the even	nt established? Requi	red			

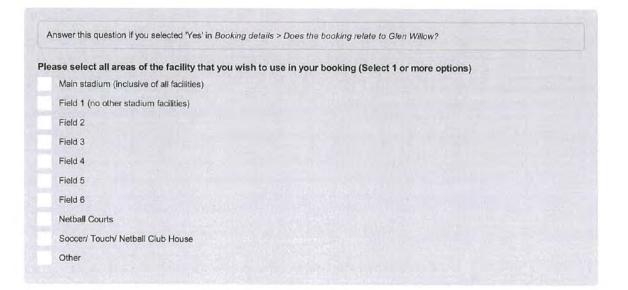
Less than 100 residen	
A CONTRACTOR OF	its
100 - 500 residents	
500 - 1,000 residents	
More than 1,000 reside	ents
	gle day visitors to the region for this event Required
150.	
Number of expected ove	arnight visitors Required
100	
What methods do you us	se to collect data on attendance? (Select 1 or more options) Required
Ticket sales / entries	
Crowd counters	
Gut-feel	
Other	
Answer this question if yo attendance?	u made a selection that includes 'Other' in Event details > What methods do you use to collect data on
attendance?	ou made a selection that includes 'Other' in Event details > What methods do you use to collect data on the collect data on the collect data on the collect data on the collection methods used
attendance?	
attendance?	
attendance? Please specify other dat	
attendance? Please specify other dat	a collection methods used
attendance? Please specify other dat How do you plan to pron	a collection methods used
attendance? Please specify other dat How do you plan to pron PR	a collection methods used
altendance? Please specify other dat How do you plan to pron PR Posters	a collection methods used
altendance? Please specify other dat How do you plan to pron PR Posters Flyers	a collection methods used
altendance? Please specify other dat How do you plan to prom PR Posters Flyers Social media	a collection methods used
altendance? Please specify other dat How do you plan to prom PR Posters Flyers Social media Print advertising	a collection methods used
altendance? Please specify other dat How do you plan to pron PR Posters Flyers Social media Print advertising Street banners / flags	a collection methods used

Answer this question if you made a selection that includes 'Other' in Event details > How do you plan to promote or market the event?

Please specify other marketing methods used

Booking details

Yes	eing held on Council land or venue? (Select 1 option)
No	
l.	
Answer this q	uestion if you selected 'Yes' in Booking details > Is this event being held on Council land or venue?
as a booking	form been completed or a request to book been made? (Select 1 option) Required
Yes	
No	
Answer this q	uestion if you selected 'Yes' in Booking details > Has a booking form been completed or a request to book been made?
lease provid	e your Bookable booking ID - this can be found in the top right corner of your booking confirmation PDF
Required	e your bookable booking ib - this can be found in the top right corner of your booking continnation PDP
oes the boo	ring relate to Glen Willow? (Select 1 option)
Yes	
No	



Funding details

las your event pre	viously received f	unding from Co	uncil? (Select 1	option)		
No						
		No. Sheek				
Answer this question	n if you selected 'Yes	s' in Funding detai	ils > Has your eve	ent previously rec	eived funding fror	m Council?
Please list year(s) a	ind amount(s) rec	eived				
\$1170.						
De verv wieh te ene	h. 6					
Do you wish to app Yes	ly for multi-year fu	inding? (Select	1 option) Req	uired		
No						

ease select the year	you are applying for (Select 1 or more options)
2024	
2025	
2026	
ding requested not exceed \$3,000	
not exceed \$3,000	pplying for? (Select 1 option)
hat funding are you a	pplying for? (Select 1 option)
hat funding are you a	pplying for? (Select 1 option)

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

Venue hire (plea	ase indicate which venue and	d dollar amount)
Traffic manager	nent	
Waste manager		
\$YB1000	\$625	
Other		



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

Marketing materials		
Salaries		
Prizes		
Catering		
Total cash Required		
Bank details (for cash component of grant)		
Account name Required		
BSB Required		

Account number Rec	Nred	
Project budget a	nd financial details	
vent income ease provide details of your	event income:	
Total events assistance	e funding requested Required	
\$1500.00		
Expected sales revent	e (including ticket sales) Required	
Contribution from you	organisation Required	
Sponsorships		
Stallholder fees		
Other grant funding re	eived	
Other income		

Total income Required				
ent expenditure ase provide details of your ev	vent expenditure:			
Marketing				
Venue hire				
Event infrastructure				
Naste management				
Traffic control				
Staff costs				
Other expenses				
and expenses				

If surplus budget, please provide further details on what this will be used for

How do you plan to ensure the event will be sustainable in the future and not reliant on Council funding? Required

MWRC Website Directory

Total surplus / deficit: Required

All successful events will feaure on the Mid-Western Regional Council Events Directory

Please provide us with a usable event image, event description and links to event website and/or social media pages.

Event image

Please upload a high resolution image	Required Maximum file size 16MB. Landscape image preferred - 1200 x 800.
Please attach all files to the end of this	s form before submitting it.

Event description

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

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

iocial media link	
Event website / ticketing link	
claration	
Privacy statement & terms and conditions (Select 1 or more options) Required have read and accept the privacy statement, any above statements and applicable terms and conditions as listed on Council's website. I have read and accept any applicable terms and conditions Required I have read the eligibility guidelines & criteria to ensure my application is eligible Required	
confirm that: (Select 1 or more options) The information contained in the application form and within the attachments are true and correct Required This application has been submitted with the full knowledge and support of the applicant Required A copy of current insurance will be provided before funding is received Required Organisations with outstanding acquittals from past events will not have their applications reviewed until acquittals are received Required	
Signature Required	

End of form Don't forget to attach all files before submitting this form

POLICY: EVENTS ASSISTANCE | 1.3, 21 JUNE 2023

Report to Council Meeting (depending on timing of meeting)	May	November
Funding released (on receipt of invoice)	July	January

APPLICATIONS OUTSIDE APPLICATION PERIOD

Applications received outside Council's formal application periods will be held until the following Event Assistance program period is open. These applications will be reported to Council as part of the following Events Assistance report.

Scoring Scale – Events Assistance Program

SCORE	DEFINITIVE	VALUE JUDGEMENT
0	Unsatisfactory	No or limited local community/volunteer participation or impact (<100 residents)
1	Poor	Community/volunteer participation or local benefits impacting (100 to 500 residents)
2	Satisfactory	Community/volunteer participation or local benefits impacting between (500 to 1000 residents)
3	Good	Direct community/volunteer involvement or local benefits impacting (>1000 residents)

CAPACITY TO ENSURE EVENT CONTINUES AND DEVELOPS IN THE FUTURE

SCORE	DEFINITIVE	VALUE JUDGEMENT
0	Unsatisfactory	First time event being held, no plans outlined in application, unclear capacity to deliver event
1	Poor	Limited event history (year one), limited plans outlined in application
2	Satisfactory	Event is at least two years old, appropriate planning
3	Good	Well-established event with detailed planning for the future outlined

ECONOMIC ACTIVITY GENERATED FROM EVENT

SCORE	DEFINITIVE	VALUE JUDGEMENT
0	\$0-\$25K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
2	\$25K-\$50K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)

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POLICY: EVENTS ASSISTANCE | 1.3, 21 JUNE 2023

4	\$50K-\$100K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
6	\$100K-\$150K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
8	\$150k-\$200K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
10	\$200K-\$250K	Number of visitors to the region x \$657(if multi-day event) or \$104 (if single day)
12	\$250K-\$300K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
14	\$300K+	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)

ADDITIONAL POINTS IN KIND REQUESTS

SCORE VALUE JUDGEMENT

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

ORES		
SCORE	DEFINITIVE ANSWERS	
19 to 20	\$3000	
16 to 18	\$2500	
13 to 15	\$2000	8
9 to 12	\$1500	C
5 to 8	\$1000	
5 to 8	\$500	

* For internal use only, subject to Council approval and budget capacity

\$625. (In-Kind Assistance).

Mid-Western Regional Council

C: MMUNITY GRANTS

Application Form

APPLICANTS DETAILS

Name of Organisation	RYLSTONE KANDOS AND DISTRICT DOG CLUB INC
Contact Person	SARAH GAFFIKIN
Address	PO BOX 10, COOLAH 2843
Phone	0427020203
Email	brighthelmjacks@gmail.com
ABN	INC2200648
Bank Account Name	Rylstone Kandos & District Dog Club
BSB	032653
Account Number	339796

PROJECT / ACTIVITY DETAILS

\$ 625.00	
FINISH (click to tick)	
023	

425

ADDRESS (CRITERIA
-----------	----------

	ALL MOTELS FULL, INCOMES FOR RESTAURANTS, MONEY SPENT IN SHOPS AND PETROL STATIONS
How will your project benefit the Mid-Western Region Community?	
(Note: limited number of characters)	
	ALL OWNERS OF DOGS RECISTERED WITH DOGS NSW ATTEND
What is the expected amount of resident participation?	
(Please provide no. of estimated participants)	
(Note: limited number of characters)	
What level of consultation and collaboration with other local groups has your organisation undertaken?	OLINDA COMMUNITY GROUP INVITED AND ATTENDED TO SUPPLY BBQ BREAKFASTS AND LUNCHES FOR EXHIBITORS AND JUDGES LUNCHES
(ie what other local community groups are or will be involved in this project?) (Note: limited number of characters)	
	WE HAVE BEEN HOLDING SUCCESSFULL DOG SHOW WEEKENDS FOR MANY YEARS
Outline your organisation's capacity to deliver the Project / Activity OR describe previous experiences.	
(Note: limited number of characters)	

PAGE 2 OF 5 | MID-WESTERN REGIONAL COUNCIL

Project Income	Community Grant (amount sought from Council)	\$ 625.00
Project Income	Expected Sales Revenue i.e. Entry Fee, Membership Sales	\$ 12,038.00
	Other Income	
TOTAL INCOME		\$ 12,663.00

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

TERING	\$ 150.00
QUIPMENT HIRE & CONSUMABLS	\$ 290.93
WRC GROUND HIRE	\$ 712.00
IDGES AND STEWAEDS	\$ 3,795.78
RIZES AND RIBBONS	\$ 4,244.18
DGS NSW	\$ 1,913.00
	IDGES AND STEWAEDS

TOTAL SURPLUS / DEFICIT

\$ 1,557.11

TO PAY FOR DRAFT SCHEDULE AND AFFILIATION FEES FOR 2024

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

TREASURER'S REPORT ATTACHED

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

FINANCIAL DETAILS

 Is your group/organisation Incorporated?
 YES (dick to tick)
 NO (dick to tick)

 Have you registered for Goods & Services Tax (GST) purposes?
 Image: Comparison of the service of the se

YES (click to tick) NO (click to tick) Has your organisation/group previously received a Community Grant 0 from Council? (DATE / YEAR AMOUNT If yes, please advise date and amount S YES (click to tick) NO (click to tick) Did your group return the acquittal form? • Closing bank balance from the most recent bank statement or treasurer's report Comment on cash set aside for specific projects (optional)

APPLICATION CHECKLIST

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

A copy of the group's/organisation's most recent bank statement or treasurer's report

A copy of the group's/organisation's public liability insurance

Where the group intends to purchase equipment, a copy of the quote/s obtained

Where the groups/organisations does not have an ABN, 'Statement by Supplier' is required

If your group is not incorporated, please supply a letter from your auspicing body

AUTHORISATION	OF APPLICANT
---------------	--------------

Name	SARAH GAFFIKIN
Position	SECRETARY
Date	6TH SEPTEMBER 2023

I confirm that the information contained in the application form and within the attachments are true and correct.

I confirm that this application has been submitted with the full knowledge and support of the applicant.

I acknowledge the Community Grants Program acquittal requirements and understand that surplus funds may be required to be returned to Council.

I am aware that this application will be reproduced in the Council Business Paper, and authorise public release of information provided.



YES	(click to tick) NO
$\overline{\bullet}$	0
۲	0
۲	0
۲	0

SUBMIT YOUR APPLICATION

- After you complete this digital form, please save it to your computer and email to council@midwestern.nsw.gov.au EMAIL:
- DELIVER TO: **Customer Service Locations**

MUDGEE

- 86 Market Street 109 Herbert Street GULGONG
- MAIL TO: Mid-Western Regional Council Attn: Finance Department PO Box 156 MUDGEE NSW 2850

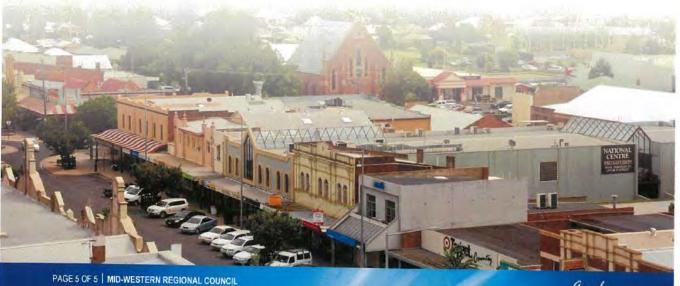
SUBMIT ONLINE

COMMUNITY GRANTS POLICY

PRINT MY APPLICATION

77 Louee Street

RYLSTONE



Good Government



Objective

The objective of this policy is to:

- Promote the region as a great place to live, work, invest and visit; and
- Assist community events which benefit the local economy by providing cash or in-kind support.

Policy

The Events Assistance Program is designed to assist community events which benefit the local economy and attract visitors to the region. All applications are to be completed via the online application form available on Council's website. If an applicant is unable to access the internet, facilities are available for lodgement at Council's Customer Service locations.

Eligibility Criteria

- Only not-for-profit events are eligible to apply for Events Assistance funding.
- Priority is given to events which demonstrate the ability to attract visitors the region and provide increased economic activity.
- Events can apply for up to a maximum of \$3,000 cash or in-kind for events. The final funding amount will be determined by Council.
- There will be two application periods per financial year:
- Period 1: Events taking place between 1 July and 31 December. Period 2: Events taking place between 1 January and 30 June
- Events can only apply for Events Assistance funding if no other Council funding has been provided for the same event in the same year.
- Applications should be received according to the timeline below. For an event falling between 1 July and 31 December, the closing date for applications is 1 April (prior to the event period occurring). For an event falling between 1 January and 30 June, the closing date for applications is 1 October (prior to the event period occurring).

Application Guidelines

APPLICANTS MUST:

- Clearly state the aims, objectives and desired outcomes of the event.
- Ensure the event creates and promotes a positive image of the Mid-Western Region.

PAGE 1 OF 4 | MID-WESTERN REGIONAL COUNCIL

POLICY: EVENTS ASSISTANCE | 1.3, 21 JUNE 2023

- Demonstrate the estimated number of locals and visitors who will be attracted to the event (and provide final accurate attendance figures post-event).
- Demonstrate a high level of support from the local community, local businesses and establish a strong committee of volunteers.
- Demonstrate the ability to successfully market and promote the event.
- Demonstrate the ability for the event to continue and develop in future years.
- Demonstrate other forms of sponsorship, financial income and support for the event.
- Demonstrate the expected economic impact and sustainability of the event (and provide final figures post-event).
- Hold current Public Liability insurance and a Certificate of Currency (noting Mid-Western Regional Council as an interested party) which must be received by Council before funding can be released.
- Ensure that Council's contribution to the event is recognised appropriately with Council's logo used on all marketing material and that all material be approved by Council prior to going to print.
- Provide a post-event evaluation within 28 days of the completion of the event, including photos, press clippings, copies of all marketing material, attendance figures, economic benefit of the event, involvement of the local community (including volunteers and businesses). Failure to complete the post-event evaluation survey will result in the applicant/event not being eligible for future funding.

MULTI-YEAR FUNDING

Events with proven success of at least 2 years, may apply for multi-year funding of up to 3 years. Whereby funding will be allocated to the same event for each future year subject to the event continuing to meet planned event outcomes and Council's acquittal process.

INELIGIBLE APPLICATIONS/ACTIVITIES (BY DISCRETION OF COUNCIL):

- Events not staged in the Mid-Western LGA.
- Events run for commercial profit.
- Events which have already received funding from Council for the same event in the same year.
- Payment of wages or day-to-day operation funding for the organisation.
- Events with potential safety and/or environment hazards.

Timeline and Application Period

	Events falling between 1 July and 31 December Period 1	Events falling between 1 January and 30 June Period 2
Applications open online via MWRC website	1 March	1 September
Applications close	1 April	1 October

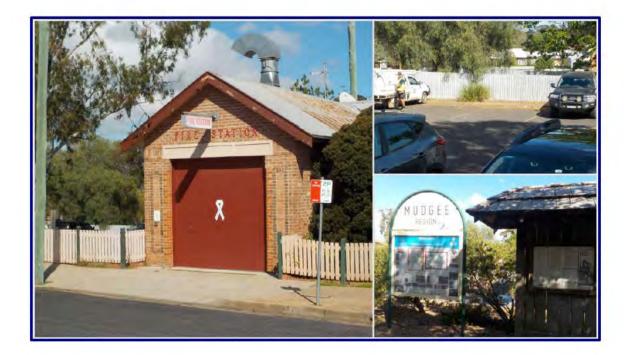
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Plan of Management Old Gulgong Fire Station

DRAFT PLAN OF MANAGEMENT

Old Gulgong Fire Station



13 December 2023



Plan of Management Old Gulgong Fire Station

Date	Comment
20/05/2021	Initial Draft (V2)
13/10/2021	Amendments following Council officer Review (V3)
27/01/2022	Minor amendments following further Council officer Review (V4)
02 / 06 / 2022	Amendments following DPE -CL advice on other PoMs (V5)
23/08/2022	Minor amendments following further Council officer Review (V6)
11/07/2023	Amendments following DPE-CL advice and updates relating to amendments to Environmental Planning Instruments (V7)
24/11/2023	Amendment following Exhibition (V8)

Council is proud to acknowledge and respect the Wiradjuri people as the Traditional Custodians of the Mudgee Area and to pay respect to elders past, present and emerging.

Plan of Management Report prepared by Lands Advisory Services Pty Ltd 265 King Street Newcastle NSW 2300



Email: enquiries@landsas.com.au

April 2021

C Lands Advisory Services Pty Ltd 2021

Disclaimer:

Drawings, figures, analysis, forecasts and other details in this report have been prepared in good faith based on data and information supplied to Lands Advisory Services Pty Ltd by others. The data is believed to be correct at the time of publication of this Report. However, it is noted that predictions, forecasts and calculations are subject to assumptions which may or may not turn out to be accurate. Lands Advisory Services Pty Ltd expressly disclaims all and any liability to any person or persons in reliance on the Report and its contents in part or in whole.



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		xxx, 10000100000000000000000000000000000



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EXECUTIVE SUMMARY

A Plan of Management (POM) is required to be prepared for public land which is owned and/or managed by a council and classified as community land under the *Local Government Act 1993* (LGAct). A POM on community land is a document that provides for and directs the use and management of that land. It describes the current purposes and uses of the community lands and their values, assigns them to one or more categories and sets out objectives and performance targets for active land management and use.

The Old Gulgong Fire Station (the Fire Station), adjoining car park and a reservation for historical purposes (the Reserve) consists of Crown land which is owned by the State of New South Wales for the benefit of all persons. Local Government Authorities manage Crown land on behalf of the State, as Crown Land Managers, under Division 3.4 of the *Crown Land Management Act 2016* (CLMA).

The Reserve is classified as *community land*, under the LGAct. Crown land (and council owned community land) is further categorised under the LGAct as either park, sportsground, general community use, natural area, or area of cultural significance. The land at the Reserve has been categorised in this POM, as:

General Community Use

The intention of this POM is to provide Mid-Western Regional Council (Council) with a framework that enables decisions in regard to the Reserve to be made on an informed, consistent and equitable basis. This POM meets all of the requirements of the LGAct.

A description of this land and its assets as they exist on the Reserve is provided. The current use patterns of the main assets (the Fire Station), its condition, community needs, and emerging trends and influences have been considered in this POM. Appropriate management objectives and actions required to improve assets, a tenure strategy and a management structure for the effective utilisation of the Reserve into the future, are key outcomes provided by this POM.

This POM specifically proposes:

- Upgrades to internal layout of the Fire Station building to suitable standards to meet the needs of
 identified new and emerging priority uses such as the administrative requirements of local business,
 the arts, social gatherings and community meetings via tenure arrangements with Council
- Creation of extra floor space (as required) to meet increases in demand which may be initiated by the above, via extensions to the existing Fire Station building
- Removal of unserviceable structures, boundary fence repairs, general maintenance of all items of infrastructure, and garden/yard improvements and management.

This POM is presented in two principal sections: The site description (A) covers the physical attributes, the legal framework and the constraints of the site; and the fundamental components of Plan (B), which describes what is planned for the site's future.



PART A – THE SITE

1 INTRODUCTION

Gulgong is located in central western NSW, approximately 300 kilometres north west of Sydney and 30 kilometres north of Mudgee on the Castlereagh Highway. It is one of the significant towns within the Mid-Western Regional Council Local Government Area (LGA), the others being Kandos, Rylstone and the regional centre, Mudgee.

The Fire Station located at 104 Herbert Street, is situated on Crown Land a short walk to the south of the town's main commercial area (see Figure 1 locality diagram) and is managed by Council. This POM is for the Reserve which includes the Fire Station and its site, an adjoining car park and an additional (small) reservation for historical purposes on its western margins.



Figure 1 - Locality Diagram





Site History

The discovery of reef gold on Red Hill in 1870 by Thomas Saunders, a local shepherd, sparked a major goldrush which initiated the first town survey for Gulgong township in the same year.¹ Remarkably, by 1872, the township of Gulgong had a population of 20,000 people. Current town population is around 2,600 people.

In 1885 the subject land was part of a Reserve for Public Buildings. By 1891 this Reserve had been revoked and the northern allotment (5) of the land had been dedicated for Town Hall and the southern allotment (6) reserved for Police Purposes (see Figure 2).



Figure 2 - 1904 Town Map of Gulgong

In 1953 the Town Hall dedication was divided again into a dedication for local government purposes in the north and the current Fire Brigade Station in the south.

The Reserve for Police Purposes was reduced to include only the Police Stables in 1957 when the Crown put the land to market as residential allotments (see Figure 3). They failed to sell and the current reservations were placed in 1977.

Fire Stations in Gulgong

The earliest record of a fire brigade in Gulgong was in 1875 during the Gold Rush, and at a time when the town had a population of 20,000 people.² However, lack of funding resulted in it being disbanded five years later. In following decades, a number of attempts were made to re-form a brigade, finally succeeding in 1934 when a fire brigade was once again established in Herbert Street (believed to be where the Pioneer Museum is now located), before moving up the road to the current position.

The Fire Station³ was built in 1935 at a cost of approximately £1000. The Sydney Morning Herald of 26 October in that year reports that the "new fire station" was officially opened by Mr. T J Smith, president of the Board of Fire Commissioners, who also praised the work of volunteer fire fighters in the country areas outside of Newcastle and Broken Hill.

https://www.regional.nsw.gov.au/meg

² Mudgee Guardian 16 August 2017.

³ A complete history of the Fire station (Gulgong Fire Brigade Station No. 312: a brief history 1875-1880; 1934-2017) can be found in the Museum of Fire (Penrith, N.S.W.), or in the State Library of NSW - Request from onsite storage (Mitchell Library Collection onsite use only): H 2020/3209.



A.293
Concels part 5. 141 2003 PLAN OF ALLOTS. 6. 18 SEC. 28. PAPER (d. 3.3.70%) PARISH Gurlanang COUNTY Phillip Ref. 55. 473 LAND DISTRICT MUDGEE LAND BOARD DISTRICT ORANGE MUDGE SHIRE CUDGEGONG Shire Concelling Contents of Wildow Gulgering Mudde a fer Unit Char Concelling Contents of Concelling Addition of Concelling Mudde a fer Unit Char Concelling Concellin
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Figure 3 - Plan of Allotments 6 & 18 Section 28 Town of Gulgong

The *Mudgee Guardian* of 3 Sept 1936 describes an interesting meeting of Council, during which the tenure terms and conditions for the occupation of the new Fire Station by the Fire Commission were discussed. Sixty pounds were to be paid annually for two years, with an option to extend for another two-year period, that the "lessee pay all rates and taxes" and "have the right to purchase the property at any time for the sum of £1168".

After eighty years of service, the Fire Station was vacated with the opening of the New Gulgong Fire Station in Medley Street during August 2017, by the Emergency Services Minister and Fire and Rescue NSW Commissioner.

This POM has been prepared in order to achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local neighbourhood, the broader community and the environment. It has been prepared to meet the requirements of the LGAct as amended by the *Local Government Amendment (Community Land Management) Act 1998.*





Figure 4 - Gulgong Police Station, Barracks and Lockup (circ 1870 – 1875) Note: Sourced from the Mitchell Library, the shape of the building does not precisely match the footprint of some available Crown plans. The Stables for the Police building appear to be in the background (right).



2 LEGAL FRAMEWORK

2.1 Public Land

This land managed by Council, occurs as Crown land.



Figure 5 - Land subject to this Plan of Management The land included in this Plan of Management is edged in green.

Crown land is owned by the State of New South Wales for the benefit of all persons. Local Government Authorities manage Crown land on behalf of the State, as Crown Land Managers, under Division 3.4 of the CLMA. The CLMA provides that Council should manage the land under the LGAct. Under the LGAct, all public lands must be classified as either Community or Operational land. The



Reserves⁴ D.520110, R.90877 and R.90876 are shown in Figure 5, and have been previously classified 'Community' land, and initially categorised:⁵

- General Community Use D.520110 and R.90877 and
- Area of Cultural Significance R.90876.

The purpose of the classification of Community land is to clearly delineate which land should be kept for use by the general public (Community) and which land need not be kept for that purpose (Operational). The major consequence of the classification is that it determines the ease or difficulty by which the land may be alienated by sale, lease or other means. Community land would ordinarily comprise land such as a sportsground, hall, public park etc.,⁶ and Operational land would consist of land which facilitates carrying out of a public service, such as works depots, or land held as a temporary asset or investment.

Community land:

- cannot be sold
- cannot be leased, licensed or any other estate granted over the land for more than 30 years
- must have a POM prepared for it.

⁴ D.520110 for Fire Brigade Station, Community Purposes, Government Purpose and Heritage Purposes, R.90877 for Parking, R.90876 for Preservation Historical Sites and Buildings.

⁵ Authorised by Minister for Department of Planning and Environment – Crown lands and Council, 15 April 2020.

⁶ See the note to Chapter 6, Part 2 of the LGAct.



2.2 What is a Plan of Management

The LGAct requires that in the development of a POM, Council consider the views of the community in identifying the important features of the land and determining how the land will be managed, used or developed. Until a POM for Community Land is adopted, the nature and use of the land cannot be changed. To change this, the POM must be revised.

The CLMA also requires that POMs are to be created over Crown land which is managed by a council. Council will undertake the required process as per Section 36 of the LGAct and Section 3.23 of the CLMA for this POM.

Specifically, the LGAct requires that a POM must identify:

- category of the land
- objectives and performance targets of the Plan with respect to the land
- means by which the council proposes to achieve the Plan's objectives and performance targets
- manner in which the council proposes to assess the objectives and performance targets.

It must also:

- describe the condition of the land and any buildings or other improvements on the land as at the adoption of the Plan
- describe the use of the land and any such buildings or improvements as at adoption
- specify the purposes for which the land, and any such buildings or improvements, will be allowed to be used
- specify the purposes for which any further development of the land will be permitted whether under lease or licence or otherwise
- describe the scale and intensity of any such permitted use or development.

2.3 Types of Plans

The LGAct allows a POM to cover one or multiple parcels of land.

Where multiple parcels of land are covered in one plan (Generic Plans), the LGAct specifically states what needs to be included. Where a POM covers one parcel of land (Specific Plans), like this plan, there is greater detail on what has to be prescribed in the Plan. A Generic Plan sets the framework of how the land is to be managed. A Specific Plan clearly outlines very precise management proposals.

POMs for community land are periodically reviewed to enable changing social, economic and ecological conditions to be taken into account and consequently amendments to the Plan may occur. This POM for the Reserve will be its first.



The location of the Reserve is shown in Figure 1 and a more detailed site map, Figure 5.

2.4 **Categorisation and Objectives**

As required by legislation for the purposes of the POM community land is categorised as one of the following:

- Natural Area
 - 0 Bushland
 - Wetland 0.
 - Watercourse 0

0 Foreshore Ö.

Escarpment

- Sportsground
- Park ٠
- Area of Cultural Significance ٠
- General Community Use

Once categorised, community land is also subject to specified objectives which are outlined in the LGAct, and in Appendix 1.



3 SITE DESCRIPTION

3.1 Land Parcels

This Crown land Reserve lies within the Mid-Western Region Local Government Area, in the Parish of Guntawang, County of Phillip. The land is specifically identified as:

- Lot 5 Section 28 in DP 758482, on which the Fire Station is located, with a property address of the Fire Station on the Reserve as 104 Herbert Street Gulgong
- Lots 6 and 18 Section 28 in DP 758482 and Lot 7301 in DP 1142898 to the south containing the existing car park area, the property address being 106 Herbert Street Gulgong.

The Reserve is located a short walking distance to the south of the main commercial area of Gulgong.

Refer to Figure 5 for Lot locations.

The total area is approximately 1304m².

3.2 Ownership and Management

The Reserve is on Crown land owned by the State of New South Wales. All assets on the Reserve are also owned by the State of New South Wales.

Dedication (D.520110) for Fire Brigade Station, being over Lot 5 Section 28 in DP 758482, was notified on 4 December 1953. The additional purposes of Community Purposes, Government Purposes and Heritage Purposes were added to D.520110 on 22 February 2019. Council, as The Council of the Shire of Gulgong, was appointed trustee of D.520110 on 19 February 1954.

Reservation (R.90877) for Parking, was notified on 26 August 1977, including Lots 6 and 18 Section 28 in DP 758482. Reservation (R.90876) for Preservation of Historical Sites and Buildings, including Lot 7301 in DP 1142898 was also notified 26 August 1977. Council, as Mudgee Shire Council, was appointed trustee of R.90877 and R.90876 on 26 August 1977.

Council is now Crown land manager of D.520110, R.90877 and R.90876 for the purposes of the CLMA.

Native Title

Crown land in Australia is subject to native title under the *Native Title Act 1993* (Commonwealth) (NTA). On Crown land native title rights and interests must be considered unless:

- native title has been extinguished; or
- native title has been surrendered; or
- determined by a court to no longer exist.

Some examples of acts which may affect native title on Crown land or Crown reserves managed by Council include:



- the construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbecues
- the construction of extensions to existing buildings
- the construction of new roads or tracks
- installation of infrastructure such as powerlines, sewerage pipes, etc.
- the issue of a lease or licence
- the undertaking of major earthworks.

When proposing any act that may affect native title on Crown land or Crown reserves the act must be authorised through Part 2 Division 3 of the NTA.

Aboriginal Land Rights

The Aboriginal Land Rights Act 1983 (ALRA) seeks to compensate Aboriginal peoples for past dispossession, dislocation and loss of land in NSW. The lodgment of an aboriginal land claim (ALC) under section 36 of the ALRA, over Crown land creates an inchoate interest in the land for the claimant pending determination of the claim. The Department of Planning and Environment – Crown Lands (DPE-CL) advises that, if the land is subject to an undetermined ALC, any works, development or tenures authorised by this POM should not go ahead if:

- the proposed activity could prevent the land being transferred to an ALC claimant in the event that an undetermined claim is granted
- the proposed activity could impact or change the physical/environmental condition of the land, unless:
 - the council manager has obtained written consent from the claimant Aboriginal Land Council to carry out the proposed work or activity, and/or
 - the council manager has obtained a written statement from the Aboriginal Land Council confirming that the subject land is withdrawn (in whole or partial) from the land claim
- the proposed activity is a lease to be registered on title unless the council manager has obtained written consent from the claimant Aboriginal Land Council.



4 PLANNING INSTRUMENTS AND POLICIES

4.1 Land Zoning

Under the *Mid-Western Regional Local Environment Plan 2012* (LEP), the Reserve is zoned B2 – Local Centre (see figure 6).

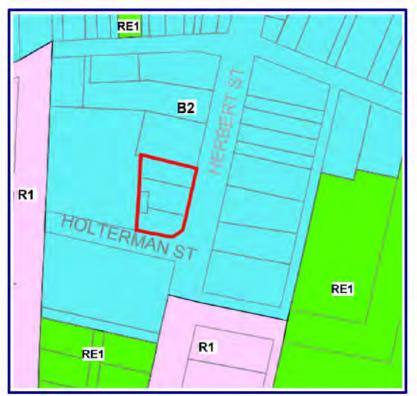


Figure 6 - Planning Zones

The Objectives for B2 land described within the LEP are:

- to provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area
- to encourage employment opportunities in accessible locations
- to maximise public transport patronage and encourage walking and cycling
- to maintain the built integrity of the area by enabling development that is sympathetic to the existing heritage buildings and features.

Activities permitted without consent for land zoned B2 are shown as:

Home occupations

Water reticulation systems

Roads



Activities permitted with consent for land zoned B2 are shown as:

- Boarding houses
- Centre-based childcare facilities
- Commercial premises
- Community facilities
- Educational establishments
- Entertainment facilities
- Function centres
- Information and education facilities
- Light industries; Medical centres
- Oyster aquaculture
- Passenger transport facilities

- Recreation facilities (indoor)
- Registered clubs
- Respite day care centres
- Restricted premises
- Service stations
- Shop top housing
- Tank-based aquaculture
- Tourist and visitor accommodation
- Any other development not permitted without consent, or not prohibited.

The following activities are prohibited for land zoned B2:

- Advertising structures
- Agriculture
- Air transport facilities
- Airstrips
- Animal boarding or training establishments
- Boat building and repair facilities
- Boat launching ramps; Boat sheds
- Camping grounds
- Cemeteries
- Charter and tourism boating facilities
- Correctional centres; Crematoria
- Depots
- Eco-tourist facilities
- Electricity generating works
- Environmental facilities
- Exhibition homes
- Exhibition villages
- Extractive industries
- Farm buildings
- Forestry
- Freight transport facilities
- Heavy industrial storage establishments
- Highway service centres
- Home occupations (sex services)
- Hostels; Industrial retail outlets

- Industrial training facilities
- Industries; Jetties
- Marinas
- Mooring pens
- Mooring
- Multi dwelling housing
- Open cut mining
- Pond-based aquaculture and Recreation facilities (major)
- Recreation facilities (outdoor)
- Research stations
- Residential flat buildings
- Rural industries
- Rural workers' dwellings
- Sex services premises
- Storage premises
- Transport depots
- Truck depots
- Vehicle body repair workshops
- Vehicle repair stations
- Warehouse or distribution centres
- Waste or resource management facilities
- Water recreation structures
- Water storage facilities
- Water treatment facilities; Wholesale supplies.



4.2 State Environmental Planning Policies

The Reserve is subject to the State Environmental Planning Policies. Important amongst these in the development of the Reserve is the State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP).

Section 2.73 of the T&I SEPP provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a POM adopted for the land in accordance with the LGAct.

All other impacting State Environmental Planning Policies are listed below. Those that are considered more relevant to the future of the Reserve and this POM are underlined below and briefly described in Appendix 2.

- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Resources & Energy) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry and Employment) 2021
- State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development
- State Environmental Planning Policy (Primary Production and Rural Development) 2021.

4.3 Council Policies

In addition to State planning policies and the directions of the LEP, Council has developed a number of plans and general policies which have either direct or indirect relevance to planning, management and maintenance of community land and Council reserves and of particular relevance to the Reserve:

- Towards 2040 Endorsing Council's vision of "A prosperous and progressive community we
 proudly call home", the strategy present goals, values, aspirations and a sustainable
 community. It is structured around a number of themes including: Looking After our
 Community; Protecting our Natural Environment; and Building a Strong Local Economy
- Open Space and Recreational Asset Management Plan Towards 2030 (May 2017) (OSRAMP)
 By making available open space and recreational infrastructure for residents and visitors, Council projects budgets and expenditure to operate, maintain and upgrade facilities ensuring



good functionality over a ten-year period

- Community Grants Program Policy (2022) Establishes criteria by which financial assistance requests from non-for-profit groups will be determined with equity
- Events Assistance Policy (2019) To assist with one-off community initiatives on community lands.
- Long Term Financial Plan 2022–32 Provides a framework to assist future decision making that will secure economic sustainability and ensure funding is adequate to achieve outcomes the community requires. The Plan is an integral component for the achievement of Council's Mid-Western Regional Community Plan Towards 2040
- Asset Management Policy (2022) Council is committed to a systematic asset management methodology to ensure appropriate asset management practices are applied across infrastructure managed by Council. The Policy ensures assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priority of service delivery at the lowest life cycle cost
- Information and Directional Signage Policy (2012) Provides a standard for consistent, professional and durable signage throughout the region to promote the region, enhancing visitors' ability to navigate the region using consistent directional signage to genuine tourist destinations
- Leases and Licences of Council Owned and Managed Land and Real Property Policy (2020) (LLCPP) – Enables Council to consider applications for the leasing and licencing of Council controlled land assets, including Crown Land whilst ensuring Council is consistent and transparent, and complying with appropriate legislative requirements when determining each application.

Given that the requirements and structure for this POM are stipulated by legislative direction, it scopes the above policies, plans and strategies for relevant ideas and initiatives. All relevant policies and plans as listed above can be found on Council's website.



4.4 Biodiversity

Under the LGAct, Council has obligations for conservation issues as determined by the *Biodiversity Conservation Act 2016*, and the *Fisheries Management Act 1994*. The LEP notes that there are no significant biodiversity issues present or critical habitat notified at the Reserve. There is no biodiversity certified land or biobanking agreement associated with this land as per the *Biodiversity Conservation Act 2016*.

4.5 Native Vegetation

Land zoned B2 – Local Centre is covered by the State Government's native vegetation laws aimed at protecting the biodiversity values of trees and other vegetation in non-rural areas of NSW and is included within the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*⁷ and also considered within the *Biodiversity Conservation Act 2016*. Any clearing of native vegetation requires consideration and possible authorisation under these policies.

4.6 Aboriginal Significance

A search of the NSW Government's Office of Environment and Heritage AHIMS Web Services did not reveal that:

- aboriginal sites are recorded in or near the Reserve (1km buffer)
- aboriginal places have been declared in or near the Reserve (1 km buffer).

The Reserve does not contain any items listed in the LEP as being of known aboriginal archaeological sites, nor places of indigenous heritage significance.

Any construction undertaken by Council will need to meet the cultural heritage requirements of the National Parks and Wildlife Act 1974.

4.7 Heritage Significance

The objectives of heritage designations in the LEP are:

- to conserve the environmental heritage of the Mid-Western Regional Council area
- to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views
- to conserve archaeological sites
- to conserve Aboriginal objects and Aboriginal places of heritage significance.

Part 2.1 Section 2.3(b) of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.





Figure 7 - Heritage Items Item 1254 — Fire Station and the neighbouring 1252 — Former Ulan County Council (Cudgegong House)

The LEP indicates one specific item of heritage significance exists at the Reserve. This is the Fire Station at 104 Herbert St, Item Number 1254 as recorded in the LEP, being of *local significance* (see Figure 7).

The Reserve adjoins other specific items of local heritage significance being 1252 – Ulan County Council and 1323 – Police Station.

Schedule 5 of the LEP indicates that whilst no part of the remainder of the Reserve is listed as a Heritage Item (Part 1), the Reserve is located within **a Heritage Conservation Area** described as of General Significance (see Figure 8) which applies to the town of Gulgong.

This requires that the consent authority must, before granting consent for a development under this clause, consider the effect of the proposed development

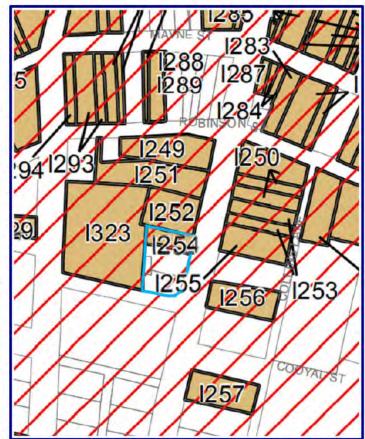


Figure 8 - Heritage Conservation Area Red hatching showing the Reserve is located within the designated Heritag Conservation Area and I254 – Fire Station is of local heritage significance.



on the heritage significance of the item or area concerned. This will require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

The former Gulgong Police Stables were previously on the western boundary of the Reserve on Lot 7301 in DP 1142898. In the late 20th century, as the stables were in disrepair and largely inaccessible, they were demolished and the wood utilised on the eastern side of the site to create the current *Gulgong Town Trail* shelter (see Figure 9).



Figure 9 - Gulgong Town Trail shelter

4.8 Bush Fire Planning

Land at the Reserve is not identified as bush fire prone land.⁸

4.9 Operating Approvals

The Reserve has no tenures or operating approvals issued under the LGAct.

⁸ www.rfs.nsw.gov.au/.../bush-fire-prone-land/check-bfpl



5 THE CULTURAL ENVIRONMENT

An initial glance at the demography of Gulgong is helpful in appreciating the social environment which influences the future use and management of the Reserve.

The latest (2021) population census⁹ showed the population of Gulgong to be 2,680. Of the total population, 28.1% were over 60 years old and 26.4 % were under 19 years old. 87.8% of the population were born in Australia, the United Kingdom or New Zealand and 3.2% of people spoke languages other than English, at home. The largest employment sector of residents was Coal Mining (18.2%) and 15.0% of the population performed some form of unpaid/voluntary work through an organisation or group. A relatively small proportion of indigenous peoples (8.1%) in the town may in some way be explained by the early and total disruption to aboriginal life with the influx of white settlers and pastoralists.

The population statistics of Gulgong currently reflect a buoyant and enthusiastic community flourishing on the back of a strong tourism industry, supported in recent times by one dominant industry sector, coal mining, an industry which is conducted at some distance to the north east of the Gulgong township. Of note, is the large proportion of people who are contributing to the town via an enthusiasm for volunteer work, complementing those employed in businesses which service the tourist industry. This enthusiasm is a reflection of the consciousness of residents belonging to a township of great uniqueness and historical value. It is driven by the memories of Gulgong's elderly inhabitants and the stories they've told to their children and grandchildren; in the weatherboard facades, built as fronts to the leaning bark and tent dwellings which defined the town's streets in the days of the goldrush; and in the crooked streets themselves that follow the tent lines, hastily pegged out by gold prospectors when the rush began.

This township character generates the energy which embraces it and paves its future. This energy also creates the opportunities for the appropriate future uses for this Reserve.

2021 Census Quickstats Gulgong; Australian Bureau of Statistics www.abs.gov.au/census/find-census-data/quickstats/2021/SAL11800



6 CURRENT USES

At present the Fire Station (see Figure 10) is under-utilised. It is used for storage of some Council materials.



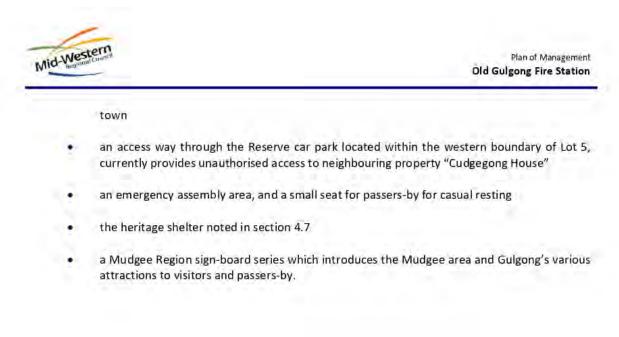
Figure 10 - Fire Station



Figure 11 - Current Use (Clockwise from Top Left) Car Park viewed from Herbert St, pedestrian access from Herbert St, Car Park viewed from Holtermann St, western boundary of Lot 5 with access over the fence.

The rest of the Reserve is utilised for:

• parking facilities (see Figure 11) with access from Holtermann Street used by town workers, shoppers, those attending functions at the Gulgong Memorial Hall, and other visitors to the





7 RESERVE ASSESSMENT

7.1 Assessment of Infrastructure

Infrastructure on the Reserve includes:

- The Fire Station (see Figure 10) double brick main building¹⁰ (good condition) and associated infrastructure:
 - Internal room layout main garage/entrance (fair to good condition); functional kitchen (fair to good condition); common room (fair to good condition); office and amenities (fair to good condition); single toilet amenity (poor condition) (see Figures 12,13)
 - Building installations gas connectors; air conditioner; communications tower etc, (fair condition) (see Figure 16)
 - Boundary and internal fencing front and side picket (fair condition), side ring lock (fair condition), rear steel (fair condition), rear and side paling (poor condition) (see Figures 10, 11, 17 and 18)
 - Small structures garden shed (poor condition); fire-hose conditioning pit¹¹ (good condition) (see Figures 14, 17, 18)
 - Underneath/subfloor storage (good condition) (see Figure 14).
- Sealed car park area, pathway with steps from Herbert Street access, seating (fair to good condition) (Figure 5, 11)
- 3 metre sealed driveway/access linking Reserve car park and Cudgegong House, (good condition)
- Signage structures and signboards heritage styled (fair condition)
- Mature trees (three) (see Figure 19)
- Street verge (Herbert Street) garden and landscaping.

¹⁰ Heritage significance.

¹¹ Heritage significance.

Mid-Western Regional Council





Figure 12 - Fire Station Internal Garage (left) and kitchen.



Figure 13 – Fire Station Internal Toilet (left), common room (centre), and office.





Figure 14 - Fire Station Rear (L-R) Rear entrance, rear view with garden shed, access to subfloor storage area.



Figure 15 - Fire Station Side Boundaries

(L-R) Beyond northern boundary adjoining property (adjoining property), view across back to adjoining property, northern wall facing west and northern wall facing east.





Figure 16 - Fire Station Installations



Figure 17 - Fire Station External Assets (Clockwise top LHS) boundary picket fencing and gate, fencing and path, garden shed and rear of Fire Station.





Figure 18 - Fire Station External Assets

(L-R) Fire hose conditioning pit; NE aspect, main building; paling fence on boundary, NW corner building; back paling fence on boundary, viewing adjoining property to the north.



Figure 19 - Fire Station External Assets

Fire Station picket fence on Herbert Street boundary, and boundary of adjoining car park to the south showing ringlock fencing. (Note mature Eucalypt tree near car park)

7.2 Assessment of Management Needs

As the main asset, the Fire Station building is generally sound, well drained and appears well maintained and there is little major work required other than that associated with modifications (internal) as a requirement of any future nominated usage (see Plan). The garden shed is considered non serviceable and may be removed or repaired as per requirements. The construction referred to as the fire hose conditioning pit (brick) may have historical significance and should be managed accordingly. Otherwise, its removal may be in the interests of human safety and provide greater



flexibility for emerging and new uses of the Reserve. Any improvements to the Fire Station building by way of additional floor space which may be permitted by this POM is suggested as an adjoining rear (western) extension, rather than from the southern wall. This may effectively use existing surplus yard, as well as minimise required heritage standards (and therefore, costs) because of minimal disruption to the Herbert Street vista. Ready access especially to new additions to the building may also be facilitated in the creation of easy and more direct access from the adjoining car park, by reconfiguring boundary fencing and pathway.

Routine management of the grounds at the Reserve requires mowing, slashing, gardening, weeding, fence repairs and maintenance (especially to the paling boundary and internal fence component). Maintenance of all built infrastructure including Fire Station, car park / driveway surfaces, gardens / landscaping, seating and signage as required, will occur in accordance with Council's maintenance schedule. Particular attention is drawn to some mature trees which are within the boundaries of the car parking area and the maintenance requirements to avoid damage and human injury.

7.3 Community Consultation and Future Use Options

Prior to the development of this POM, the community was requested to cast opinion on future needs and uses of the Fire Station. This process occurred via survey and interest group consultation.

Survey

Council commissioned a survey which was open to the community for on-line opinion conducted between 31 October 2018 – 09 August 2020.

A Survey Response Report was produced by Bang the Table Engagement.

The first question posed to respondents in this survey called for expressions regarding the community or economic assets which are currently noted as absent from the Gulgong Area. The survey proposed a series of response options to this question including:

- Community building for hire
- Gallery or Exhibition purposes
- Museum
- Tourism Experience

The top five responses (see Figure 20) were:

- Gallery and Exhibition (72 respondents)
- Community Building for Hire (45)
- Tourism Experience (37)

- Office Space Retail Accommodation
- Food services such as café or
- restaurant Other (please specify)
- Other (please specify).
- Office Space (35)
- Café of Restaurant (31)
- Other (79).



Plan of Management Old Gulgong Fire Station

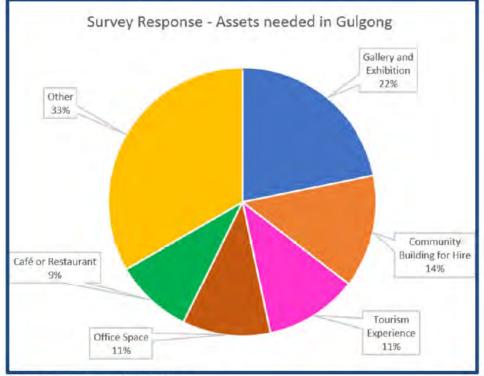


Figure 20 - Survey - Assets Needed in Gulgong

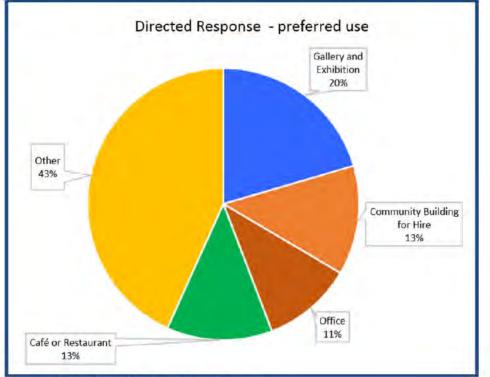


Figure 21 - Preferred Use for Fire Station - Directed Response



A further question requested respondents to nominate "the purpose that the Fire Station may best be used for into the future" (Directed response). It noted that that highest response was 20% for a Gallery / Exhibition space (see Figure 21). Specific insight is provided with a 43% return by the "Other" response option.

Finally, when asked for further feedback in regards the utilisation of the Fire Station (non-directed response), responses were received from 106 respondents¹² with the largest preferred use category for a Youth Centre (see Figure 22).

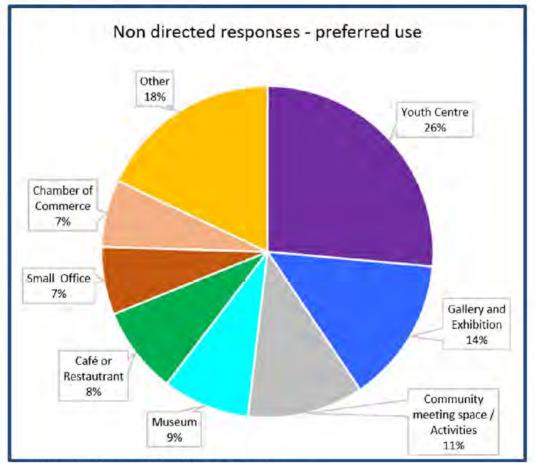


Figure 22 - Further Information Preferred Use - Non-directed Response

Figure 23 provides the word cloud prepared following the survey.

¹² Note some respondents included more than 1 proposed use.





Figure 23 - Community Survey Word Cloud

Workshop consultation

In response to a media release further consultation was conducted with registered participants representing an array of Gulgong based interest groups on the evening of 28 September 2020. With the backdrop of the earlier wider survey, participants were asked to consider the space and infrastructure at the Reserve, and to list and prioritise potential future uses of the Fire Station for the community of Gulgong.

Support was shown for the following:

- Chamber of Commerce Office for the Gulgong business community
- Chamber of Commerce Office, including an additional proposal that the building be enlarged on its southern wall
- Community Centre run by Council, for simple office space which was noted as being a rarity in Gulgong
- A Meeting Centre for interest groups within the community



- Community Art Programs in collaboration with exhibition areas located at Red Hill tourist information centre and associated venues
- Venue to assist community communication in publishing of magazines, papers (Gulgong Gossip, Mid-Western Mail).

Based on consultation undertaken, the preferred uses for the Fire Station are:

- Youth Centre
- Gallery and Exhibition Space
- Community Space for hire / meetings.



PART B - THE PLAN

8 A VISION FOR THE LAND

In proposing a Vision for the future of the Reserve, this POM considers the clear statements from relevant Council policy and strategy which have relevance to its future development and management. For instance, in the Regional Economic Development Strategy 2018-2022 and Regional Economic Development Strategy – 2023 Update, Council presents its Vision for the region as:

"a prosperous and diversified economy delivering lifestyle benefits to the community through employment, income, and sustainable economic growth."¹³

In its Regional Community Plan (RCP)¹⁴ Council endorses regional goals for the next 20 years, some of which are more directly relevant to the role and services which may potentially be provided by the Reserve to the Gulgong community. These include:

- o a sustainable and resilient place.
- people, housing and communities.
 - prosperity, productivity and innovation.
- location specific responses.

These statements and strategies reflect Council's broad strategic intent to create and maintain a sense of community fulfilment and enrichment through lifestyle, employment opportunity, commercial opportunities, and the values of heritage. They therefore demonstrate a strong support for the role of the Reserve as one important asset in the provision of these values within the Gulgong community.

The above references from Council's directional statements, ongoing consultation with Council and the assessment of responses from community views reflect a measured multi-purpose best use of the Fire Station and its surrounds. The following vision statement for the Reserve is therefore proposed:

"A Meeting Space Expressing Local Youth and Art"

¹³ Regional Economic Development Strategy 2018-2022 and Regional Economic Development Strategy – 2023 Update Mid-Western Regional Council.

¹⁴ Towards 2040 – Mid Western Region Community Plan...



9 OBJECTIVES, CLASSIFICATION, CATEGORY and RESERVATION PURPOSE

The Reserve is classified as Community Land under the LGAct as amended by the Local Government Amendment (Community Land Management) Act 1998.

Under Section 36(4), all Community Land must be categorised as one of the following categories:

- Natural Area (further categorised as either Bushland, Wetland, Escarpment, Foreshore, Watercourse)
- Sportsground
- Park
- Area of Cultural Significance; or
- General Community Use.

The Core Objectives for all community land categories vary according to the categorisation of the land. All objectives are defined in Sections 36E to 36N of the LGAct and also appear in Appendix 1, of this POM.

In accordance with the guidelines set out in the *Local Government (General) Regulation 2021* and Practice Note 1: Public Land Management (Department of Local Government Amended 2000) and the derived management directions and planning principles presented above; land at the Reserve is categorised by this POM, as **General Community Use**.

This plan is over Crown land and proposes over Lot 7301 DP 1142898, being R.90876 for Preservation of Historical Sites and Buildings a change from the initial categorisation of Area of Cultural Significance to General Community Use.¹⁵

9.1 General Community Use

Relevant Core Objectives for management of community land categorised as **General Community Use** are to promote, encourage and provide for the use of the land, and to provide facilities on the land to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

¹⁵ This change in categorisation is required noting that any items of cultural significance on this land have, for many years, been removed.



Management Directions

Directions for the use of the Reserve into the future are cast by the required responses to legislation (eg., CLMA); the original reservation purposes; the needs and responsibilities of Council and community expectation from conducted consultations (see Figure 24 describing flow of influences).



Figure 24 - Influences on the Future Use of the Fire Station

Creation of a centre for restricted multiple purposes which is practical and cost effective, would reflect the vision statement, the directions and requirements of legislation for the use of community land appropriately categorised, as well as prominent community needs as expressed through consultation processes.



10 DEVELOPMENT AND MANAGEMENT OF THE RESERVE

10.1 Development at the Reserve

Under this POM, Council reserves the right to control the use of all land categorised at the Reserve as Community Land. Tenures will also be issued to enable the removal/construction/implementation of required works consistent with future needs and requirements.

Council will also:

- create opportunities for community consultation and participation in the planning and development as required
- ensure all formal use of the Reserve is authorised through appropriate documentation
- consider how use of the site can provide funding for the maintenance of the facilities to reduce costs to Council and employ human services as required
- facilitate a system whereby enquiries and complaints¹⁶ from the public can be efficiently and promptly dealt with
- issue leases and licences for appropriate activities conducted on the Reserve, as described in Section 10.3
- grant easements as required for utilities and access, as described in Section 10.8.

Management Structure

Council manages the Reserve directly.

10.2 Permitted Uses and Activities at the Reserve

Controlled access by the public will be permitted and encouraged at the Reserve.

Permissible Uses

Table 1 lists the permissible uses on the land subject to this POM with their scale and intensity.

Use	Scale	Intensity	
Access roads	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week	
Amenities	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week	
Alternate energy technology	Limited to the physical constraints of the facility	24 hours a day, 7 days a week	

¹⁶ Complaints in relation to the Reserve will be addressed consistent with Council's Complaints Management Policy.

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Use	Scale	Intensity
Art and cultural classes and events	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week Subject to any Hire Agreement, Tenure and/or Development Application conditions for a specific event
Business Operations	Limited to the physical constraints of the facility	24 hours a day, 7 days a week subject to Tenure or Hire Agreement
Cafe	Limited to the physical constraints of the facility Agreement via tenure or hire agreement	Operating hours of the establishment subject to Council approval and subject to Tenure or Hire Agreement
Car parking	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week
Playing of games	Limited to the physical constraints of the facility	8.00am – 10.00 pm, 7 days a week subject to Tenure or Hire Agreement
Children's programs and events	Limited to the physical constraints of the facility and/or to the requirements of the activity	8.00am – 10.00 pm, 7 days a week subject to Tenure or Hire Agreement
Community events Limited to the hours the facility is booked Agreement via tenure or hire agreement charity events, special events)		7 days a week, 8.00am – 10.00pm subject to Tenure or Hire Agreement
Community Services	Limited to the physical constraints of the facility Agreement via tenure or hire agreement	24 hours a day, 7 days a week subject to Tenure or Hire Agreement
Drainagé	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Education Services	Limited to the physical constraints of the facility Agreement via tenure or hire agreement	24 hours a day, 7 days a week subject to Tenure or Hire Agreement
Emergency use	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week
Filming and photography (commercial, amateur)	Limited to the physical constraints of the facility and/or to the requirements of the activity	24 hours a day, 7 days a week subject to Tenure or Hire Agreement
Landscaping	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Maintenance buildings	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Paths	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Personal training	Ersonal training Limited to the physical constraints of the facility	
Playing of a musical Instrument, or singing, for fee or reward	Limited to the physical constraints of the facility	Tenure or Hire Agreement Operating hours subject to Tenure or Hire Agreement
Private events (i.e., weddings, birthdays)	Limited to the physical constraints of the facility and/or to the requirements of the activity	Operating hours subject to Tenure or Hire Agreement
Public performance or education	Limited to the physical constraints of the facility and/or to the requirements of the activity	Operating hours subject to Tenure or Hire Agreement

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Use	Scale	Intensity
Public utility infrastructure	Limited to the physical constraints of the facility	24 hours a day, 7 days a week
Remediation works	Subject to noise, workplace health and safety and relevant legislation	24 hours a day, 7 days a week
Sponsorship signage (temporary) and Reserve signage	As per section 10.12 of this POM	24 hours a day, 7 days a week
Storage facilities	Limited to the physical constraints of the facility	24 hours a day, 7 days a week subject to Tenure or Hire Agreement
Temporary structures Limited to the physical constraints of the facility (i.e., marquees, tents, stages)		Temporary structures (no pegs, weighted only) subject to Tenure or Hire Agreement
Youth programs and events	Limited to the physical constraints of the facility and/or to the requirements of the activity	8.00am – 10.00 pm, 7 days a week subject to Tenure or Hire Agreement

It is an express provision of this POM that Council shall provide from time to time as circumstances may require the construction and maintenance of utility services, provision and maintenance of floodways, vehicular access ways and the granting of easements.

10.3 Leases, Licences and other Estates

For this section, please see the Explanation of Terms¹⁷ set out below.

The LGAct provides that tenures (leases, licences, or any other estates) or easements may be granted over all or part of community land under Sections 46 and 47.

Tenures may be held by:

- community organisations, or
- by private/commercial organisations, or
- government agencies, or
- individuals providing facilities and/or services for public use.

Holder - The company, organisation, individual or group of individuals who have been issued with a Tenure.

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¹⁷ Explanation of Terms

Tenure – A lease, licence or other estate issued by Council in accordance with Section 46 of the LGAct or Section 2.20 of the CLMA.

Hire Agreement – An estate issued by the Holder to the Hirer consistent with their Tenure.

Hirer – The company, organisation, individual or group of individuals who have been issued with a Hire Agreement.

Regular Hirer – A hirer who regularly uses the Reserve through a Hire Agreement or has an ongoing Hire Agreement, Singular hirer – A Hirer who has a Hire Agreement as a once off or irregularly.

Casual user – A person or group of people using the Reserve for passive recreation, non-commercial purposes without a Tenure or Hire Agreement.

User - The collective term for a holder, hirer and casual user.



The maximum period for leases and licences on community land allowable under the LGAct is 30 years (with the consent of the Minister for Local Government for a period over 21 years) for purposes consistent with the categorisation and core objectives of the particular area of community land.

Community land may only be leased or licensed for periods of more than 5 years if public notice is given according to the requirements of Sections 47 (for terms greater than 5 years) and 47A (for terms less than 5 years) of the LGAct.

Leases

A lease will generally be required where exclusive use or control of all or part of community land is desirable for effective management. A lease may also be required when the scale of investment in facilities, necessity for security measures, or where the relationship between a holder and facilities on community land justifies such security of tenure.

Leases issued by Council will require:

- that subleases or any other supplementary tenures can only be issued by the Holders with the approval of Council and consistent with Section 47C of the LGAct
- maintenance of the facility will generally be the responsibility of the lessees however this will be defined in the lease agreement.

Licences

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the community land is proposed. A number of licences for different holders can apply to the same area at the same time, provided there is no conflict of interest.

Hire Agreements

An agreement for use of the land subject to this POM may be issued by Council for any purpose listed below, subject to the approval of Council. A hire agreement may be issued to a regular hirer or a singular hirer for formal use. Any legal requirements as determined by Council will include the requirement for adequate public liability insurance cover.

Purposes for which Tenures may be issued

In accordance with Section 46A of the LGAct, a POM for community land is to specify and authorise any purpose for which a lease, licence or other estate may be granted over community land during the life of a POM.

This POM authorises a Tenure to be issued:

for any permissible use in Table 1



- for purposes consistent with the Reserve's:
 - categorisation (see Section 9.1), and
 - zoning (see Section 4.1) under Section 46 of the LGAct, and
 - o reserve purpose as required under the CLMA.

However, the CLMA allows that Council may also issue short term licences (for a period of less than one year) consistent with Section 2.20 of the CLMA. This section provides that licences may be issued, inconsistent with the reservation purpose, for prescribed purposes currently as shown in Appendix 3.¹⁸

The LGAct provides that Council may grant a lease, licence or other estate in respect of Community Land, consistent with the Reserve purpose, for:

- a purpose prescribed by Section 36I of the LGAct as a core objective of the categorisation of the land; or
- for the provision of goods, services and facilities, and the carrying out of activities, appropriate to the current and future needs within the local community and of the wider public.¹⁹

A tenure or hire agreement on Crown land may impact native title rights and interests. Any use agreement issued on Crown land must be issued in accordance with the future act provisions of the NTA and in accordance with Part 8 of the CLMA unless native title is extinguished. For Crown land which is not *excluded land* this will require written advice from one of Council's native title managers that it complies with any applicable provisions of the native title legislation.

Council at any time in the future, reserves the right to prohibit the taking or consumption of alcohol on this Reserve. This will be indicated by conspicuously displayed signs in accordance with Section 632 and Section 670 of the LGAct (as amended).

Direction of Funds

Income produced from the Reserve will be distributed to manage community land in a fashion directed by Council.

19 See Section 46(4)(a) of the LGAct

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¹⁶ Crown Land Management Regulation 2018 Section 31.



10.4 Other Approvals

An approval to occupy land or facilities for a specific purpose does not remove the need to obtain approval under other legislation. These approvals may include:

- a liquor licence
- to engage in a trade or business
- to direct or procure a theatrical, musical or other entertainment for the public
- to construct a temporary enclosure for the purpose of entertainment
- to play a musical instrument or sing for fee or reward
- to set up, operate or use a loudspeaker or sound amplifying device
- to deliver a public address or hold a religious service or public meeting with the use of a loudspeaker
- to install or operate amusement devices
- to use a standing vehicle or any article for the purpose of selling any article in a public place.

10.5 Allocation

The Reserve will continue to be used by a variety of user groups and individuals for purposes previously noted. Council will endeavor to generate greater utilisation of the Reserve for community purpose and other activities consistent with the Reserve's purpose.

10.6 Fees

Council applies fees for the use of Council reserves.

The fees associated with the hiring of Council reserves for major events, concerts, functions etc., are detailed in Council's *Operational Plan – Fees and Charges* on Council's website. Council's fee structure is reviewed on an annual basis.

Where the Reserve is to be hired for a purpose not within Council's Operational Plan – Fees and Charges, the fee will be set by Council.

10.7 Communication in the Management of the Reserve

Communication between Council, Holders, Hirers and Casual users is important to the success of this POM. Council will establish and maintain clear lines of communication with Tenure holders and across all Reserve users, especially relating to the operations of and responsibilities within (proposed) tenure operations.



This will include:

- regular meetings between Council, Tenure holders and Regular hirers, and
- the establishment of a clear understanding that the site will be occupied on the basis of formal agreement.

10.8 Easements

Council reserves the right to grant easements as required for utilities and access, bearing in mind the impact of such easements on the site.

The granting of easements over Crown land will be subject to the provisions of the NTA and Section 8.7 of the CLMA.

10.9 Development of the Reserve

Under this POM, Council reserves the right to control the use of all land classified at the Reserve as Community Land and categorised as General Community Use.

Council approval is required prior to any development or improvement made to community land.²⁰

All major developments and improvements to be funded (solely or partially) by Council will be subject to Council approval.²¹

To facilitate the establishment of the new and restored infrastructure, Council may issue tenders to design and restore the Reserve's infrastructure to required heritage standards.

Tenures may be issued to enable the construction/implementation of new facilities.

Native Title

Where it is proposed to construct or establish a public work²² on reserved or dedicated Crown land,

- (i) a building, or other structure (including a memorial), that is a fixture; or
- (ii) a road, railway or bridge; or
- (iia) where the expression is used in or for the purposes of Division 2 or 2A of Part 2-a stock-route; or
- (iii) a well, or bore, for obtaining water; or
- (iv) any major earthworks; or
 (b) a building that is constructed with the authority of the Crown, other than on a lease.
- Major earthworks are defined as:

earthworks (other than in the course of mining) whose construction causes major disturbance to the land, or to the bed or subsoil under waters.

²⁰ Section 2.73 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the LGAct (see Appendix 2).

The term approval refers to approval as Crown land manager of the land rather than consent under the Environmental Planning and Assessment Act 1979.

²² A public work is defined as:

 ⁽a) any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:



where native title is not extinguished, prior to approval Council will notify and give an opportunity for comment from any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the reservation or lease as required under the NTA.

Where a proposed update of a Master Plan, Capital Works Program, Facilities Asset Management Plan or any other plan is the approving documentation for a public work on Crown land, that approval will not be given unless the requirements of the NTA have been addressed including the notification and opportunity to comment noted above.



Figure 25 - Preferred Use



10.10 Development of New and Improvement of Existing Facilities

Consistent with the preferred use for the Reserve expressed through community consultation, this POM authorises the following new facilities and improvements to existing facilities:

- upgrades to internal layout of the Fire Station building to suitable standards to meet the needs of identified new and emerging priority uses
- possible creation of an extension of the existing building or new detached building (as required²³) community infrastructure as noted in Figure 25
- remove internal fencing unless of a heritage nature
- remove existing access to rear of Cudgegong House
- in association with the as-required extension to the Fire Station, reconfigure pathway to permit easy access to main infrastructure from car park, considering one option for disabled access
- landscaping to enhance the rest area.

10.11 Maintenance of Facilities

In accordance with the maintenance schedule of its asset management plans, building management plans and grounds management plans; and to measured targets within available resources, Council will ensure the facilities on the Reserve are maintained to an appropriate standard.

Council will:

- conduct essential repairs and maintenance to all facilities including the Fire Station and maintenance of the car park area
- remove unserviceable structures (eg. shed), complete boundary and subdivision fence repairs, general maintenance of all open space items of infrastructure, signage, and garden/yard improvements and management
- monitor the condition of structures on the Reserve and ensure effective maintenance procedures are in place through tenure conditions
- prepare a safety audit of the site and repair or replace any areas that may impact on public safety
- ensure the efficient and conservative use of water, pesticides, herbicides and fertilisers across the Reserve, where required
- ensure regular collection of rubbish and elevate compliance activities against illegal dumping of rubbish

²³ Note LEP Schedule 5 requirements for Heritage Conservation Area described as of General Significance, and consent requirements for alteration to structure of heritage significance to No. 1254 (LEP).



Continue monitoring for issues of compliance and general site amenity.

10.12 Signage

Council uses signs to regulate the activities carried out on community land and to provide educational information so as to provide a safe and enjoyable place for passive and active recreational pursuits.

Whilst signs are a crucial source of information, they have a significant impact on the aesthetics of reserves such as the Fire Station. All signs must:

- meet a design standard and be approved by Council
- be sympathetic to their environment in their design, construction and location
- be placed in accordance with State Environmental Planning Policy (Industry and Employment) 2021 or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
- be consistent with the Mid-Western Regional Development Control Plan 2013
- be consistent with Council's wayfinding and signage strategy.

Note that for issues of safety signage, Council uses the Statewide Mutual Best Practice Manual – Signs as Remote Supervision.

Where a sign requires development consent,²⁴ Council must approve, as owner, the lodging of a Development Application prior to assessment by Council in accordance with Schedule 5 Assessment Criteria of *State Environmental Planning Policy (Industry and Employment) 2021*.

Where a sign does not require development consent, Council must approve the sign before erection.

All Council signs erected under Section 632 of the LGAct, plus reserve name signs and traffic and safety signs, are permissible.

Proposed Signage

Council will ensure the following signage is on the Reserve:

- directional signage for the purposes of guiding the community to required infrastructure and services
- signage for safety purposes including speed limitations and evacuation procedures.

²⁴ Development consent is not required if the sign is to be erected for the purposes of implementing this POM.



11 FINANCIAL SUSTAINABILITY

Income may be sourced from the following:

- Council's General Revenue Fund (in accordance with annual operational budgets): Where the Reserve is being used for informal casual use, Council will contribute to the maintenance and development of Infrastructure
- Section 7.11 Contributions (Environmental Planning and Assessment Act 1979) specifically collected for community land: This component occurs as rate payer's contributions for the general use of community land for community well-being
- User pays for minor infrastructure works associated with nominated facilities: This occurs through fund raising by the relevant body including entry fees and sales
- Community contributions by way of sponsorships and community group projects (eg., Landcare, and service clubs such as Rotary, Lions Club): This occurs through grants either sourced externally, and/or contributed locally by the group (eg., for the purposes of environmental works, social and intellectual well-being etc. and other improvements)
- Grant and loan funding from either Commonwealth or State Governments: The implementation of the management structure will allow primary users to apply for funds from a number of Government bodies with the concurrence of Council. Council may also apply for these funds. Funding opportunities exist from government programs including the Crown Reserves Improvement Fund managed by the DPE-CL
- Income from commercial operations: Where tenures are involved (eg. the major user groups), ticket and product sales etc, income will arise as per details in the revenue-split in the corresponding agreement.

In order to address the outstanding and future maintenance requirements at the Reserve, and permit any required new developments as proposed in this POM, it is important that all income which is generated from the Reserve be returned to the Reserve, and that this should be clearly demonstrated in Council's financial statements. Ensuring appropriate rental and fees for formal use of the site will assist in the maintenance of specialised infrastructure.





12 IMPLEMENTATION PLAN

Table 2 sets out a number of actions required to implement the identified Management Strategies and Performance Targets within the Reserve. These actions are the means of achieving the objectives of this POM.

A clear indication of how the completion of the aims will be assessed is also provided in the table under Performance Evaluation.

Table 2- Implementation Table

Management Objectives	Management Strategies	Actions (A) Council (B) Tenure holder/user	Performance Evaluation (how they will be assessed)	
To promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: • in relation to public recreation and the physical, cultural	A. Complete essential works in accordance with all required approvals, available resources and as prioritised by Council.	 Engage a heritage specialist to advise on the heritage requirements for the upgrade and extension of the Fire Station and the Heritage Sign (A). Upgrades to internal layout of the Fire Station building to suitable standards to meet the needs of identified new and emerging priority uses (A) &/or (B). Creation of an extension of the existing building or new detached building (as required) for community infrastructure (A) &/or (B). Remove internal fencing unless of a heritage nature (A) &/or (B). Remove existing access to rear of Cudgegong House (A). In association with the as-required extension to the Fire Station, reconfigure pathway to permit easy access to main infrastructure from car park, considering one option for disabled access (A). Landscaping to enhance the rest area (A). 	 All new works are completed in accordance with heritage requirements, works plans, to budget. Increase in usage and visitations to the Fire Station and car park. Increased cash flow/profit attributed to more community utilisation of the Reserve. Feedback from visitors and business sector that facilities at the Reserve are satisfactory. 	
and intellectual welfare or development of individual members of the public, and	B. Continue to manage and maintain existing assets with approvals as required to appropriate standards.	 Conduct essential repairs and maintenance to all facilities in accordance with heritage requirements, the maintenance schedule of Council's Asset Management Policy (2022) and building management plans (A) &/or (B). Conduct essential repairs and maintenance to all facilities including the Fire Station, maintenance of the car park area (A) &/or (B). Removal of unserviceable structures (eg. shed), complete boundary and subdivision fence repairs, general maintenance of all open space items of infrastructure, signage, and garden/yard improvements and management (A) &/or (B). Monitor the condition of structures on the Reserve and ensure effective 	 Built assets are managed in accordance with prescribed Council standards, heritage requirements and community expectations. Natural assets are managed appropriately. Reserve orderly, neat and well maintained. Efficient and timely issuing of 	

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Management Objectives	Management Strategies	Actions (A) Council (B) Tenure holder/user	Performance Evaluation (how they will be assessed)
		 maintenance procedures are in place through tenure conditions (A). Prepare a safety audit of the site and repair or replace any areas that may impact on public safety (A) &/or (B) Ensure the efficient and conservative use of water, pesticides, herbicides and fertilisers across the Reserve, where required (A) &/or (B). Ensure regular collection of rubbish and elevate compliance activities against illegal dumping of rubbish (A) &/or (B). Continue monitoring for issues of compliance and general site amenity. Maintain sealed car park area, access driveway, formed pathways and fences. (A) Maintain/trim mature trees in car park area and avoid hazardous incidents (A). 	consents as required.
	C. Manage the land for improved and appropriate outcomes.	 Update signs as appropriate. (A) &/or (B). Ensure appropriate management of all open space areas in accordance with relevant grounds management plan of Council's Asset Management Policy (2022). (A) &/or (B) Prepare a safety audit of the site and repair or replace any areas that may impact on public safety. (A) &/or (B). Ensure the efficient and conservative use of water, pesticides, herbicides and fertilisers across the Reserve, where required. (A) &/or (B). Ensure regular collection of rubbish and elevate compliance activities against illegal dumping of rubbish. (A) &/or (B). 	 Grounds operating effectively in accordance with use agreements and responsibilities, orderly, clean. Positive feedback from user groups and individuals. Grounds are kept tidy and orderly.
	D. Monitoring and Compliance.	 Continue to monitor the condition of major structures and ensure effective maintenance schedule and procedures are in place. (A) Prepare a safety audit of the site and repair or replace any areas that may impact on public safety. (A) Council officers to be present to monitor all issues of compliance and general site amenity. (A) 	 Audit processes for safety and asset condition reporting developed and working well. Tenures are well managed resulting in no complaints and showing desired cash flow. No confusion or inefficiencies regarding use and occupation exist. No illegal use and abuse of facilities.



Management Objectives	Management Strategies	Actions (A) Council (B) Tenure holder/user	Performance Evaluation (how they will be assessed)
	E. Capitalise on good relationships and improve coordination and communication with occupiers of and visitors to the Reserve.	 Establish appropriate tenure and hiring arrangements for new hirers, at recommended/appropriate rent and hire fees where applicable. (Å) Ensure that the requirements of any tenure or hire agreement are met by establishing positive relationships between Council and tenure holder through clear expectations and communications. (A) Where necessary, develop guidelines which communicate the requirement for users to concur with all tenure conditions including the maintenance of orderly and tidy surrounds at all times. (A)&(B) Ensure effective communication with user groups regarding the implementation of this POM. (A) 	 Tenure compliance problems non-existent. Good cooperation regarding maintenance responsibilities. Number of user groups and general passive users has increased.
 in relation to purposes for which a lease, licence or other estate may be granted in respect of the land. 	 F. Build relationships with existing and new users in order to: draw more people to the Community Purposes area, to maximise business and cash flow maximise tenures to ensure good and complete use of the Reserve. 	 Establish relationships with relevant cultural groups, users, Gulgong Police and other neighbours etc. to ensure an integrated and complimentary approach is adopted for attracting suitable tenure holders to the Reserve, (A) 	 Tenure holders and other user groups are content with tenure arrangements and plan is working well with all, including improved clarity and communication. Community enjoying general access on arrangement for casua use of new recreational facilities, particularly the aged and disabled. Relationships established with appropriate user groups and others.



13 CONSULTATION DURING THE PREPARATION OF THIS PLAN

Community consultation is an important source of information necessary to provide an effective POM for Community Land and is a requirement under Section 38 of the LGAct. As such, Council is committed to the principles and activities within the participating community which guide Council's decision-making processes. Such participation creates the opportunity for interested parties to become actively involved in the development of a plan which reflects the needs, opinions and priorities of people using the Reserve.

Section 38 of the LGAct requires that:

- Council must give public notice of a draft POM
- The period of public exhibition of the draft plan must be not less than 28 days
- The public notice must also specify a period of not less than 42 days after the date on which the draft plan is placed on public exhibition during which submissions may be made to Council
- Council must, in accordance with its notice, publicly exhibit the draft plan together with any
 other matter which it considers appropriate or necessary to better enable the draft plan and
 its implications to be understood.

Notice was provided to the Minister for Land and Property in accordance with section 39 of the LGAct. The consent of the Minister for Land and Property is required under clause 70B of the *Crown* Land Management Regulation 2018.

Prior to the development of this POM, the community was requested to cast opinion on future needs and uses of the Fire Station. This process occurred via two separate means:

- A survey commissioned by Council was open to the community for on-line opinion conducted between 31 October 2018 - 09 August 2020. A Survey Response Report was produced by Bang the Table Engagement
- Discussions with all user groups and broader community representatives were conducted in Gulgong on 28 September 2020 and views on a range of issues were captured as notes transcribed onto butcher's paper. Attendees were also asked to compile prioritised needs and aspirations for the Reserve.



14 APPENDICES

- 1) Core Objectives for Categories of Community Land.
- 2) Relevant State Environmental Planning Policies.

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15 REFERENCES

Australian Bureau of Statistics, 2016 Census Quickstats Gulgong; (2016): www.quickstats.censusdata.abs.gov.au/census_services/

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Department of Local Government (2000): Practice Note No.1, Public Land Management, Amended May 2000.

Regional Economic Development Strategy 2018-2022 and Regional Economic Development Strategy – 2023 Update Gulgong Fire Brigade Station No. 312: *a brief history* 1875-1880; 1934-2017. State Library of NSW.

Gulgong NSW – Aussie Towns; https://www.gussietowns.com.gu/town/gulgong-nsw

Local Government Act, 1993: Amended by the Local Government (Community Land Amendment) Act 1998. NSW Government: <u>http://www.legislation.nsw.gov.au/</u>.

Mid-Western Regional Local Environment Plan 2012 (LEP): NSW Government: http://www.legislation.nsw.gov.au/

Prime Facts: Profitable and Sustainable Primary Industries: www.resourcesandenergy.nsw.gov.au/.../109713/gulgong-gold-depos.

Towards 2040 - Mid Western Region Community Plan.



Appendix 1

CORE OBJECTIVES FOR CATEGORIES OF COMMUNITY LAND (LGAct)

36E Core objectives for management of community land categorised as a natural area

The core objectives for management of community land categorised as a natural area are:

- (a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
- (b) to maintain the land, or that feature or habitat, in its natural state and setting, and
- (c) to provide for the restoration and regeneration of the land, and
- (d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and
- (e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*.

36F Core objectives for management of community land categorised as a sportsground

The core objectives for management of community land categorised as a sportsground are:

- (a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- (b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

36G Core objectives for management of community land categorised as a park

The core objectives for management of community land categorised as a park are:

- to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
- (c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

36H Core objectives for management of community land categorised as an area of cultural significance

- (1) The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research or social significance) for past, present or future generations by the active use of conservation methods.
- (2) Those conservation methods may include any or all of the following methods:
 - (a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance



- (b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material
- (c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state
- (d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact)
- (e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.
- (3) A reference in subsection (2) to land includes a reference to any buildings erected on the land.

361 Core objectives for management of community land categorised as general community use

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

36J Core objectives for management of community land categorised as bushland

The core objectives for management of community land categorised as bushland are:

- (a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and
- (b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and
- (c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and
- (d) to restore degraded bushland, and
- (e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and
- (f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and
- (g) to protect bushland as a natural stabiliser of the soil surface.

36K Core objectives for management of community land categorised as wetland

The core objectives for management of community land categorised as wetland are:

(a) to protect the biodiversity and ecological values of wetlands, with particular reference to their



hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and

- (b) to restore and regenerate degraded wetlands, and
- (c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.

36L Core objectives for management of community land categorised as an escarpment

The core objectives for management of community land categorised as an escarpment are:

- (a) to protect any important geological, geomorphological or scenic features of the escarpment, and
- (b) to facilitate safe community use and enjoyment of the escarpment.

36M Core objectives for management of community land categorised as a watercourse

The core objectives for management of community land categorised as a watercourse are:

- (a) to manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and
- (b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and
- (c) to restore degraded watercourses, and
- (d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

36N Core objectives for management of community land categorised as foreshore

The core objectives for management of community land categorised as foreshore are:

- (a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment, and to protect and enhance all functions associated with the foreshore's role as a transition area, and
- (b) to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.





STATE ENVIRONMENTAL PLANNING POLICIES WHICH ARE RELEVANT TO THE RESERVE

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP Exempt) provides that certain types of works do not require development consent under Part 4 of the EP&A Act. The General Exempt Development Code is set out in Division 1 of the SEPP, providing the limitations and conditions of the exemptions. They include:

- Access Ramps
- Advertising and signage
- Aerials, antennae and communication dishes
- Air-conditioning units
- Animal shelters
- Aviaries
- Awnings, blinds and canopies
- Balconies, decks, patios, pergolas, terraces and verandahs
- Barbecues and other outdoor cooking structures
- Bollards
- Charity bins and recycling bins
- Earthworks, retaining walls and structural support

- Fences
- Flagpoles
- Footpaths, pathways and paving
- Fowl and poultry houses
- Garbage bin storage enclosure
- Hot water systems
- Landscaping Structures
- Minor building alterations
- Mobile food and drink outlets
- Playground equipment
- Screen enclosures
- Sculptures and artworks
- Temporary uses and structures
- Waste storage containers

Section 1-16 of Division 2 of the SEPP provides the General Requirements for exempt development.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) commenced in New South Wales on 1 March 2022 consolidating 4 earlier SEPPs focused on employment and advertising. The T&I SEPP focuses on:

 Planning rules and controls for infrastructure in NSW, such as for hospitals, roads, railways, emergency services, water supply and electricity delivery.

The T&I SEPP provides that certain types of works do not require development consent under Part 4 of the *Environmental Planning and Assessment Act 1979*.

Section 2.20 of the T&I SEPP provides that a range of works are "exempt development" when carried out for or on behalf of a public authority (including Nambucca Valley Council). These works are itemised in Schedule 1 of the SEPP and include paths and ramps for disabled access, fencing, firefighting emergency equipment, small decks, prefabricated sheds of up to $30m^2$ in area, retaining walls up to 2m in height, landscaping including paving and access tracks, minor external and internal alterations to buildings, open car parks (size is not specified) and demolition of buildings covering an area of up to $100m^2$.



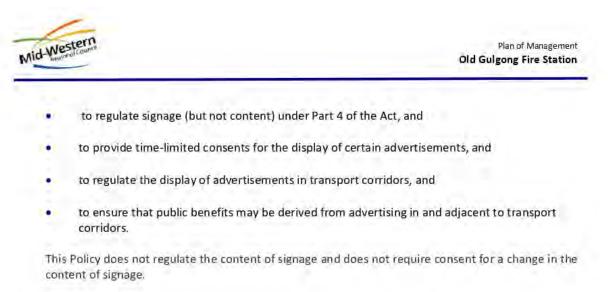
Section 2.73 of the T&I SEPP further provides that Development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the LG Act. Further, any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

- a. development for any of the following purposes:
 - i. roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges
 - ii. recreation areas and recreation facilities (outdoor), but not including grandstands
 - iii. visitor information centres, information boards and other information facilities
 - lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard
 - V. landscaping, including landscape structures or features (such as artwork) and irrigation systems
 - vi. amenities for people using Wellington Park, including toilets and change rooms
 - vii. food preparation and related facilities for people using Wellington Park
 - viii. maintenance depot,
 - ix. portable lifeguard towers.
- b. environmental management works
- c. demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area).
- Educational establishments and childcare facilities containing planning for child-care centres, schools, TAFEs and Universities.
- Major infrastructure corridors containing planning controls and reserves land for the protection of the 3 North South Rail Lines, South West Rail Link extension and Western Sydney Freight Line corridors.
- Three ports containing the land-use planning and assessment framework for Port Botany, Port Kembla
 and the Port of Newcastle.

State Environmental Planning Policy (Industry and Employment) 2021

The State Environmental Planning Policy (Industry and Employment) 2021 (I&E SEPP) commenced in New South Wales on 1 March 2022 consolidating 2 earlier SEPPs focused on employment and advertising. The I&E SEPP focuses on:

- Western Sydney employment area' contains planning rules and controls for the employment land within the Western Sydney
- Advertising and signage ensuring that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high-quality design and finish.



Mid-Western Regional Council	0	STERN REGIONAL COUNCIL OUNGIL MEETING EXTRACT IL MEETING: 20 SEPTEMBER 2023
		RAFT PLAN OF MANAGEMENT OLD GULGONG FIRE TATION - POST CROWN REVIEW GOV400103, COU500102, 4532, 8586, 1308
223/23	MOTION:	Shelley / Cavalier
	That Cour	ncil:
	1.	receive the report by the Manager Property and Revenue of the Draft Plan of Management Old Gulgong Fire Station Post Crown Review ;
	2.	note and adopt the changes advocated by Departmen Planning & Environment – Crown Lands & Public Spaces a indicated in this Report to the draft v7 Plan of Managemen Old Gulgong Fire Station;
	3.	note that written consent of the draft v7 Plan of Managemen Old Gulgong Fire Station as amended by Departmen Planning & Environment – Crown Lands & Public Space has been received;
	4.	place the amended draft v7 Plan of Management Old Gulgong Fire Station on public exhibition, as per s38 of the Local Government Act 1993; and
	5.	receive a further report at the conclusion of the public exhibition period to consider any submissions received or is substantial changes are recommended for any reason.

The motion was carried with the Councillors voting unanimously.

Old Gulgong Fire Station – Plan of Management – Exhibition

Summary of submissions and response

Written Submissions

Date	From	Method	Issue(s) Raised	Response
18/08/2023	Joint Response Gulgong Chamber of Commerce	Email	 Management Proposal Old Gulgong Fire Station Acquisition and Development of Old Gulgong Fire Station as a Community Activity Hub, Exhibition Centre, Business and Meeting Space 	No change - The PoM permits the issue of a tenure which would facilitate this form of management should Council choose to pursue such an option.
	(GCOC) and the Arts Council of Gulgong (GAC)		The submission is principally seeking to manage the facility on Council's behalf	On this basis the submission may be sent the Councils Property Section for consideration.

Open Session

A Public Open session for review of the Plan of Management was held in the Gulgong Library on 31 October 2023. Council officers and Council's Plan of Management consultant attended. There was nil attendance, and no further submissions were received.



MID-WESTERN REGIONAL COUNCIL PO Box 156, MUDGEE NSW 2850 86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone T 1300 765 002 or 02 6378 2850 | F 02 6378 2815 E council@midwestern.nsw.gov.au

Native Title Manager's Advice

Section 8.7 Crown Land Management Act 2016

NOTE

Use this form when advice of native title manager is required. See Division 3.4 and 3.5, and sec 4.9 for limitations on Crown Land Managers and local councils.

NATIVE TITLE MANAGER'S WORKSHEETS

Old Gulgong Fire Station – Authorisation of Plan of Management and Authorisation of Uses D520110, R90877 & R90876 (File Nos Cou500102, 4532, 8586 & 13084)

A. Description of Crown Land and Proposed Act/Activity

i) Title details of Crown land (Lot/DP, area and address)

D520110 – Lot 5/28/758482 505.87m2 104 Herbert St Gulgong NSW 2852. R90877 – Lot 6/28/758482 & Lot18/28/758482 847.3m2 106-108 Herbert St Gulgong NSW 2852. R90876 – Lot 7301/1142898 64m2 2 Holtermann St Gulgong NSW 2852

ii) Description of Crown land (current use and structures on land)

D520110 – Use vacant. Structures – Decommissioned Fire Station building, fire hose infrastructure, garden shed, concrete driveway and paths, fence. R90877 – Use car park. Structures – paved car park, garden area, access stairs, information board. R90876 - Use part of car park.

iii) Detailed description of the proposed act/activity (e.g. granting of development consent, adopting a plan of management, carrying out work)

Adoption of a Plan of Management

iv) Reserve number	v) NSW Government Gazette notice date and page	vi) State Act and section under which land was reserved
D520110	GG. for Reservation – 4/12/1953	Section 24 Crown Lands Consolidation Act 1913
R90877	GG. for Reservation – 26/8/1977	Section 28 Crown Lands Consolidation Act 1913
R90876	GG. for Reservation – 26/8/1977	Section 28 Crown Lands Consolidation Act 1913

vii) Purpose of reservation

D520110 – Fire Brigade Station. D520110 – GG No. 17 22/2/2019 added additional purposes of – community purposes, government purposes and heritage purposes. R90877 – Parking. R90876 – For Preservation of Historic Sites and Buildings.

viii) Details of any additions or amendments to reserve

D520110, R90877 & 90876 - for reserve status prior to current reservations, see Status Search - Old Gulgong Fire Station.

ix) Details of trustee appointment (if any) e.g. NSWGG date and page, and State Act and section under which Council was appointed as trustee

D520110 - GG No 26 19/2/1954 Pursuant to the provisions of the Public Trusts Act 1897

R90877 - GG No 97 26/8/1977 Pursuant to the provisions of section 37P Crown Lands Consolidation Act, 1913

R90876 - GG No 97 26/8/1977 Pursuant to the provisions of section 37P Crown Lands Consolidation Act, 1913

x) Details of any adopted Plans of Management

Nil

xi) Details of any undetermined Aboriginal Land Claims

R90876 - ALC part claim 18042 lodged 29/6/2009 Incomplete status. Referred to ALC Investigation Unit 26/3/2021 for assessment. (Reference - Spreadsheet provided by Crown).

B. Worksheet #1 - Compliance with Crown Land Management Act 2016 and Local Government Act 1993

1. IS THE LAND ON WHICH THE ACTIVITY IS PROPOSED DEDICATED OR RESERVED LAND FOR WHICH COUNCIL IS CROWN LAND MANAGER UNDER THE CLM ACT?

Yes - go to 2

2. HAS THE LAND BEEN CLASSIFIED AS OPERATIONAL LAND WITH THE PRIOR CONSENT OF THE MINISTER? (SEE S3.22(1) AND (3) CLM ACT)

NO - go to 3.

3. HAS A PLAN OF MANAGEMENT (POM) UNDER THE LOCAL GOVERNMENT ACT 1993 (LG ACT) BEEN ADOPTED FOR THE LAND FOR THE PURPOSES OF A 3.23(6) AND (7) OF THE CLM ACT? (SEE S3.22(1) CLM ACT, 3.23(6) AND (7) CLM ACT AD S35 LG ACT)

NO - go to 4.

4. HAS 30 JUNE 2021 PASSED? (SEE CL37A(3)(A)(III) CLM ACT)?

YES - go to 7.

5. IS THERE AN EXISTING PLAN OF MANAGEMENT THAT WAS PREPARED UNDER THE FORMER PART 5 OF THE CROWN LANDS ACT 1989? (CL37A(A) SCHEDULE 7 CLM ACT)

NO - go to 7.

6. DOES THE ACT CONTRAVENE THE EXISTING POM UNDER FORMER PART 5 OF THE CROWN LANDS ACT 1989? (SEE CL37A(3)© OF SCHEDULE 7 CLM ACT)

NO - go to 7.

7. WILL THE ACT OCCUR BEFORE 30 JUNE 2021? (CL70(1) CLM REGULATION 2018)

NO - go to 9.

8. IS THE ACT ANY OF THE FOLLOWING (SEE CL70 CLM REGULATION 2018):

- granting of a short term licence over the land of a kind that can be granted by a crown land manager under section 2.20 of the CLM act?
- Renewing an existing lease for a term not exceeding 21 years (including any option period) and there are no additional permitted uses for the land?
- Granting of a new lease not exceeding 21 years (including any option period) where there was a lease in force over the land immediately before 1 July 2018 and there are no permitted uses for the land under the new lease that are additional to those that were permitted under the previous lease?

NO - go to 9.

9. DOES THE PROPOSED USE/ACTIVITY CHANGE THE NATURE AND USE OF THE LAND (\$3.23(7)(F) CLM ACT) AND \$44 LG ACT)?

NO - go to 11.

10. IS THE PROPOSED USE/ACTIVITY AUTHORISED BY AND IN ACCORDANCE WITH THE POM (\$35 LG ACT)

Choose YES or NO

11. IS THE PROPOSED USE/ACTIVITY FOR A PURPOSE FOR WHICH THE LAND WAS RESERVED OR A PURPOSE INCIDENTAL OR ANCILLARY TO THE RESERVE PURPOSE (\$2.12 CLM ACT)

YES - go to 12.

12. DOES THE PROPOSED ACTIVITY INVOLVE SELLING OR DISPOSING OF CROWN LAND? (S3.22(4)(A) CLM ACT)

NO - go to 14.

13. HAS THE COUNCIL OBTAINED THE MINISTER'S CONSENT FOR THE SALE/DISPOSAL? (S3.22(4)(A) CLM ACT)

Choose YES or NO

14. DOES THE PROPOSED ACTIVITY COMPLY WITH ANY LIMITATIONS OR RESTRICTIONS SPECIFIED BY THE COUNCIL'S CROWN LAND MANAGER APPOINTMENT (IF THERE HAS BEEN AN INSTRUMENT OF APPOINTMENT)(S3 22(4)(D)(I) CLM ACT).

YES - There are no limitations or restrictions specified - go to 15.

15. DOES THE PROPOSED ACTIVITY COMPLY WITH THE CROWN LAND REGULATIONS (S3.22(4)(D)(II) CLM ACT)

YES - go to 16.

16. DOES THE PROPOSED ACTIVITY COMPLY WITH ANY APPLICABLE CROWN LAND MANAGEMENT RULES (\$3.22(4)(D)(III) CLM ACT)

YES - go to 17.

17. DOES THE USE/ACTIVITY COMPLY WITH THE LG ACT REQUIREMENTS OF DEALINGS IN COMMUNITY LAND? (E.G. SS45-47F OF LG ACT).

YES - Use/activity complies with the LG Act. Go to worksheet #2.

C. Worksheet #2 - Compliance with Native Title Obligations under the Crown Land Management Act 2016

'Relevant Land' (s8.1 and s8.5 CLM Act)

1. IS THE LAND OF WHICH THE ACTIVITY IS PROPOSED EITHER:

- DEDICATED OR RESERVED LAND FOR WHICH COUNCIL IS CROWN LAND MANAGER UNDER THE CLM ACT, OR
- LAND VESTED IN THE COUNCIL?

Yes - go to 2.

'Excluded Land' (s8.1 and s8.5 CLM Act)

2. IS THE LAND SUBJECT TO AN APPROVED DETERMINATION OF NATIVE TITLE AND ALL NATIVE TITLE RIGHTS AND INTERESTS HAVE BEEN FOUND TO BE EXTINGUISHED OR DO NOT EXIST (SEE NOTE 1) HERE, OR HERE.

No - go to 3.

Note: Approved determinations of native title can be found on the National Native Title Register on the National Native Title Tribunal website.

3. IS THE LAND THE SUBJECT OF A REGISTERED INDIGENOUS LAND USE AGREEMENT WHERE ALL NATIVE TITLE RIGHTS AND INTERESTS IN RELATION TO THE LAND HAVE BEEN SURRENDERED (SEE NOTE 2) – HERE OR HERE?

No - go to 4.

Note 2: Registered Indigenous Land use Agreements can be found on the Register of Indigenous Land use Agreements on the National Native Title Tribunal website.

4. IS THE LAND SUBJECT TO SECTION 24FA PROTECTION (SEE NOTE 3) - HERE OR HERE?

No - go to 5.

Note 3: The land is subject of s24FA protection if all the following apply:

- a) the land is the subject of a non-claimant application for determination of native title, and
- b) the 3-month period specified in a notice given under s66 of the NT Act in relation to application has ended, and
- c) at the end of that 3 month period there has been no native title claim in relation not the land, and
- d) the non-claimant application has not been withdrawn, dismissed or finalised, and
- e) there is no entry on the National Native Title Register that native title exist in relation to the land

5. HAVE ALL NATIVE TITLE RIGHTS AND INTERESTS IN RELATION TO THE LAND BEEN COMPULSORILY ACQUIRED?

No - go to 6.

6. IS A NATIVE TITLE CERTIFICATE IN EFFECT WITH RESPECT TO THE LAND?

No - the land is not 'excluded land'. Go to 7.

Division 8.3 - Management of Land

7. IS COUNCIL PROPOSING TO COMPULSORILY ACQUIRE NATIVE TITLE RIGHTS AND INTERESTS IN RELATION TO THE LAND (S8.9 CLM ACT)?

No. Go to 8.

8. IS THE COUNCIL PROPOSING TO (S8.7 CLM ACT):

- A. GRANT A LEASE, LICENCE, PERMIT, FORESTRY RIGHT, EASEMENT OR RIGHT OF WAY OVER THE LAND
- B. MORTGAGE THE LAND OR ALLOW IT TO BE MORTGAGED
- C. IMPOSE, REQUIRE OR AGREE TO (OR REMOVE OR RELEASE, OR AGREE TO REMOVE OR RELEASE) COVENANTS, CONDITIONS OR OTHER RESTRICTIONS ON USE IN CONNECTION WITH THE LAND
- D. APPROVE (OR SUBMIT FOR APPROVAL) A PLAN OF MANAGEMENT FOR THE LAND THAT AUTHORISES OR PERMITS ANY OF THE KINDS OF DEALINGS REFERRED TO IN PARAGRAPHS A, B, OR C.

Yes - Council must obtain prior written consent from the Minister. Also go to 8.

Division 8.4 - Compensation Responsibilities

9. IS THE PROPOSED CONDUCT OF THE COUNCIL IN CONNECTION WITH ANY DEDICATED OR RESERVED CROWN LAND FOR WHICH THE COUNCIL IS CROWN LAND MANAGER, OR ANY FORMER CROWN LAND THAT IS OR WAS VESTED IN THE COUNCIL?

Yes – Council will be liable to any compensation, and to indemnify the State for any compensation liable to be paid by the State under the NT Act for the relevant conduct. Go to Worksheet #3.

D. Worksheet #3 - Compliance with Native Title Act 1993

1. Is the act a past act, have native title rights and interests been previously extinguished?

1. MIGHT THE ACT/ACTIVITY AFFECT NATIVE TITLE? (ONLY NEED TO FORM A VIEW ON WHETHER THE ACT MAY AFFECT NATIVE TITLE. IF UNSURE, ASSUME 'YES')

Yes - go to 2.

2. MIGHT THE ACT/ACTIVITY BE A 'PAST ACT'? E.G. PRIOR TO 1/7/1993 OR 1/1/1994 (SEE 'PAST ACT' CHECKLIST. SEEK LEGAL ADVICE IF UNSURE)

NO - go to 3.

3. MIGHT THERE HAVE BEEN A 'PREVIOUS EXCLUSIVE POSSESSION ACT'? E.G. FREEHOLD/LEASE ETC ON OR BEFORE 23/12/1996 (SEE 'PREVIOUS EXCLUSIVE POSSESSION ACT' CHECKLIST. SEEK LEGAL ADVICE IF UNSURE)

NO - go to 4.

4. IS THE ACTIVITY A VALID 'FUTURE ACT' (\$233 NT ACT)? (SEE 'FUTURE ACT' PROVISIONS CHECKLIST. SEEK LEGAL ADVICE IF UNSURE)

YES - see 'future act' checklists for relevant actions

1. Checklist: Is the Act a Past Act?

2. Checklist: Has there been a previous exclusive possession Act?

- 3. Checklist: Is the Act a future Act?
- 4. Checklist: Do Subdivisions <u>B-E</u> apply? (registered indigenous land use agreements)
- 5. Checklist: Does Subdivision F apply? Section 24FA protection (procedures which indicate absence of Native Title)
- 6. Checklist: Does Subdivision G apply? Section 24GB/24GC apply?
- 7. Checklist: Subdivision G Future Acts and primary production
- 8. Checklist: Subdivision G Future Acts and primary production
- 9. Checklist: Subdivision <u>G</u> future Acts and primary production
- 10. Checklist: Subdivision H management of water and airspace

Checklist 1 is: Not Applicable

Checklist 2 is: Not Applicable

Checklist 3 is: Applicable

Checklist 4 is: NA, go to next subdivision

Checklist 5 is: NA, go to next subdivision

Checklist 6 is: NA, go to next subdivision

Checklist 7 is: NA, go to next subdivision

Checklist 8 is: NA, go to next subdivision

Checklist 9 is: NA, go to next subdivision

Checklist 10 is: NA, go to next subdivision

11. Checklist: Subdivision I - renewals and extensions etc

12. Checklist: Subdivision JA - public housing etc

13. Checklist: Subdivision J - reservations, leases etc

Validates acts relating to areas that are subject to a reservation, proclamation, dedication, condition, permission or authority (the reservation); and acts in relation to certain leases granted to statutory authorities. Generally it applies to acts done in good faith under or in accordance with the reservation, proclamation, dedication, condition, permission or authority. This Subdivision will be relied upon the most to validate acts that are future acts (Native title Manager Workbook Pub10/2017 p.75)

Section 24JA: Acts covered by this subdivision

Requirement	Section	Requirements satisfied and comments
Reservations etc: This Subdivision applies to a future act (the later act) if an act (the earlier act) took place before the later act and on or before 23 December 1996.	24JA(1)(a)	YES Comments: R90877 was gazetted on 26/8/1977 for purpose of Parking. R90876 was gazetted on 26/8/1977 for purpose of For Preservation of Historic Sites and Buildings. This Reserve has not been used in accordance with its dedication, instead it is used for parking in conjunction with the purpose of R90877. It is considered that the impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had. D520110 was gazetted on 4/12/1953 for purpose of Fire Station and GG No.17 22/2/2019 added additional purposes of – community purposes, government purposes and heritage purposes. It is considered that the addition of the additional purposes after 23/12/1996, has no greater impact on NT than the impact that any act that could have been done under or in accordance with the reservation would have had.

Checklist 11 is: NA, go to next subdivision

Checklist 12 is: NA, go to next subdivision

Checklist 13 is: Applicable

Requirement	Section	Requirements satisfied and comments
Reservations etc: This Subdivision applies to a future act (the later act) if the earlier act was valid (including because of Division 2 or 2A).	24JA(1)(b)	YES Comments: The earlier act (the making of the Reservation) was valid because it occurred prior to 23 December 1996 - R90877 was gazetted on 26/8/1977 for purpose of Parking. R90876 was gazetted on 26/8/1977 for purpose of For Preservation of Historic Sites and Buildings. This Reserve has no been used for this purpose, instead it is used for parking in conjunction with the purpose of R90877. It is considered that parking could be a permitted use under the dedication, but also that the impact on native title is no greater than the impact that ar act that could have been done under or in accordance with the reservation would have had. D520110 was gazetted on 4/12/1953 for purpose of Fire Station. It is considered that the addition of the additional purposes after 23/12/1996, has no greater impact on NT than the impact that any act that could have been done under or in accordance with the reservation would have had.
Reservations etc: This Subdivision applies to a future act (the later act) if the earlier act: i. was done by the Crown in right of the Commonwealth, a State or Territory; or ii. consisted of the making, amendment or repeal of legislation by the Commonwealth, a State or Territory	24JA(1)(c)	YES Comments: R90877 - Reservation was proclaimed by the Minister for Lands under s28 of the Crown Lands Consolidation Act 1913 gazetted GG. for Reservation – 26/8/1977. R90876 - Reservation was proclaimed by the Minister for Lands under s28 of the Crown Lands Consolidation Act 1913 gazetted GG. for Reservation – 26/8/1977.

Station and; Authorisation of Use for Additional Purposes Under S2.14 CLMA for additional purposes of community purposes, government purposes and heritage purposes authorised by Minister of Lands and Forestry GG 22/2/2019.

4	Reservations etc: This Subdivision applies to a future act (the later act) if the earlier act contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the reservation) under which the whole or part of any land or waters was to be used for a particular purpose:	24JA(1)(d)	YES Comments: The earlier acts were for a particular purpose being the land was reserved for - R90877 was gazetted on 26/8/1977 for purpose of Parking . R90876 was gazetted on 26/8/1977 for purpose of For Preservation of Historic Sites and Buildings . This Reserve has not been used for this purpose, instead it is used for parking in conjunction with the purpose of R90877. It is considered that parking could be a permitted use under the dedication, but also that the impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had D520110 was gazetted on 4/12/1953 for purposes of Fire Station . It is considered that the addition of the additional purposes of community purposes authorised on 22/2/2019, has no greater impact on NT than the impact that any act that could have been done under or in accordance with the reservation would have had.
5.	Reservations etc: This Subdivision applies to a future act (the later act) if the later act is done in good faith: i. under or in accordance with the reservation; or ii. in the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any	24JA(1)(e)	YES Comments: 1. Adoption of the Plan of Management - The adoption of the Old Gulgong Fire

act that could have been done under or in accordance with the reservation would have had.

Example 1: A future act consisting of the creation of a national park management plan might be covered by subparagraph (e)(i), if the land concerned was reserved for the establishment of the national park before 23 December 1996.

Example 2: A future act consisting of the grant of a forestry licence might be covered by that subparagraph, if the grant is done under or in accordance with a dedication for forestry purposes made before 23 December 1996.

Example 3: Subparagraph (e)(ii) might apply if particular land was reserved as a hospital site before 23 December 1996, and instead a school is later built on the land.

Station PoM is consistent with the intent of the original reservation for all Reserves, the additional authorised purposes for D520110 and the current use of R90876 being for parking which is qualified by the consideration that the impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had.

- 2. Authorisation of the uses cited in the proposed Plan of Management Each of the acts described in the proposed PoM at cl 6 (Current Uses), cl 7.2 (Assessment of Management Needs) & cl 10.2 (Permitted Uses & Activities at the Reserve), in our opinion, would be consistent with or have no greater impact on Native title that any act could have been done under or in accordance with the reservation would have had. Any other proposed activity or land use would require individual NT assessment.
- Development In our opinion, the potential for further development or improvement as described at cl 7.2 (Assessment of Management Needs) cl 10.1 (Development at the Reserve) and cl 10.10 (Development of New and Improvement of Existing Facilities) would be consistent with or have no greater impact on Native title that any act could

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OLD GULGONG FIRE STATION PLAN OF MANAGEMENT| MID-WESTERN REGIONAL COUNCIL

have been done under or in accordance with the reservation would have had. 4. Leases, Licences and other Estates -The issuing of leases, licences and other estates as described at cl 10.3 (Leases, Licences and other Estates), in our opinion, will be either consistent with the reserve purpose or will have no greater impact that any act that could have been done under or in accordance with the reservation would have had. NO Leases: This Subdivision also applies to a future act (the later 24JA(2)(a) act) if an act (the earlier act) took place before the later act and Comments: on or before 23 December 1996 Leases: This Subdivision also applies to a future act (the later 24JA(2)(b) NO act) if the earlier act was valid (including because of Division 2 Comments: or 2A) Leases: This Subdivision also applies to a future act (the later 24JA(2)(c) NO act) if the earlier act was done by the Crown in right of the Comments: Commonwealth, a State or a Territory NO Leases: This Subdivision also applies to a future act (the later 24JA(2)(d) act) if the earlier act consisted of the grant of a lease to a Comments: statutory authority of the Commonwealth, the State or the Territory, where: i. under the lease, the whole or part of any land or waters covered by the lease was to be used for a particular purpose; or there is written evidence, created at any time on or before ü. 23 December 1996 by the Commonwealth, the State or the Territory, that the whole or part of any land or waters

	covered by the lease was to be used for a particular purpose		
8.	Leases: This Subdivision also applies to a future act (the later act) if the later act is done in good faith and consists of the use, by the statutory authority or any person, of the land or waters for the particular purpose.	24JA(2)(e)	NO Comments:

Treatment of Acts covered by Subdivision JA

Validity	24JB (1)	If this Subdivision applies to a future act, the act is valid.
		Extinguishment consequences - public works
		public work means s.253 NT Act (Cth):
		(a) any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:
		(i) a building, or other structure (including a memorial), that is a fixture; or
		(ii) a road, railway or bridge; or
		(iia) where the expression is used in or for the purposes of Division 2 or 2A of Part 2-a stock route; or
		(iii) a well, or bore, for obtaining water; or
		(iv) any major earthworks; or
		(b) a building that is constructed with the authority of the Crown, other than on a lease
Extinguishment consequences – public works	24JB (2)	Note: In addition, section 251D deals with land or waters relating to public works.
		s.251D NT Act (Cth): Land or waters on which a public work is constructed, established or situated
		In this Act, a reference to land or waters on which a public work is constructed, established or situated includes a reference to any
		adjacent land or waters the use of which is or was necessary for, or incidental to, the construction, establishment or operation of the work.
		If the act consists of the construction or establishment of a public work:
		 a. the act extinguishes any native title in relation to the land or waters on which the public work (on completion of its construction or establishment) is situated; and
		b. the extinguishment is taken to have happened when the construction or establishment of the public work began.
Extinguishment		
consequences – not public works		If the act does not consist of the construction or establishment of a public work, the non extinguishment principle applies to the act.

Compensation	The native title holders are entitled to compensation for the act in accordance with Division 5.
Who pays compensation	The compensation is payable by: a. If the act is attributable to the Commonwealth – the Crown in the right of the Government, or b. If the act is attributable to a State or Territory – the Crown in right of the State or Territory
Notification of public works	 If the act consists of the construction or establishment of a public work, then, before the act is done, the person proposing to do the act must: a. notify, in the way determined, by legislative instrument, by the Commonwealth Minister, any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the reservation or lease that the act, or acts of that class, are to be done in relation to the land or waters; and b. give them an opportunity to comment on the act or class of acts.
Notification of national, state and territory park management plans	If the act consists of the creation of a plan for the management of a national, State or Territory park intended to preserve the natural environment of an area, then, before the act is done, the person proposing to do the act must: a. notify, in the way determined, by legislative instrument, by the Commonwealth Minister, any representative Aboriginal/Torres Strait Islander bodies, registered native title bodies corporate and registered native title claimants in relation to the land or waters covered by the plan that the act is to be done in relation to the land or waters; and b. give them an opportunity to comment on the act.

14. Checklist: Subdivision K - facilities for services to the public

15. Checklist: Subdivision L - low impact future Acts

16. Checklist: Subdivision \underline{M} – Acts passing the freehold test

Checklist 14 is: Not Applicable

Checklist 15 is: Not Applicable

Checklist 16 is: Not Applicable

17. Native Title Manager's Considered Advice

1. Advice

WHETHER NATIVE TITLE MANAGER'S ADVICE IS REQUIRED

Native Title Manager's advice is required because the Act is a future Act and is intended to be carried out on land where Native Title may still exist. Compliance with the Native Title Act 1993 and the CLM Act is required.

COMPLIANCE WITH NATIVE TITLE ACT 1993

In our opinion, the proposed act, being the adoption of the Old Gulgong Fire Station Plan of Management will not affect Native Title. The act impacting Dedication 520110 and Reserves 90877 & 90876 will comply with the applicable provisions of the Native Title Act 1993 being a valid future act under section 24JA. Therefore the proposed act may be carried out.

- Any uses authorised by the Old Gulgong Fire Station Plan of Management and not requiring further Native Title Manager advice will either have no impact on Native title or be valid under Sections 24JA and/or 24KA of the Native Title Act 1993. Refer to cl6 (*Current Uses*) and cl10.2 (*Permitted Uses and Activities at the Reserve*).
- 2. The proposed act, being the adoption of the Old Gulgong Fire Station Plan of Management, may occur at some further stage and authorises further acts which may affect Native title.
 - a. The proposed development acts cited at cl7.2 (Assessment of Management Needs), cl10.1 (Development at the Reserve), cl10.10 (Development of New and Improvement of Existing Facilities), cl10.11 (Maintenance of Facilities) and cl.10.12 (Signage) will comply with the applicable provisions of the Native Title Act 1993 being a valid future act under section 24JA.

Of these proposed development acts, it is considered that some of the acts cited, will involve the construction or establishment of a Public Work and will require notification under s24JB(6) of the Native title Act 1993 to be given to NTSCORP for opportunity to comment.

It is considered that the other proposed development acts will not constitute a Public Work and notification is not required.

- b. The proposed authorisation of leases, licences and other estates generally, as described at cl10.3 (Leases, Licences and other Estates), will comply with the applicable provisions of the Native Title Act 1993 being a valid future act under section 24JA. These agreements will require future Native Title Manager's advice.
- 3. The Future Works not specified but enabled under the Old Gulgong Fire Station Plan of Management will require future Native Title Manager's advice. These works should be valid, but have not been assessed here as more detail is required.

4. It is noted that searches indicate that public works were undertaken by the relevant government authorities on the lands held under D520110, R90877 & R90876 prior to 23/12/1996 which would have extinguished Native title. However, in the interest of certainty it is prudent to proceed on the basis that Native Title does exist until legal advice indicates otherwise.

Choose a statement.

RISKS TO COUNCIL

- 1. Should Native Title be determined to exist at some future date, Council may be liable for compensation under the provisions of the Native Title Act 1993 (Cth) and the Crown Land Management Act 2016, for the effect on Native Title rights and interests by the proposed Act.
- There is an undetermined Aboriginal Land Claim over R90876. ALC part claim 18042 lodged 29/6/2009 Incomplete status. Referred to ALC Investigation Unit 26/3/2021 for assessment. (Reference – Spreadsheet provided by Crown). Should the claim be approved and the land is transferred to the claimant, all improvements on the Reserve will be lost to Council.
- 3. If there is a significant change to the project, this Native Title Manager's advice and/or the NTSCORP notification may need to be re-examined. Please discuss with Council's Native Title Manager(s).

Names of Native Title Managers	Signature	Attachments
lan Clayton	Date 24 Novem	Insert list of attachments. For example Project documents Extract from Crown Land Manager Reserves Portal Current title search Copies of the NSW Government Gazette notices (if any) reserving land and appointing Council as trustee/reserve trust manager/ Crown land manager Native Title searches Evidence of previous exclusive possession Act which extinguished Native Title Notification to NTSCORP



COMMUNITY LAND PLAN OF MANAGEMENT

Mid-Western Regional Local Government Area



July 2020



Version Control

Date	Comment					
08 / 09 / 2020	Initial Draft					
24 / 06 / 2021	Amendments following Council officer Review (V0.7)					
30 / 08 / 2021	Amendments following further Council officer Review (V0.8)					
08 / 09 / 2021	Draft for presentation to Council (V1.0)					
05 / 10 / 2021						
13 / 10 / 2021	Minor amendments (V1.2)					
12/11/2021	Amendments following Council review (V1.3)					
01/05/2023	Amendments following Crown lands and Council review (V1.5)					
07 / 06 / 2023	Updating for Environmental Planning Instrument alterations and other Council amendments (v1.6)					
29 / 06 / 2023	Amendments following Council review (V1.7)					
23 / 11 / 2023	Exhibition Version (V2)					

Council is proud to acknowledge and respect the Wiradjuri people as the Traditional Custodians of the Mudgee Area and to pay respect to the elders past, present and emerging.

Plan of Management Report prepared by Lands Advisory Services Pty Ltd PO Box 2317 Dangar NSW 2309



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C Lands Advisory Services Pty Ltd 2020

Disclaimer:

Drawings, figures, analysis, forecasts and other details in this report have been prepared in good faith based on data and information supplied to Lands Advisory Services Pty Ltd by others. The data is believed to be correct at the time of publication of this report. However, it is noted that predictions, forecasts and calculations are subject to assumptions which may or may not turn out to be accurate. Lands Advisory Services Pty Ltd expressly disclaims all and any liability to any person or persons in reliance on the report and its contents in part or in whole.



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Summary

This Community Land Plan of Management (CLPoM) applies to the majority of land that is owned by Mid-Western Regional Council (Council) and Crown land that Council manages on behalf of the State of New South Wales. The land is classified as community land.

A Plan of Management (PoM) is required to be prepared for public land which is owned and/or managed by a Council and classified as community land under the *Local Government Act 1993* (LGA). A PoM on community land is a document that provides for and directs the use and management of that land. It describes the current purposes and uses of the community lands and their values, assigns them to one or more categories and sets out objectives and performance targets for active land management and use.

This CLPoM is a generic plan which covers land parcels across the Mid-Western Regional Local Government Area in the Central Tablelands of NSW. These lands are categorised as Park, Sportsground, General Community Use and Natural Area - Bushland. The land covered by this plan was included in this plan because the generic management objectives and actions outlined in this plan are applicable to that land.

This CLPoM gives express authorisation for Council to grant leases, licences, hire arrangements or other estates as required for use of the land and/or facilities/buildings on the land, for purposes consistent with the core objectives for the category of that land. It also specifies the provisions whereby Council can carry out certain types of developments, and building works on community land, being either exempt development, or developments not requiring consent.

The vision for this CLPoM for community land is:

"great open space, sporting, social and leisure facilities for a prosperous and progressive community".



1 Introduction

This CLPoM applies to parcels of land that are owned by Mid-Western Regional Council (Council) and classified as community land. These land parcels are further categorised as Park, Sportsground, General Community Use and Natural Area - Bushland under the LGA.

This CLPoM also applies to Crown land that Council manages for the use of the general public. Crown land is owned by the State of New South Wales for the benefit of all persons. Local Government Authorities manage Crown land on behalf of the State, as Crown Land Managers, under Division 3.4 of the *Crown Land Management Act 2016* (CLMA). Council therefore now manages all community land, Crown or Council-owned, under one portfolio.

The LGA provides the legislative framework for Council's day to day operations and it identifies Council's responsibility to actively manage land and to involve the community in developing a strategy for management.

This CLPoM has been prepared in order to achieve a balanced, responsible and ecologically sustainable use of the land and to ensure that it addresses the needs of the local neighbourhood, the broader community, and the environment. It has been prepared to meet the requirements of the LGA.

Specifically, the aims of the CLPoM are to:

- update any previous plans of management for the community lands now covered in this Plan.
- meet Council's obligations regarding public land management under the requirements of the LGA and the CLMA.
- provide a basis for guiding Council's ongoing management of and developments on the community land covered by the CLPoM in accordance with relevant legislative requirements.
- contribute to the objectives of Council's Regional Community Plan,¹ its Regional Economic Development Strategy,² and the Vision for community land development and management as highlighted in this CLPoM (see 1.1).
- reflect the values and expectations of the Mid-Western Region community in the use and development of community land.
- utilise community contributions collected by Council in the development of the CLPoM to provide informed planning advice to Council.
- facilitate desirable use of these land parcels by the community, through granting of appropriate leases, licences, permits and other estates.

¹ Towards 2040 – Mid Western Region Community Plan. Mid-Western Regional Plan.

² Regional Economic Development Strategy 2018-2022. Mid-Western Regional Council.



1.1 A Vision for Community Land

In the Regional Community Plan (RCP)³ Council endorses regional goals for the next 20 years. These are directly relevant to the role and services provided to the regional community in the management of community lands. The four goals of the RCP are to provide and/or create:

- a sustainable and resilient place.
- people, housing and communities.
- prosperity, productivity and innovation.
- location specific responses.

In the Regional Economic Development Strategy 2018-2022 and Regional Economic Development Strategy – 2023 Update, Council presents its Vision for the region as:

"a prosperous and diversified economy delivering lifestyle benefits to the community through employment, income, and sustainable economic growth."

The various statements presented reflect Council's broad strategic intent to create and maintain a sense of community fulfilment and enrichment. They also demonstrate a strong support for the role of community land as an important tool in the provision of these values across the regional community and beyond. Community land significantly provides for the health, social enrichment, and sporting opportunities of the Mid-Western community and region.

Based on these broad statements the vision for the community land covered by this CLPoM is:

"great open space, sporting, social and leisure facilities for a prosperous and progressive community".

1.2 The Mid-Western Region

The Mid-Western Region is located in the Central Tablelands of NSW, just over three hours from Sydney. The Region has a dynamic and friendly community along with a strong and diverse economic base, providing opportunities for future business development and growth. The Region also attracts over 573,000 visitors each year to experience the local wine, food, sporting and cultural events. The Mid-Western Regional Local Government Area covers 8,752 square kilometers and consists of the major towns, Mudgee, Gulgong, Kandos, and Rylstone and embraces a large and diverse rural hinterland.

The region has a strong and diverse economic base, with agriculture, mining and retail and draws strongly from tourism made popular in recent decades by the notable wine industry, its history, and its environmental values.

Across the region, there exists a network of parks, sporting fields and general community areas, all

³ Towards 2040 – Mid Western Region Community Plan. Mid-Western Regional Plan.



contributing a range of essential services to the community. This CLPoM covers a network of community land consisting of Crown Land and Council owned parcels. Although not a complete description of purpose, these community land parcels deliver the following services and functional uses:

- memorial parks
- service club parks
- sport fields and courts
- resting places
- historically significant sites
- playgrounds and BBQ sites
- parks and gardens

- walkways
- car parks
- caravan parks
- Rural Fire Service reserves
- community Halls
- observational and nature areas.

Because of the decentralised nature of community lands considered in this CLPoM it is relevant to consider the whole of the regional community in discussions of demography and trends. Although not all encompassing, the Mid-Western Regional Local Government Area is therefore considered in this CLPoM to provide a reasonable basis to provide some insight into predicted use trends by the community.

Table 1 refers to the four most recent Australian Bureau of Statistics Census data for Mid-Western Regional Local Government Area, being: 2006, 2011, 2016 and 2021, for a range of age class distributions.⁴

Age (years)	0-4	5-14	15-24	25-54	55-64	65+	Total
Census 2006	1284	3142	2265	7944	2983	3468	21086
Census 2011	1476	3051	2510	8270	2955	4053	22318
Census 2016	1686	3213	2430	8849	3161	4731	24076
Census 2021	1559	3662	2557	9338	3497	5091	25704

Table 1 - Population Statistics for Mid-Western Regional Local Government Area 2006-2016

The figures show:

- an increase in population across the decade (approx. 22%, averaged at 1.5% per annum), with the projection of continued increase.
- an increase in the new-born to toddlers age group (0-4 years old) consistent with the general
 population increase of 21% noting a decrease across the past 5 years.
- a general increase in the younger age groups under 15 years of age at about 18%.
- moderate increase in the working age population, 15-64 years at about 17%.
- a significant increase in older residents 65 years and older. This increase is 47% (3.1% per annum) and representing 20% of the total population by 2021. This appears to be generated from a migration of retirees into the Mid-Western Regional Local Government Area for reasons of lifestyle, possibly coupled by more attractive living costs.

^{*} www.quickstats.censusdata.abs.gov.au/census_services/



From this analysis, issues for future management of community lands will be provision of facilities requiring a continued matching with new and emerging social and recreational needs of a growing younger population, including those within the working age group. However, most importantly, the uses of an ageing population will be an important consideration for the future functions and management of community land within the Local Government Area, as well as the needs of travelers from other areas. A healthy increase in the younger age groupings within the region is optimistic and may provide the basis for the voluntary support required for the sustenance of many of these community lands into the future.

1.3 Legislative and Policy Context

1.3.1 Local Government Act 1993

Land owned by Council is managed under the LGA.

Part 2 Chapter 6 of the LGA provides that public land must be classified as either "community" or "operational" land. The purpose of the land classification is to clearly delineate which land should be kept for use by the general public (community land) and which land need not be kept for that purpose (operational land). The major consequence of the classification is that it determines the ease or difficulty by which the land may be alienated by sale, lease or other means. Community land would ordinarily comprise land such as a Sportsground, Hall, Public Park etc.,⁵ and Operational land would consist of land which facilitates carrying out of a public service, such as works depots, or land held as a temporary asset or investment.

Community land:

- cannot be sold.
- cannot be leased, licensed or any other estate granted over the land for more than 21 years.
- must have a PoM prepared for it.

The LGA provides that community land must be categorised and specifies the core objectives for the management of each category.

All land covered by this CLPoM is community land.

The LGA also provides for regulations which provide controls on the use and operation of land. Regulations which may impact the management of community land in the Mid-Western Region are the Local Government (General) Regulation 2021 and Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021.

See the note to Chapter 6, Part 2 of the LGA.



1.3.2 Crown Land Management Act 2016

In New South Wales Crown land is managed under the CLMA. However, Division 3.4 of the CLMA provides that a council manager⁶ is authorised to classify and manage its dedicated or reserved Crown land as if it were public land within the meaning of the LGA.⁷

Crown land covered by this CLPoM (see Appendices 4, 5, 6 and 7) is owned by the State of New South Wales for the benefit of all persons.

The CLMA requires councils to prepare PoMs for Crown reserves as if it were community land under the LGA and the CLMA.

Section 48 of the LGA provides that Council has the control of certain Crown reserves for which it has not been appointed council manager. This land is not subject to the Division 3.4 of the CLMA.

1.3.3 Native Title Act 1993

Native title describes the communal, group or individual bundle of rights and interests held by Aboriginal or Torres Strait Islander peoples. Matters relating to native title fall within the Commonwealth jurisdiction of the Commonwealth *Native Title Act 1993* (NTA).

The NTA sets out how Native title rights are to be recognised and protected, making provisions for Aboriginal and Torres Strait Islanders establishing the existence of native title, lodging native title claims, determining and validating the extinguishment of native title, and dealing with land and waters where native title may not have been extinguished.

On Crown land Native title rights and interests must be considered unless native title has been extinguished, surrendered, or determined by a court to no longer exist.

Dealings in land or water that affect (impair or extinguish) native title are referred to as 'future acts' and these acts must be done in compliance with the NTA. The NTA specifies procedures that must be followed before future acts can be done legally.

Some examples of acts which may affect native title on Crown land or Crown reserves managed by Council include:

- the construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbecues.
- the construction of extensions to existing buildings.
- the construction of new roads or tracks.

- installation of infrastructure such as powerlines, sewerage pipes, etc.
- the creation of an easement.
- the issue of a lease or licence.
- the undertaking of major earthworks.

A council manager is a local council which has been appointed Crown land manager of a reserve under Section 3.3 of the CLMA.
 Section 3.22 of the CLMA provides for certain restrictions on the management of Crown land relating to sale, classification and contravention of the CLMA.



On Crown land, a future act undertaken by Council, which is not covered by one of the Future Act subdivisions of the NTA will be invalid.

1.3.4 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&AA) and the Environmental Planning and Assessment Regulation 2021 provide the overarching control of planning and development in NSW. The EP&AA creates three levels of Environmental Planning Instruments being:

- State Environmental Planning Policies
- Local Environmental Plans, and
- Development Control Plans.

In the Mid-Western Region, the Environmental Planning Instruments with significant impact on the management of community land are the *State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)*, the *Mid-Western Regional Local Environmental Plan 2012* and the *Mid-Western Regional Development Control Plan 2013*.

The EP&AA is the enabling legislation for many of the roles and responsibilities of local governments in NSW. Under Division 3.4 Cl. 3.31 (1) councils are authorised to make Local Environment Plans (LEPs). Division 4.2 ensures a council has the power of a consent authority for nominated developments within the local area over which the council has jurisdiction. Both these authorisations permit councils to implement and manage any PoM on community land as required by the LGA.

1.3.4.1 State Environmental Planning Policies

Community land is subject to the State Environmental Planning Policies.

Section 2.74 of the T&I SEPP provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the LG Act.⁸

Other State Environmental Planning Policies that are considered more relevant to the future of the community land covered by this CLPoM are briefly described in **Appendix 2** being:

- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Primary Production and Rural Development) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021

Appendix 2 has a brief description of the T&I SEPP.



- State Environmental Planning Policy (Industry and Employment) 2021.
- State Environmental Planning Policy (Resources & Energy) 2021

1.3.4.2 Mid-Western Regional Local Environmental Plan

Land Zones

The Mid-Western Regional Local Environmental Plan 2012 (LEP) provides Land Zones for all land within the LGA. Although at the date of adoption of this CLPoM the most common Land Zones allocated to the community land lots is **RE1** (Public Recreation) and **RU5** (Village), it is noted that the following zonings also apply to remaining lots:

- C3 Environmental Management.
- E1 Local Centre
- E4 General Industrial
- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R5 Large Lot Residential
- RU1 Primary Production
- RU4 Primary Production Small lots

It is envisaged that the zoning of these areas will be reviewed as part of preparing a new LEP for Mid-Western Regional Council in the future, to best reflect the most common and appropriate purposes of community land.

A full list of the described zonings applicable to the lands of the CLPoM, and their respective permitted and prohibited activities in accordance with corresponding Land Use Tables within Part 2, in the LEP can be found at https://www.legislation.nsw.gov.au/#/view/EPI/2012/374/part2/cl2.3

Objectives, permitted and prohibited activities for RE1 and RU5, can be found in Appendix 1 of this CLPoM.

Further LEP Considerations

The LEP zonings also requires important planning considerations and requirements, triggering additional state legislative responsibilities. These appear in the LEP as listings of local and miscellaneous provisions and schedules, and relevant map indices. The following are examples where these requirements will have likely implications to some of the land parcels considered within this CLPoM:

The CLPoM refers to permitted uses within the LEP as being permitted uses on community lands, however, the T&I SEPP provides that development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a PoM adopted for the land in accordance with the LGA.



Native Vegetation

Land parcels zoned RE1, RU5, R1, R2, R3, R5, C3, E1 and E4 are covered by the State Government's native vegetation laws aimed at protecting the biodiversity values of trees and other vegetation in non-rural areas of NSW and are included within the *State Environmental Planning Policy (Biodiversity and Conservation) 2021¹⁰* and also considered within the *Biodiversity Conservation Act 2016.* Any clearing of native vegetation requires consideration and possible authorisation under these policies.

Where clearing of native vegetation on land zoned RU1 and RU4 is required, the Council may apply in accordance with the provisions of the *Local Land Services Act 2013*,¹¹ to Local Lands Services (LLS) for either development consent or approval of a Property Vegetation Plan (PVP). A PVP is a voluntary but binding agreement with LLS that nominates and approves clearing and also incorporates positive land management requirements. Council will consult the Central Tablelands LLS to determine which process is best suited to the reserved land, and the process to obtain approval.

Biodiversity

Under the LGA, Council has obligations for conservation issues as determined by the *Biodiversity Conservation Act 2016* and the *Fisheries Management Act 1994*. Some activities on community land parcels covered by this CLPoM may trigger the controls and requirements of that Act (see S. 6.5 of LEP).

Bushfire Management

Community land reserves covered by this CLPoM may be impacted by bushfire prone land as shown on the Mid-Western Regional Local Government Area Bushfire Prone Land Map (see S. 5.11 LEP) and requirements for Bushfire Hazard reduction works. Reference is made to the NSW Rural Fire Service Guide for Bushfire Prone Land.¹²

In such cases, any development application for new works will require assessment in accordance with S 4.14 and 4.15 of the EP&AA or referral to the NSW Rural Fire Service in accordance with Section 4.46 of the EP&AA as a Special Fire Protection Purpose. All development is required to comply with the provisions of "Planning for Bushfire Protection", prepared by the NSW Rural Fire Service.¹³

Flood Planning

Community land reserves covered by this CLPoM may be impacted by Flood Risk Precincts identified within the Mudgee Floodplain Management Study described within the LEP (see S. 6.2). The provisions of the Floodplain Management Plan may also apply to land that is affected by localised flooding.

¹⁰ Section 2.3(1)(b) of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

¹¹ See Part 5A Local Land Services Act 2013.

¹² Guide for Bushfire Prone Land Mapping; Version 5b (NSW Rural Fire Service 2015).

¹³ www.rfs.nsw.gov.au/plan-and-prepare/



Groundwater Vulnerability

Community land reserves covered by this CLPoM may be impacted by Groundwater Vulnerability mapping, described within the LEP (S. 6.4). The objectives of this clause are as follows:

- to maintain the hydrological functions of key groundwater systems.
- to protect vulnerable groundwater resources from depletion and contamination as a result of development.

Where triggered, there is a requirement that the relevant consent authority is required to access groundwater, to ensure impacts such as contamination or others, are not caused by such development.

Heritage Significance

Some community land reserves covered by this CLPoM may be relevant from the perspective of heritage significance and value, according to the LEP (see S 5.10). In such cases, any developments will be required to consider the directions of the LEP.

Any development must comply with the scheme contained in the National Parks and Wildlife Act 1974 for the protection of Aboriginal cultural heritage.

1.3.5 Other Legislation and Statutory Controls

A PoM does not over-rule additional legislation and statutory controls that also apply to the management of community land.

1.3.6 Additional Council Plans and Policies

In addition to the above state policies and the directions of the LEP, Council has developed a number of plans, general policies and papers which have either direct or broad relevance to planning, management and maintenance of community land. The following lists those of particular relevance for the future management and service delivery of the land parcels covered by this CLPoM:

- Towards 2040 Endorsing Council's vision of "A prosperous and progressive community we call home", the strategy presents goals, values, aspirations and a sustainable community. It is structured around a number of themes including: Looking After Our Community; Protecting Our Natural Environment; and Building A Strong Local Economy.
- Open Space and Recreational Asset Management Plan Towards 2030 (May 2017) (OSRAMP) – By making available open space and recreational infrastructure for residents and visitors, Council projects budgets and expenditure to operate, maintain and upgrade facilities ensuring good functionality over a ten-year period.
- Recreational Strategy (2013) Provides direction to Council and the community about the priorities for planning and development of recreational opportunities and facilities over the following 10-15 years. The Strategy concentrates on town-based sporting facilities.



- Community Grants Program Policy (2022) This document establishes criteria by which financial assistance requests from non-for-profit groups will be determined with equity.
- Events Assistance Policy (2019) To assist with one-off community initiatives on community lands.
- Long Term Financial Plan 2022 32 Provides a framework to assist future decision making that will secure economic sustainability and ensure funding is adequate to achieve outcomes the community requires. The Plan is an integral component of the achievement of Council's Mid-Western Regional Community Plan Towards 2040.
- Parks Usage Policy (2019) (PUP) This policy applies to all Council managed parks and sports fields and ensures parks are appropriately booked and used to avoid unnecessary excessive and costly damage due to misuse. It applies to a person or persons wishing to organise a passive or active activity within a park or sports field, erect any form of infrastructure (eg. marquee, temporary lighting, sun shelters etc) or organise an activity for commercial or promotional purposes.
- Leases and Licences of Council Owned and Managed Land and Real Property Policy (2020) (LLCPP)- Enables Council to consider applications for the leasing and licencing of Council controlled land assets, including Crown Land whilst ensuring Council is consistent and transparent, and complying with appropriate legislative requirements when determining each application.
- Asset Management Policy (2022) Council is committed to a systematic asset management methodology to ensure appropriate asset management practices are applied across infrastructure managed by Council. The Policy ensures assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priority of service delivery at the lowest life cycle cost.
- Information and Directional Signage Policy (2012) Provides a standard for consistent, professional and durable signage throughout the region to promote the region, enhancing visitors' ability to navigate the region using consistent directional signage to genuine tourist destinations.

In particular, this CLPoM is to be read in conjunction with the relevant plans and policies of Council presented in Council's:

- Recreation Strategy (2013)¹⁴
- OSRAMP Towards 2030 (2017)¹⁵
- PUP (2019).¹⁵

¹⁴ Recreation Strategy (2013): Mid-Western Regional Council.

¹⁵ Open Space and Recreational Asset Management Plan - Towards 2030 (2017): Mid-Western Regional Council.

¹⁶ Parks Usage Policy (2019): Mid-Western Regional Council.



Full details of Council's relevant policies and plans as listed above can be found at Council's website at www.midwestern.nsw.gov.au/council/council-documents/

1.4 Plans of Management

1.4.1 What is a Plan of Management?

The LGA requires that Council prepare a PoM in conjunction with the community to identify the important features of the land, clarify how Council will manage the land and how the land may be used or developed. Until a PoM for community land is adopted, the nature and use of the land cannot be changed. To change the nature and use of the land, the PoM must be revised.

Council will undertake the required process as per Section 36 of the LGA and Section 3.23 of the CLMA for this CLPOM. Specifically, S. 36 (3) (a)-(d) of the LGA requires that a POM must identify.

- category of the land (see 1.4.4).
- objectives and performance targets of the Plan with respect to the land (see 1.4.4).
- means by which the Council proposes to achieve the PoM's objectives and performance targets.
- the manner in which Council proposes to assess its performance with respect to the Plan's objectives and performance targets

A PoM may give authorisation for Council to grant leases, licences, hire arrangements or other estates as required for use of the land and/or facilities/buildings on the land in compliance with S. 46 of the LGA for purposes consistent with the core objectives for the category of land.

1.4.2 Types of Plans

The LGA allows a PoM to cover one or multiple parcels of land.

Where multiple parcels of land are covered in one plan (Generic Plans), like this plan, the LGA specifically states what needs to be included. Where a PoM covers one parcel of land (Specific Plans), there is greater detail on what has to be prescribed in the Plan. A Generic Plan sets the framework of how the land is to be managed. A Specific Plan clearly outlines very precise management proposals.

PoM's for community land are periodically reviewed to enable changing social, economic and ecological conditions to be taken into account and consequent amendments to the Plan may occur.

For the majority of lands considered here, this CLPoM is the first to be developed.

Specific works to be carried out in individual Parks, Sportsgrounds and General Community Use land will be shown on masterplans and various schedules to which this CLPoM refers, which will be prepared in the future as required, and which will include engagement with the community.



1.4.3 Relationship with Other Plans

This CLPoM provides an overarching strategy and consistent management approach for community land parcels within the Mid-Western Regional Local Government Area, with the exception of those lands for which specific plans of management have been developed or are to be developed and for which this Generic plan has no jurisdiction. It is currently proposed by Council that specific plans of management will be developed for the following community land:

- Cudgegong Waters Park
- Mudgee Common
- Mudgee Showground

- Old Gulgong Fire Station and Gulgong Police Stables and Car Park
- Red Hill Reserve and Tom Saunders
 Memorial

1.4.4 Categorisation and Objectives

Under Section 36(4) of the LGA, all community and must be further <u>categorised</u> as one of the following categories:

- Natural Area further categorised as either Bushland, Wetland, Escarpment, Foreshore, Watercourse
- Sportsground
- Park
- Area of Cultural Significance; or
- General Community Use.

The Core Objectives for all community land categories vary according to the categorisation of the land. All objectives for all categories are defined in Section 36 (1) of the LGA and also appear in **Appendix 3** of this PoM.





2 Community Land Plan of Management

2.1 Land to Which this Plan Applies

The lands which are subject to this CLPoM are distributed across the Mid-Western Regional Council Local Government Area. There is a natural concentration of land parcels within and around the major centres of Mudgee, Gulgong, Rylstone and Kandos, however they also exist in smaller villages and rural communities.

The parcels included were generated from Council's Land Register of all public land areas listed in Appendices 4, 5, 6 and 7.

2.2 Process for Preparing the Plan

The process for the development of this CLPoM involved the following steps:

- inception meeting with Council staff.
- supply of relevant community land title information from Council.
- preliminary categorisation of Crown land sent to the Minister for approval.
- CLPoM drafted and discussed with Council.
- draft sent to Department of Planning and Environment Crown lands (DPE-CL) for Minister's approval regarding provision for Crown lands prior to being placed on public exhibition.
- draft CLPoM on exhibition on Council's website, at libraries and customer service areas.
- written submissions received online to Council.
- public hearing into proposed categorisation and recategorisation of Council owned community land, as required.
- review and advice from Council's Native Title Manager and notification to Native Title claimants and /or NTSCORP (if required).
- resolution by Council.
- approval by the Minister administering the CLMA.

Community consultation is an important process providing information necessary for an effective PoM for community land and is a requirement under Section 38 of the LGA. As such, Council is committed to the principles and activities within the participating community which guide Council's decision-making processes. Such participation creates the opportunity for interested parties to become actively involved in the development of a plan which reflects the needs, opinions and priorities of people using such community lands.



Many discussions were conducted between the authors of this CLPoM and Council officers during its compilation. Council will undertake further consultation as necessary, in accordance with its communication policy.

2.3 Ownership and Management

The community land to which this CLPoM applies, is owned by:

- Mid-Western Regional Council
- the State of New South Wales¹⁷ being Crown land.

Appendices 4, 5, 6 and 7 show ownership details of the land subject to the CLPoM.

Native Title

Much of the Crown land is subject to native title claim under the NTA by Warrabinga-Wiradjuri People¹⁸ and the Gomeroi People.¹⁹ On Crown land Native title rights and interests must be considered unless:

- Native title has been extinguished; or
- Native title has been surrendered; or
- determined by a court to no longer exist.

Aboriginal Land Rights

The Aboriginal Land Rights Act 1983 (ALRA) seeks to compensate Aboriginal peoples for past dispossession, dislocation and loss of land in NSW. The lodgment of an aboriginal land claim (ALC) under section 36 of the ALRA, over Crown land creates an inchoate interest in the land for the claimant pending determination of the claim. The DPE-CL advises that, if the land is subject to an undetermined ALC, any works, development or tenures authorised by the PoM should not go ahead if:

- the proposed activity could prevent the land being transferred to an ALC claimant in the event that an undetermined claim is granted
- the proposed activity could impact or change the physical/environmental condition of the land, unless:
 - the council manager has obtained written consent from the claimant Aboriginal Land Council to carry out the proposed work or activity, and/or

¹⁷ Council is Crown land manager for Crown land subject to this CLPoM.

¹⁶ Details for the Warrabinga-Wiradjuri People claim being NC2018/002 can be found on the National Native Title Tribunal website.

¹⁹ Details for the Gomeroi People claim being NC2011/006 can be found on the National Native Title Tribunal website.



- the council manager has obtained a written statement from the Aboriginal Land Council confirming that the subject land is withdrawn (in whole or partial) from the land claim
- the proposed activity is a lease to be registered on title unless the council manager has
 obtained written consent from the claimant Aboriginal Land Council

Some of the Crown land is subject to Aboriginal Land Claim under the ALRA by the New South Wales Aboriginal Land Council, Bathurst Local Aboriginal Land Council, Wanaruah Local Aboriginal Land Council and Mudgee Local Aboriginal Land Council. These claims await determination by the Minister for Lands and Property. Any land granted under ALRA will no longer be subject to this CLPOM.

Most community land subject to this CLPoM will be managed directly by Council. However, where appropriate, Council may establish committees under Section 355 of the LGA to advise and assist with the management of specific facilities.

2.4 Land Categories

In accordance with the guidelines set out in the *Local Government (General) Regulation 2021* and Practice Note 1: Public Land Management (Department of Local Government Amended 2000), and consistent with respective core objectives, all community lands covered by this CLPoM are categorised either as:

- Park Appendix 4 lists the land parcels categorised as Park.
- Sportsground Appendix 5 lists the land parcels categorised as Sportsground.
- General Community Use Appendix 6 lists the land parcels categorised as General Community Use.

or

 Natural Area - Bushland - Appendix 7 lists the land parcels categorised as Natural Area -Bushland.

For Crown land these categories have been assigned as required under Section 3.23 of the CLMA.



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Plan of Management Community Land

3 Management and Tenures

For this section please see the Explanation of Terms²⁰ set out below.

Council may allow use of community land by a casual user for any permissible use (see sections 6 – 10) according to the land category. However, Council may require a form of authorisation for a permissible use to be undertaken.

The LGA provides that tenures (leases, licences, or any other estates) or easements may be granted over all or part of community land in accordance with Section 46.

Tenures may be held by:

- community organisations and sporting clubs, or
- by private/commercial organisations or
- individuals providing facilities and/or services for public use.

The maximum period for leases and licences on community land allowable under the LGA is 30 years (with the consent of the Minister for a period over 21 years) for purposes consistent with the categorisation and core objectives of the particular area of community land.

Community land may only be leased or licensed for periods of more than 5 years if public notice is given according to the requirements of Sections 47 and 47A of the LGA.

0	Explanation of T	explanation of Terms					
	Tenure	A lease, licence or other estate issued by Council in accordance with Section 46 of the LGA or Section 2.20 of the CLMA.					
	Hire Agreement	An estate issued by Council generally for the single use of a facility.					
	Holder	The company, organisation, individual or group of individuals who have been issued with a Tenure.					
	Hirer	The company, organisation, individual or group of individuals who have been issued with a Hire Agreement.					
	Regular Hirer	A Hirer who regularly uses a facility through a Hire Agreement or has an ongoing Hire Agreement.					
	Singular Hirer	A Hirer who has a Hire Agreement as a once off or irregularly,					
	Casual User	A person or group of people using community land for passive recreation, non-commercial purposes without a Tenure or Permit.					
	User	The collective term for a Holder, Hirer and Casual User,					
	Permit	A permit is an authority to undertake a use which may or may not attract a fee.					



3.1 Types of Tenures

3.1.1 Leases

A lease will be generally required where exclusive use or control of all or part of community land is desirable for effective management. A lease may also be required when the scale of investment in facilities, the necessity for security measures, or where the relationship between a holder and facilities on community land justifies such security of tenure.

Leases issued by Council will require:

- That subleases or any other supplementary tenures can only be issued by the Holders with the approval of Council, and consistent with Section 47C of the LGA.
- Maintenance of the facility will be the responsibility of the Lessees.

3.1.2 Licences

Licences allow multiple and non-exclusive use of an area. A licence may be required where intermittent or short-term use or control of all or part of the community land is proposed. A number of licences for different holders can apply to the same area at the same time, provided there is no conflict of interest.

3.1.3 Hire Agreements

An agreement for use of community land (Hire Agreement) may be issued by Council for any purpose listed in Sections 6 - 10, or by a Management Committee subject to the approval of Council. A hire agreement may be issued to a regular hirer or a singular hirer for formal use. Any legal requirements as determined by Council will include the requirement for adequate public liability insurance cover. Hire agreements may be issued for the use of a hall or a tennis court.

3.1.4 Permits

A permit may be issued by Council to undertake a particular activity on community land. Such a permit may or may not attract a fee.

3.1.5 Easements

Council reserves the right to grant easements as required for utilities and access, bearing in mind the impact of such easements on the site.

The granting of easements over Crown land will be subject to the provisions of the NTA and Section 8.7 of the CLMA.



3.2 Purposes for which Tenures may be issued

In accordance with Section 46A of the LGA, a PoM for community land is to specify and authorise any purpose for which a lease, licence or other estate may be granted over community land during the life of a PoM.

This CLPoM authorises a Tenure to be issued:

- for any permissible use in Sections 6 10.
- for purposes consistent with the designated:
 - categorisation, and
 - o zoning (see Section 4.1) under Section 46 of the LGA, and
 - on Crown land, the reserve purpose of the particular reserve (see appendices 4, 5, 6 and 7) as required under the CLMA.
- On Crown land, the CLMA allows that Council may also issue short term licences (for a period of less than one year) consistent with Section 2.20 of the CLMA. This section provides that licences may be issued, inconsistent with the reservation purpose, for prescribed purposes currently being:²¹
 - (a) access through a reserve
 - (b) advertising
 - (c) camping using a tent, caravan or otherwise
 - (d) catering
 - (e) community, training or education
 - (f) emergency occupation
 - (g) entertainment
 - (h) environmental protection conservation or restoration or environmental studies
 - (i) equestrian events
 - (j) exhibitions
 - (k) filming (as defined in LGA)
 - (I) functions

- (m) grazing
- (n) hiring of equipment
- (o) holiday accommodation
- (p) markets
- (q) meetings
- (r) military exercises
- (s) mooring of boats to wharves or other structures
- (t) sales
- (u) shows
- (v) site investigations
- (w) sporting and organised recreational activities
- (x) stabling of horses
- (y) storage.

3.3 Tenures on Crown land and Native Title

A tenure or hire agreement on Crown land may impact Native title rights and interests. Any use agreement issued on Crown land must be issued in accordance with the future act provisions of the NTA and in accordance with Part 8 of the CLMA unless Native title is extinguished. For Crown land which is not *excluded land* this will require written advice from one of Council's Native title managers that it complies with any applicable provisions of the Native title legislation.

²¹ Crown Land Management Regulation 2018 Section 31.



3.4 Other Approvals

An approval to occupy land or facilities for a specific purpose does not remove the need to obtain approval under other legislation. These approvals may include:

- a liquor licence
- engage in a trade or business
- direct or procure a theatrical, musical or other entertainment for the public
- construct a temporary enclosure for the purpose of entertainment
- play a musical instrument or sing for fee or reward
- set up, operate or use a loudspeaker or sound amplifying device
- deliver a public address or hold a religious service or public meeting use of a loudspeaker
- Install or operate amusement devices
- operate a caravan park or camping ground
- use a standing vehicle or any article for the purpose of selling any article in a public place.

3.5 Allocation, Fees and Direction of Funds

Community land will continue to be used by a variety of user groups and individuals for purposes previously noted. Council will endeavor to generate greater utilisation of the land for community purpose and other activities.

Council may apply fees for the use of Council reserves.

The fees associated with the hiring of Council reserves for major events, concerts, functions etc., are detailed in Council's *Operational Plan – Fees and Charges* on Council's website. Council's fee structure is reviewed on an annual basis.

Where the Reserve is to be hired for a purpose not within Council's Operational Plan – Fees and Charges, the fee will be set by Council.

Income produced from the Sportsgrounds, Parks, General Community Use and Natural Area categories will be distributed in a fashion directed by Council.



3.6 Signage

Council uses signs to regulate the activities carried out on community land and to provide educational information so as to provide a safe and enjoyable place for passive and active recreational pursuits.

Whilst signs are a crucial source of information, they have a significant impact on community land. All signs must:

- meet a design standard and be approved by Council
- be sympathetic to their environment in their design, construction and location
- be placed in accordance with State Environmental Planning Policy (Industry and Employment) 2021 or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- be consistent with the Mid-Western Regional Development Control Plan 2013.

Note that for issues of safety signage, Council uses the Statewide Mutual Best Practice Manual – Signs as Remote Supervision.

Where a sign requires development consent²², Council must approve as owner the lodging of a Development Application prior to assessment by Council in accordance with Schedule 5 Assessment Criteria of *State Environmental Planning Policy (Industry and Employment) 2021*.

Where a sign does not require development consent, Council must approve the sign before erection.

All Council signs erected under Section 632 of the LGA, plus reserve name signs and traffic and safety signs, are permissible.

3.7 Encroachments

Council will address encroachments, in accordance with available resources, into Crown Reserves by:

- requiring the encroachments to be removed, or
- initiating surveys and granting tenures with appropriate conditions.²³

Where formed roads encroach into community land Council will, in accordance with available resources:

- dedicate the land as road in compliance with Section 47F of the LGA, or
- or acquire the land under the Roads Act 1993, or
- remove the formed road.

²² Development consent is not required if the sign is to be erected for the purposes of implementing this CLPOM.

²³ Any authorisation of existing encroachment into Crown Reserves will be in accordance with the requirements of the Crown Land Management Act 2016 and the Native Title Act 1993.



4 Development

4.1 Development of New and Improvement of Existing Facilities

All major developments and improvements made to community Land to be funded (solely or partially) by Council, will be subject to Council approval.

Council can carry out certain types of proposed developments and building works that are developments permitted without consent or exempt development under the T&I SEPP or are permitted without development consent under the LEP.

Council can also undertake certain activities under Part 5 of the EP&AA. The purpose of the Part 5 assessment system is to fully ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent from a council or the Minister. If an activity is judged by the relevant public authority to significantly affect the environment, then an environmental impact statement will need to be prepared and considered by the public authority.

All other proposed development and building works consistent with the values, desired outcomes and performance targets set out in this CLPoM would be subject to the normal development applications in accordance with the EP&AA, and the LEP.

Council will encourage community assistance in the development of new facilities as well as maintenance of existing facilities through the co-operation and assistance of the local community.





4.2 Community Engagement

Prior to development of new or enhancing existing facilities Council will undertake a community consultation process. This may include the development of masterplans or other plans which will be placed on exhibition or be subject to stakeholder notification.

On the Crown land parcels covered by this CLPoM, Native title rights and interests must be considered unless:

- Native title has been extinguished; or
- Native title has been surrendered; or
- determined by a court to no longer exist.

Where it is proposed to construct or establish a public work²⁴ on reserved or dedicated Crown land, where Native title is not extinguished, prior to approval Council will notify and give an opportunity for comment from any representative Aboriginal/Torres Strait Islander bodies, registered Native title bodies corporate and registered Native title claimants in relation to the land or waters covered by the reservation or lease as required under the NTA.

Where a proposed update of an existing masterplan, capital works program, facilities asset management plan or any other plan is the approving documentation for a public work on Crown land, that approval will not be given unless the requirements of the NTA have been addressed including the notification and opportunity to comment noted above.

- (i) a building, or other structure (including a memorial), that is a fixture; or
- (ii) a road, railway or bridge; or

- (iii) a well, or bore, for obtaining water; or
- (iv) any major earthworks; or
- (b) a building that is constructed with the authority of the Crown, other than on a lease.

Major earthworks are defined as:

earthworks (other than in the course of mining) whose construction causes major disturbance to the land, or to the bed or subsoil under waters.

²⁴ A public work is defined as:

⁽a) any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:

⁽iin) where the expression is used in or for the purposes of Division 2 or 2A of Part 2-a stock-route; or



5 Communication

Communication between Council, sports bodies, hall committees, service clubs, RSL Sub-branches and other community land user groups and individuals is important to the success of this CLPoM. Council will use and maintain existing clear lines of communication and establish new lines and methods as necessary. Several key communication actions and strategies are described in respective Performance Targets including:

- keeping the community well informed about recreational facilities and settings, and other community facilities and settings through a variety of methods including signage, social media and Council's website.
- involving the community in collating information on community priorities and analysing existing facilities and settings.
- seeking community feedback in relation to the level of satisfaction regarding community, and facilities and settings.
- maintaining community involvement consistent with Council's Community Engagement protocols.
- continuing to support Sports Councils (Mudgee, Gulgong, Rylstone/Kandos), Hall Committees
 and Tenure Holders in the use of reserves.
- consulting regularly with Sports Councils and other sporting bodies and collating information on ongoing priorities for Sportsgrounds.
- engaging with the community prior to implementation of actions proposing major upgrade to facilities.

Most community land subject to this CLPoM will be managed directly by Council. However, where appropriate, Council may establish committees under Section 355 of the LGA to advise and assist with the management of specific facilities.



6 Park

6.1 Park Category Definition

Land should be categorised as a Park under Section 36(4) of the LGA if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.²⁵

Parks generally contain improvements such as landscaping and gardens, playgrounds and non-sporting equipment and facilities, walking tracks, pedestrian and bicycle paths, and open space.

Land parcels categorised as Park occurring across the Mid-Western Regional Local Government Area represent a wide range of sizes, configurations and uses.

Council's Recreation Strategy 2013 presents a useful hierarchy in describing the Parks of the Local Government Area:

- Regional Parks A reserve that residents and visitors are willing to travel to, from the community that they live in.
- Neighbourhood Parks A developed urban reserve designed for ease of pedestrian access.
- Local/Pocket Parks A local reserve within the urban community that may be partly developed for amenity purposes.
- Reserves Includes Crown land for which Council is the Crown Land Manager and other undeveloped reserves.

The quality and quantity of facilities in parks vary in line with the park hierarchy, with larger regional parks generally having more and better facilities to cater for greater demand than local parks. Parks are used for a wide range of informal and unstructured recreation activities, such as sitting for rest and relaxation, walking, cycling, children's play, casual games, dog exercise area, outdoor fitness, and ceremonies. Many parks provide specialised facilities to support these activities such as landscaped areas, playgrounds, fitness equipment, seating, picnic and BBQ facilities, amenities, walking areas, a swimming pool, environmental management areas, a town common, and memorials.

6.2 Core Objectives - Park

The core objectives for management of community land categorised as a Park are:

- to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- to provide for passive recreational activities or pastimes and for the casual playing of games,

²⁵ Local Government (General) Regulation 2021 – NSW legislation.



and

 to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

6.3 Land included in the Park Category

The land parcels categorised as Park covered by this CLPoM range in size from "pocket parks" of less than 100m², to the substantially large parks, eg: Flirtation Hill (10 Ha) in Mudgee.

Refer to Appendix 4 for description of all Parks.

6.4 Park Category Values

Values may be described as what is important or special about a place. These values which generally embrace social, environmental, economic and financial considerations, provide a strong foundation for the maintenance, protection and where required, enhancement of these values across the Parks of the region.

Parks provide valuable space for unstructured recreation and space for nature, with important social and environmental benefits contributing to the liveability and character of the area. They enhance social sustainability and the community's health and well-being. Parks create community opportunities, through formed and unformed areas, including passive recreation, celebrating, mixing in groups socially, remembering, and informal playing of games.

Recreation opportunities:

- provide spaces for unstructured outdoor recreational opportunities playgrounds, fitness areas.
- provide places for active recreation kick a ball, run about areas, practice walls and hoops.
- provide local open spaces for the community to enjoy activities picnic areas and barbecues, dog exercise.
- provide places for people to walk, enjoy nature and observe wildlife.

Social benefits:

- provide spaces for social gatherings, cultural activities and other events.
- provide places to meet others, to relax, which are safe, secure, family friendly, places for picnics, play and other activities.
- acknowledge natural and cultural heritage places.
- strengthen social bonds at the local community level through involvement of volunteers in



recreation, and by local residents meeting each other in recreational settings.

- generate aesthetic qualities producing a sense of openness and space, tranquility and restfulness, the sounds, sights and smells of nature.
- increase social inclusion and connectedness through participation and volunteering.
- contribute to social sustainability and the community's health and well-being.
- provide intangible psychological benefits.
- provide important historical, educational and cultural sites for ceremonial community gatherings.

Environmental benefits:

- offer protected natural settings for physical activity and visual pleasure.
- contribute to environmental protection, water absorption, clean air, reduce urban heat effect, help absorb greenhouse gas emissions.
- provide visual and landscape character of the local area, contributing to its liveability and appeal.
- provide natural areas, which create habitat and links between areas, spaces for trees, birds and other wildlife.

Economic benefits:

- attract tourists and visitors for events or social gatherings held in parks and enhance local economies.
- provide economic benefits from the development of recreational facilities, production and sale
 of related goods and services, and employment of people in the recreation and sport industry.
- create significant savings in national health costs due to generated peace of mind, exercise, and improved health, allowing such funds to be redirected into other areas of health services.
- add to the visual amenity of streetscapes which has a positive effect on land and property values.

6.5 Key Management Issues for Parks

The key management issues for Parks are:

ensuring the provision of a wide range of parks and related facilities meet the present and future needs of the community.



- provision of the appropriate range of accessible facilities and settings.
- planning for future recreational needs and opportunities.
- maintaining recreational amenity, quality, maintenance, rubbish disposal and cleanliness.
- maintaining the condition of key facilities especially toilet blocks.
- provision of adequate car parking.
- notification of permissible activities, conflicting uses and compliance.
- maintaining good neighbourhood relationships.
- establishing effective communications regarding park upgrades and other improvements.
 - managing construction activities and impacts.
 - avoiding unnecessary encroachment on and alienation of park, by other requirements.
 - managing vegetation issues eg. replacement trees, planted areas, grass cutting.
 - managing other legislative responsibilities eg. vegetation, biodiversity, bushfires.
 - managing vandalism to grounds, built assets, and memorials.
 - ensuring effective signage.

6.6 Desired Outcomes for Parks

The desired outcomes for Parks are:

- appropriate recreational, cultural, social and educational pastimes and activities are available, and which are well utilised.
- landscape character is consistent with the local landform, residential character and natural and cultural heritage.
- well maintained open areas as community gathering places for passive recreation.
- where it exists, well maintained infrastructure including amenities, playgrounds, picnic areas and other recreation areas in a variety of settings.
- no conflicting uses.
- good neighbourhood relationships.
- rolling program of park upgrades and improvements.



- effective access and well managed safety issues.
- where present, effective environmental sustainability.
- leases and licences as appropriate are managed effectively.

6.7 Permissible Uses and Development on Park lands

Park lands covered by this CLPoM may, subject to Council assessment, approvals and booking/hire systems, be used for the following:²⁶

- access roads
- alternate energy technology
- amenities
- art and cultural classes and events
- biodiversity enhancement
- canteens and kiosks
- car parking
- casual playing of games or informal sporting activities
- children's programs and events
- community events
 (fundraising/charity events, special
 events)
- community notice signs
- dog training and exercise
- drainage and irrigation
- emergency use
- fairs, markets and auctions
- filming and photography of events, speeches, concerts etc (commercial, amateur)
- fitness and wellbeing programs
- gala days and club meetings
- Iandscaping
- low intensity cafes, restaurants and kiosks.
- maintenance activities
- maintenance buildings and infrastructure
- mobile food vendors

- natural areas
- organised playing of games
- outdoor film screening
- passive recreation
- paths
- personal training
- playing of a musical instrument, or singing, for fee or reward
- private events (i.e. weddings, birthdays)
- public performance, book launch or education
- public utility infrastructure
- recycling (return & earn stations) remediation works
- school recreation
- school vacation activities
- shade structures
- sponsorship signage (temporary)
- sporting events
- storage and stockpiling of materials and equipment
- storage facilities
- temporary compound
- temporary structures (i.e. marquees, tents, stages)
- visitor amenities
- water tanks
- youth programs and events

²⁶ Restaurants are not permitted on Crown land in this category.



6.8 Tenures on Park lands

Council may consider granting lease, licence, permit or other estate on community land categorised as Park, consistent with the requirements of Section 3 of this CLPoM and the Objectives and Permissible Uses listed in Sections 6.2 and 6.7.

This CLPoM expressly authorises on lands categorised as Park:

- the issuing of permits for:
 - art and cultural classes and events.
 - o children's programs and events.
 - community events.
 (fundraising/charity events, special events, park runs).
 - o community notice signs.
 - o dog training and exercise.
 - a fairs, markets and auctions.
 a filming and photography of
 - events, speeches, concerts etc (commercial, amateur).
 - fitness and wellbeing programs. launch or education.
 - mobile food vendors.

the issuing of licences or hire agreements for: ²⁷

- alternate energy technology.
- art and cultural classes and events.
- o fairs, markets and auctions.
- filming and photography of events, speeches, concerts etc (commercial, amateur).
- o fitness and wellbeing programs.
- o gala days and club meetings.
- mobile food vendors.
- occupation and use of canteens and kiosks.
- occupation and commercial use of low intensity cafes, restaurants and kiosks.
- occupation and use of Park facilities and amenities.

- organised playing of games.
- o outdoor film screening.
- o personal training.
- playing of a musical instrument, or singing, for fee or reward.
- private events (i.e. weddings, birthdays).
- o public performance, book
- school vacation activities.
- sponsorship signage (temporary).
- temporary structures (i.e. marquees, tents, stages).
- youth and volunteer programs and events.
- organised playing of games.
- outdoor film screening.
- o personal training.
- playing of a musical instrument, or singing, for fee or reward.
- private events (i.e. weddings, birthdays).
- public performance, book launch or education.
- o school vacation activities.
- o sponsorship signage (temporary).
- o storage facilities.
- temporary structures (i.e. marquees, tents, stages)
- youth and volunteer programs and events.

the issuing of easements as required for utilities and access.

²⁷ Restaurants are not permitted on Crown land in this category.



This CLPoM specifically authorises:

- a residential tenure of the house at 1 Saville Row over part Lot 258 DP 755789, Kandos Pool Rotary Park (part R.85088), ongoing until notice is given.²⁸
- a licence with Mudgee Preschool Kindergarten Cooperative Ltd of Part Lot 4 DP 727197, Robertson Park (part R.520037), ongoing until notice is given.

Development approval may be required for certain events and activities on community lands.

²⁸ Council will endeavour to establish a future lease arrangement with the resident which includes caretaker responsibilities in the lease, to assist Council in its care, control and management of the reserve.



6.9 Performance Targets - Parks

Park Objective	Performance Targets ²⁹	Strategies	Performance Indicator
To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities.	Encourage and promote Parks as community gathering places for passive recreation, casual playing of games, and for various arts and cultural activities.	Keep the community well informed about Park spaces and facilities through a variety of methods including signage, social media and Council's website. Manage open spaces to promote use for cultural events and community programs. As required, update and review policy and procedures regarding use of Parks for events. Where possible, support communities to run events which promote a sense of community.	Shared use of recreational spaces and settings. Support provided by Council for the running/staging of events, consistent with category objectives and Council's Events Assistance Policy.
	Facilitate the use of any built venues and open areas for recreational, cultural, social and educational pastimes and activities through the granting of leases/licences.	Review and as required, update Council's LLCPP ³⁰ , and PUP consistent with this CLPoM for any leases/licences to reflect objectives for the management of Parks, for long- and short-term use, and casual use activities (see Section 6.7). Maintain register of leases for built infrastructure,	Leases/licences issued in accordance with the requirements of the LGA, Council's LLCPP, and PUP for purposes consistent with the core objectives for Parks. Effective records management system for tenures issued or major infrastructure.
To provide for passive recreational activities or pastimes and for the casual playing of games,	Consider existing facilities and settings to ensure they are targeted, diverse and appropriate and can support a range of recreational, cultural, social and educational activities.	Involving the community, analyse existing facilities and settings; investigate options to address gaps; amend Council's existing plans (eg. Council's <i>Recreation Strategy 2013</i> and <i>Open Space and</i> <i>Recreational Asset Management Plan 2015</i>) accordingly.	Community feedback indicates high level of satisfaction regarding the range of Park facilities and settings.

²⁹ Performance Targets - to Achieve Core Objectives / Desired Outcomes

³⁰ Leases and Licences of Council Owned and Managed Land and Real Property Policy (2021): Mid-Western Regional Council.



Performance Targets ²⁹	Strategies	Performance Indicator
Maintain the amenity, and quality of the existing Park settings and facilities.	In accordance with Council's Recreation Strategy 2013 and Open Space and Recreational Asset Management Plan 2015, develop maintenance plans, for grounds and settings, including (where they exist) play equipment, fitness equipment, picnic settings, barbecues etc:	Community feedback indicates high level of satisfaction about Park maintenance. Parks are well used by a range of user groups, including schools.
	Review and update the maintenance plans in Parks to ensure they are of the right quality to meet community needs.	Condition of infrastructure and grounds meet maintenance schedules.
Upgrade and improve the existing Park infrastructure, including buildings, play equipment, exercise equipment, practice and run around areas, walking paths, picnic and barbecue settings and associated amenities.	Develop associated masterplans/capital works plans/maintenance plans outlining proposed works to replace and/or improve Park settings and facilities. Implement a rolling upgrade and improvements program for Park facilities and develop/amend appropriate operational plans. Undertake the relevant approvals process for any proposed development to upgrade Parks. Consult regularly with the community to collate information on community priorities for Parks.	Community is informed about proposed improvements prior to works undertaken. Master plans and landscape concept plans prepared for any new Park infrastructure proposed. Community involvement in proposal consistent with Council's Community Engagement protocols. Community feedback indicates high level of satisfaction about Park improvements. Works undertaken consistent with T&I SEPP. Procedural rights in relation to Native title are
	Maintain the amenity, and quality of the existing Park settings and facilities. Upgrade and improve the existing Park infrastructure, including buildings, play equipment, exercise equipment, practice and run around areas, walking paths, picnic and barbecue settings and	Maintain the amenity, and quality of the existing Park settings and facilities.In accordance with Council's Recreation Strategy 2013 and Open Space and Recreational Asset Management Plan 2015, develop maintenance plans, for grounds and settings, including (where they exist). play equipment, fitness equipment, picnic settings, barbecues etc:Upgrade and improve the existing Park infrastructure, including buildings, play equipment, exercise equipment, practice and run around areas, walking paths, picnic and barbecue settings and associated amenities.Develop associated masterplans/capital works plans/maintenance plans outlining proposed works to replace and/or improve Park settings and facilities.Implement a rolling upgrade and improvements program for Park facilities and develop/amend appropriate operational plans.Implement a rolling upgrade and improvements program for Park facilities and develop/amend appropriate operational plans.



Park Objective	Performance Targets ²⁹	Strategies	Performance Indicator
	Conserve the existing landscape character of the Parks, including the existing Vegetation, recreational settings and other historical and cultural values and natural heritage values.	Ensure Council's Recreation Strategy 2013 and Open Space and Recreational Asset Management Plan 2015 acknowledges landscape character, natural and cultural heritage attributes. Landscape, and as required, upgrade Parks in accordance with Council's Open Space Recreational Strategy and its Recreation Strategy 2013 and Open Space and Recreational Asset Management Plan in such a way to reflect the region's natural and cultural heritage. Protect and promote the cultural heritage and update and maintain relevant Aboriginal Heritage where present. Council must take due care not to unearth or disturb the remains of any person who is buried in, or the ashes of any person which have been placed in or on, converted cemeteries or gravesites.	All development on community land is undertaken in accordance with cultural heritage legislation. Master plans and/or landscape concept plans prepared incorporating identified landscape and heritage values. Community involvement in relevant proposals consistent with Council's Community Engagement protocol. Parks are managed in accordance with stipulated environmental legislative requirements. Works undertaken consistent with T&I SEPP.
	Ensure park management maintains and improves safe and enjoyable access and use by people,	Ensure all Park signage is effective and compliant. Manage Bushfire Hazard in accordance with local Bushfire Management Plan. Ensure plans and strategies (<i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management</i> <i>Plan 2015</i>) consider and address the issues of human safety during access and use of Parks by people (buildings, tracks, roads, fences etc).	Natural areas managed for bushfire hazard as required. Relevant safety audit complete and effectively implemented. Signage appropriate and accords with Schedule 1 SEPP 64 requirements with the appropriate Council signage policy. Parks and infrastructure compliant. No reports of human injury due to Park condition.



7 Sportsground

7.1 Sportsground Category Definition

Land should be categorised as a Sportsground under Section 36(4) of the LGA if the land is used or proposed to be used primarily for active recreation involving organised sports or the playing of outdoor games.³¹

The opportunity to experience sportsgrounds and to participate in sport and other active recreation activities at sportsgrounds and multiple-use-sportsgrounds, is a benefit to individuals and to the community for many reasons. It is widely recognised that participation in sport, recreation and leisure pursuits is critical to the health and wellbeing of individuals, and that physical inactivity is an independent risk factor for a number of health conditions.³²

It is therefore important to preserve sportsgrounds and to plan their future improvement and maintenance.

The main sports played at Sportsgrounds and multiple-use-sportsgrounds covered within this CLPoM include:

- athletics.
- basketball
- cricket
- football
- hockey
- netball

- Oztag
- rugby union and rugby league
- softball
- swimming
- tennis

7.2 Sportsground Core Objectives

Relevant Core Objectives for the management of community land categorised as Sportsground are:

- to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- to ensure that such activities are managed having regard to any adverse impact on nearby residences.

7.3 Land included in the Sportsground Category

The land parcels categorised as Sportsground covered by this CLPoM include sports facilities being:

- Billy Dunn Park Gulgong.
- Dr Darton Memorial Park Kandos.
- Goolma Sports Ground.

- Gulgong Tennis Club.
- Rylstone Recreation Reserve.
- Rylstone Showground.

³¹ Local Government (General) Regulation 2021.

³² National Physical Activity Recommendations for Older Australians: Discussion Document, Australian Government Department of Health.



It is noted that from a community consultation process presented within Council's *Recreation Strategy* of 2013³³ (casting a 10-15-year planning horizon from that time), the region is generally well provided for with sportsgrounds and facilities.

All lands categorised Sportsground covered by this CLPoM, are listed in Appendix 5.



7.4 Sportsground Values

Values may be described as what is important or special about a place, in this case, a sportsground. These values which generally embrace social, environmental, economic and financial considerations, provide a strong foundation for the maintenance, protection and where required, enhancement of these values across the sportsgrounds of the region.

The region's Sportsgrounds directly contribute to community value by providing:

- structured and unstructured outdoor recreational opportunities, facilities and settings.
- places specifically built and set up to play organised sports that can be utilised for other active recreational pursuits when not used for organised sports.

³³ Mid-Western Regional Council Recreation Strategy 2013.



- venues for a range of associated activities surrounding the active sports playing areas, including play equipment, picnic areas, exercise equipment and practice areas.
- spaces for social gatherings, cultural activities and other events.
- contributions to social sustainability and the community's health and well-being.
- aesthetic contribution to the sense of openness, space and relief from the urban fabric.
- positive influences on the liveability and appeal of the local area.
- contributions to the visual and landscape character of the local area.
- opportunities to plan for future sporting and other active recreational needs.
- minimum negative impacts on neighbours and other community members.

7.5 Key Management Issues for Sportsgrounds

The key management issues for Sportsgrounds are:

- quality and maintenance standards of the playing surfaces.
- standard and functionality of the associated amenities.
- accessibility of the amenities.
- use of playing areas for exclusive use during designated times for organised games and/or training.
- community access to sport open for general community use at certain times out of designated times.
- managing conflicting uses shared uses, dogs on playing fields.
- impacts of sporting uses on neighbours including noise, parking, light spill, balls out of field, hours of operation.
- permissible activities in club houses including alcohol use.
- safe pedestrian access to sportsgrounds.
- planning for upgrades of playing surfaces and/or associated amenities.
- managing construction activities during upgrades to playing surfaces and/or associated amenities.
- costs of maintenance, management and upgrades.



- continuing decrease in participation in traditional organised sports both on and off the field, leading to under utilisation and increasing responsibility on Council in terms of management, maintenance and coordination.
- costs to traditional voluntary organisations of equipping, insuring and managing activities.
- complexity of management and increasing demands placed on voluntary organisations.

7.6 Desired Outcomes for Sportsgrounds

The desired outcomes for Sportsgrounds are:

- good quality sportsgrounds as community gathering places for active recreation.
- well-maintained sportsground playing surfaces.
- well-maintained surrounds around playing areas.
- change rooms and amenities in good condition suitable for sporting users and others.
- rolling program of sportsground upgrades and improvements.
- sportsgrounds and associated neighbours/neighbourhoods in harmony.

7.7 Permissible Uses and Development on Sportsgrounds

Sportsgrounds covered by this CLPoM may, subject to Council assessment, approvals and booking/hire systems, be used for the following: ³⁴

- access roads
- alternate energy technology
- amenities
- approved commercial or trade business
- art and cultural classes and events
- biodiversity enhancement
- canteens and kiosks
- car parking
- casual playing of games or informal sporting activities
- children's programs and events
- clubhouse amenities
- community events (fundraising/ charity events, special events)
- community notice signs
- court sports

- dog training and exercise
- drainage and irrigation
- emergency use
- equestrian activities and events
- fairs, markets and auctions
- filming and photography of events, speeches, concerts etc (commercial, amateur)
- fitness and wellbeing programs
- gala days and club meetings
- landscaping
- licensed bar, bistro and café
- low intensity cafes, restaurants and kiosks
- maintenance activities
- maintenance buildings and infrastructure

³⁴ Restaurants are not permitted on Crown land in this category.



- mobile food vendors
- music festivals/concerts
- natural areas
- organised playing of games
- organised sports competitions
- organised sports training
- outdoor film screening
- passive recreation
- paths
- personal training
- playing of a musical instrument, or singing, for fee or reward
- private events (i.e. weddings, birthdays)
- public performance, book launch or education
- public utility infrastructure
- recycling (return & earn stations)

- remediation works
- school hiring for recreational and educational purposes
- school recreation
- school sports/carnivals and recreation
- school vacation activities
- shade structures
- sponsorship signage (temporary)
- sports facilities
- storage and stockpiling of materials and equipment
- storage facilities
- temporary compounds
- temporary structures (i.e. marquees, tents, stages)
- visitor amenities
- water tanks
- youth programs and events.

7.8 Tenures on Sportsgrounds

Council may consider granting lease, licence, permit or other estate on community land categorised as Sportsground, consistent with the requirements of Section 3 of this CLPoM and the Objectives and Permissible Uses listed in Sections 7.2 and 7.7.

This CLPoM expressly authorises on lands categorised as Sportsgrounds:

- the issuing of permits for:
 - art and cultural classes and events
 - o children's programs and events
 - community events (fundraising/
 - charity events, special events)
 community notice signs
 - dog training and exercise
 - o fairs, markets and auctions
 - filming and photography of events, speeches, concerts etc (commercial, amateur)
 - o fitness and wellbeing programs
 - mobile food vendors
 - o organised playing of games
- the issuing of licences or hire agreements for: ³⁵
 - alternate energy technology

- o outdoor film screening
- o personal training
- playing of a musical instrument, or singing, for fee or reward
- private events (i.e. weddings, birthdays)
- public performance, book launch or education
- o school vacation activities
- sponsorship signage (temporary)
- temporary structures (i.e. marquees, tents, stages)
- youth and volunteer programs and events.
- art and cultural classes and

³⁵ Restaurants are not permitted on Crown land in this category.



- events
- o. fairs, markets and auctions
- filming and photography of events, speeches, concerts etc (commercial, amateur)
- o fitness and wellbeing programs
- gala days and club meetings
- mobile food vendors
- occupation and commercial use of licenced bars bistros and cafés
- occupation and commercial use of low intensity cafes, restaurants and kiosk
- occupation and use of canteens and kiosks
- occupation and use of sportsground facilities and amenities for sporting competitions or school sporting activities

- organised playing of games
- organised sports competitions
- o organised sports training
- o outdoor film screening
- o personal training
- playing of a musical instrument, or singing, for fee or reward
- private events (i.e. weddings, birthdays)
- public performance, book launch or education
- o school vacation activities
- o sponsorship signage (temporary)
- storage facilities
- temporary structures (i.e. marquees, tents, stages)
- visitor amenities
- youth and volunteer programs and events.
- the issuing of easements as required for utilities and access.
- issuing of a lease or licence for all or part of a sporting area to a club, organisation or individual for the purpose of operating and managing the facility.³⁶
- the issuing seasonal and casual permits/licences/agreements to sporting organisations for the use of the grounds, sporting fields and amenities.

This CLPoM specifically authorises:

- a short-term licence with Rylstone Kandos Street Machine Club Inc for the purpose of sporting & organised recreational facilities, entertainment, meetings and camping over Lot 7005 DP1023895 (R61218) expiring 16 January 2024.
- a short-term licence with Rylstone Kandos Street Machine Club Inc for the purpose of sporting & organised recreational facilities, entertainment, meetings and camping over Lot 7006 DP1023895 (R58899) expiring 16 January 2024.
- a licence with Gulgong and District Tennis Association for the purpose of tennis activities and tennis club house (R61206) expiring 30 June 2031.
- a licence with Mudgee District Tennis Club Inc for the purpose of tennis activities and tennis club house (Part R40891) expiring 30 June 2031.

³⁸ Any lease may require the party entering into a Service Agreement with Council to document and guarantee terms of community access and to outline the maintenance works to be undertaken by the lessee and Council. For example, a tennis facility may be leased to a club or professional coach via a service agreement. The agreement would state that the general public is to have access to the facility, provided that the required fee is paid, and that the facility is used appropriately. Users may not necessarily be members of a tennis club managing at the facility.



- a short-term licence with Rylstone Club Ltd for the purpose of sporting & recreational activities (Golf Club) over part lots 145 DP 755789 and Lot 2 DP 565936 (part R84185) expiring 2024.
- a licence with Rylstone Tennis Club Incorporated for the purpose of tennis activities & tennis club house over part lot 145 DP 755789 (part R84185) expiring 30 June 2031.

Development approval may be required for certain events and activities on community lands.



7.9 Performance Targets - Sportsground

Objective	Performance Targets ³⁷	Strategies	Performance Indicator
To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games.	Promote and facilitate an active community engaged in sport, with Sportsgrounds as community gathering places for organised games and/or training and other active recreational pursuits.	Consult the community to ensure Sportsgrounds' services and costs meet community needs. Continue to support Sports Councils (Mudgee, Gulgong, Rylstone/Kandos). Investigate opportunities for the promotion of the region's sporting facilities for sport related tourism.	Community involvement in proposal consistent with Council's community engagement strategies. Player statistics from Sportsground bookings, active club member activities indicate high level of participation in active recreation. Income achieved through use of Sportsgrounds is improved.
	Develop and upgrade built assets and playing surfaces where required, in accordance with the informal and organised needs of the region's sporting community.	Review the needs of Sportsgrounds covered by this CLPoM both in terms of infrastructure and grounds and amend Council's <i>Recreation Strategy 2013</i> and <i>Open Space and</i> <i>Recreational Asset Management Plan</i> , accordingly. Develop associated masterplans/capital works plans outlining proposed works to replace and/or improve Sportsground settings, built structures, playing surfaces and other facilities. Undertake the relevant approvals process for any proposed development to upgrade Sportsgrounds. Implement a rolling program of upgrade and improvements for relevant Sportsground facilities in accordance with approvals. Continue to consult regularly with Sports Councils and other sporting bodies and collate information on ongoing priorities for Sportsgrounds.	Master plans and/or landscape concept plans prepared. Works undertaken consistent with T&I SEPP requirements and industry standards. Feedback from Sportsground users, including Sports Councils, clubs and associations, indicate grounds in playable condition to support level of use. Works completed on budget to standards set by various plans. Procedural rights in relation to native title are complied with. All development on community land is undertaken in accordance with cultural heritage legislation.

³⁷ Performance Targets – to Achieve Core Objectives / Desired Outcomes



Objective	Performance Targets ³⁷	Strategies	Performance Indicator
	Maintain existing settings, infrastructure, and playing surfaces to suitable and acceptable standards to support the current level of use.	In accordance with Council's <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan</i> , develop maintenance schedules/plans to manage existing structures and grounds at Sportsgrounds consistent with specified maintenance standards for Council staff, contractors and industry standards.	Maintenance of capital works and playing surfaces at Sportsgrounds is adequate and accords with standards. Feedback from Sportsground users, including Sports Councils, clubs and associations, indicate grounds in playable condition to support level of use. Relevant safety audit complete and effectively implemented. No reports of human injury due to condition of facilities.
	Facilitate use of the sporting clubhouses etc and grounds at Sportsgrounds for long-term and short-term casual purposes through the granting of short-term leases and/or licences.	Review and as required, update Council's LLCPP ³⁸ , and PUP in line with this CLPoM for any leases/licences to reflect objectives for the management of Sportsgrounds, for all permissible activities (see Section 7.7). Maintain register of tenures for use of Sportsground facilities including playing surfaces and clubhouse facilities, Review Sportsground hire fees annually, based on a percentage of costs to maintain and improve playing areas,	Leases/licences issued in accordance with the requirements of the <i>LG Act 1993</i> for purpose consistent with the core objectives for Sportsgrounds. Register of leases/licences issued for seasona hire of sportsgrounds. Income achieved through use of Sportsgrounds is improved.
	Facilitate community access, comfort, enjoyment to/of Sportsgrounds and their surrounding settings for sport viewing and other passive recreational activities.	Review accessibility, pedestrian access and circulation, seating and landscape amenity and aesthetics and include these aspects in any master plan/landscape concept plan (discussed above) for any proposed upgrade or improvement works.	Appropriate master plans prepared. Feedback from Sportsground users, including Sports Councils, clubs and associations, and the general public indicate grounds are well accessed and comfortable.

38 Leases and Licences of Council Owned and Managed Land and Real Property Policy (2021): Mid-Western Regional Council



Objective	Performance Targets ³⁷	Strategies	Performance Indicator
To ensure that such activities are managed having regard to any adverse impact on nearby residences.	Manage activities associated with any major works to substantially upgrade or rebuild Sportsgrounds to avoid adverse impacts on nearby residences and other community lands adjacent.	Engage with the community prior to implementation of actions proposing major upgrade to Sportsgrounds. Undertake the relevant approvals process for any proposed development to substantially upgrade or rebuild sportsgrounds. Manage any construction activities to minimise negative impact on neighbours and adjacent community lands, especially regarding noise and visual impact, environmental considerations and other construction management issues.	Community involvement in proposal consistent with Council's Community Engagement Policy, Minimum negative impacts on neighbours and other community members.
	Manage day to day activities on Sportsgrounds regarding any adverse impacts on nearby residences and other community lands adjacent through the maintenance regimes, conditions of hire, on ground signs and other regulatory processes.	Prepare standard conditions of hire of Sportsgrounds which set out hours of use, acceptable behaviour, night training lights, advertising, use of alcohol, etc. Review signage around Sportsgrounds, including any parking signs, to ensure that they provide clear information regarding use.	Minimum negative impacts on neighbours and other community members.



8 General Community Use

8.1 General Community Use Category Definition

Land should be categorised as General Community Use (GCU) under Section 36(4) of the LGA if the land:

- may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and
- is not required to be categorised as a natural area under Section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 102–105 for categorisation as a Natural Area, a Sportsground, a Park or an area of Cultural Significance.³⁹

8.2 Core Objectives – General Community Use

Relevant Core Objectives for management of community land categorised as **General Community Use** are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

8.3 Land included in the GCU Category

The GCU land parcels covered by this CLPoM are generally larger in size than the Parks of the area, ranging in size from the small walkways in Mudgee, to the 3 Poles – a 19-hectare quarry site also near Mudgee. Their functions are wide ranging, from rest areas and community halls to old school grounds and car parks.

Being spatially larger, and generally more decentralised than the Parks of the Local Government Area which are more often located at or near towns and villages, GCU reserves may complement passive uses by the community between the towns and villages, for instance where they are more suitable for use by travelers, (eg. as resting spots, and activities such as walking, birdwatching etc.).

Similar to Parks, these reserves are frequently named after historical personalities of the locality such as Hargraves and Lawson, or, locality names including Weemaran Reserve, Goolma Hall, Gladstone Street Reserve etc.

These lands may represent an opportunity for development for community purposes as the community grows and needs change.

³⁹ Local Government (General) Regulation 2021 – NSW legislation



Refer to Appendix 6 for description of all GCU reserves covered by this CLPoM.

8.4 Values – General Community Use

Mid-Western

The values of GCU reserves are similar to those previously described for Parks, providing an opportunity for resting and unstructured recreation as well as space for nature, with important social and environmental benefits contributing to the liveability and character of the area. They enhance social sustainability and the health and well-being of the immediate community, as well as those travelers who pass by and through the region. GCU reserves provide opportunity for rest, visual amenity, walking. Although generally being more decentralised, unformed and larger in area, where they are located in or near villages, they may provide opportunities for future development and community use.

8.5 Key Management Issues for GCU Land

There are issues specific to each site, but the following generic list may be relevant:

- the generally decentralised and isolated nature of these reserves, predisposes them to a range
 of unique issues which impact on the ease and effectiveness of their care, maintenance, public
 health, safety and security.
- traffic and pedestrian access, parking, safety and security, particularly off major roads.
- conservation of landscape character and natural and cultural heritage.
- appropriateness of current use of the site the range of issues associated with existing facilities and settings.
- impact on neighbours, including hours of operation, particularly where public gatherings may occur such as for the community halls included in this category.
- impact on adjoining land uses, particularly rural and natural settings.
- bushfire management in terms of public safety and asset protection both on and off reserve.
- administration of the facilities where they exist- leasing, financial returns.
- future use of the site regarding matching of service provision with community needs.



8.6 Desired Outcomes for GCU Land

These include:

- facilities meet the needs of the community now and into the future.
- facilities and grounds are well managed.
- uses are compatible with adjoining land uses.
- local communities value and appreciate their reserves, and demonstrate "ownership", participating voluntarily with care, maintenance and security of the reserves through fundraising and on-ground action.
- good environment management using environmental values, where present, and in accordance with legislative requirements.
- issues of public safety are addressed through sound management.

8.7 Permissible Uses and Development on Land for General Community Use

GCU lands which are generally unvegetated or have structures currently built on them covered by this CLPoM may, subject to Council assessment, approvals and booking/hire systems, be used for the following:

- access roads
- alternate energy technology
- amenities
- approved commercial or trade business
- art and cultural classes and events
- biodiversity enhancement
- book launches
- camping and caravanning
- canteens and kiosks
- car parking
- casual playing of games or informal sporting activities
- child-care centre
- children's programs and events
- community events (fundraising/ charity events, special events)
- community notice signs
- court Sports
- dog training and exercise
- drainage and irrigation
- emergency use
- equestrian activities and events
- fairs, Markets and auctions

- filming and photography of events, speeches, concerts etc. (commercial, amateur)
- fitness and wellbeing programs
- gala days and club meetings
- grazing
- indoor and outdoor film screening
- landscaping
- licensed bar, bistro and café
- maintenance activities
- maintenance buildings and infrastructure
- mobile food vendors
- natural areas
- organised playing of games and sports
- passive recreation
- paths
- personal training
- playing of a musical instrument, or singing, for fee or reward
- private events (i.e. weddings, birthdays)
- public performance or education



- public utilities and/or works associated with relevant legislation (bushfire, telecommunications etc.)
- public utility infrastructure
- recycling (return & earn stations)
- remediation works
- rest areas
- school hiring for recreational and educational purposes
- school vacation activities
- shade structures

- sponsorship signage (temporary)
- sports facilities
- storage and stockpiling of materials and equipment
- storage facilities
- temporary compounds
- temporary structures (i.e. marquees, tents, stages)
- visitor amenities
- water tanks
- youth programs and events.

8.8 Tenures on General Community Use Lands

Council may consider granting lease, licence, permit or other estate on community land categorised as GCU consistent with the requirements of Section 3 of this CLPoM and the Objectives and Permissible Uses listed in Sections 8.2 and 8.7.

This CLPoM expressly authorises on lands categorised as GCU:

- the issuing of permits for:
 - art and cultural classes and events
 - o children's programs and events
 - community events (fundraising/charity events, special events)
 - dog training and exercise
 - filming and photography of events, speeches, concerts etc. (commercial, amateur)
 - o fitness and wellbeing programs
 - o fairs, markets and auctions
 - o mobile food vendors
 - organised playing of games
 - o indoor and outdoor film
- the issuing of licences or hire agreements for:
 - o access
 - alternate energy technology
 - art and cultural classes and events
 - o community notice signs
 - o fairs, markets and auctions
 - o filming and photography of
 - events, speeches, concerts etc (commercial, amateur)
 - fitness and wellbeing programs

- screening
- o personal training
- playing of a musical instrument, or singing, for fee or reward
- private events (i.e. weddings, birthdays)
- public performance, book launch or education
- sponsorship signage (temporary)
- temporary structures (i.e. marquees, tents, stages)
- youth and volunteer programs and events
- school vacation activities.
- o gala days and club meetings
- o grazing
- indoor and outdoor film screening
- o mobile food vendors
- occupation and commercial use of licenced bars, bistros and cafés
- occupation and commercial use of low intensity cafes, restaurants and kiosks



- occupation and use of canteens and kiosks
- occupation and use of facilities and amenities
- o organised playing of games
- o personal training
- playing of a musical instrument, or singing, for fee or reward
- private events (i.e. weddings, birthdays)

- public performance, book launch or education
- school vacation activities
- school vacation activities
- sponsorship signage (temporary)
- storage facilities
- temporary structures (i.e. marquees, tents, stages)
- youth and volunteer programs and events.

the issuing of easements as required for utilities and access.

This CLPoM specifically authorises:

- a licence with D.F Rogers & M.A Rogers for holiday accommodation, camping using a tent, caravan or otherwise over part Lot 145 DP 755789 (part R84185) currently on holdover.
- a memorandum of understanding with the Twin Town Players for rehearsals and auditions over Rylstone Memorial Hall (part R590070) ongoing until notice is given.

Development approval may be required for certain events and activities on community lands.

8.9 Performance Targets – General Community Use

Objective	Performance Targets ⁴⁰	Strategies	Performance Indicator
To promote, encourage public:	and provide for the use of the	e land, and to provide facilities on the land, to meet the current and future r	needs of the local community and of the wider
In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public	Promote, encourage and provide for the use of the land for public recreation and for the physical, cultural, social and intellectual welfare of individuals to meet the current needs of the local community and of the wider public.	 Keep community well informed about recreational facilities and settings, and other community facilities and settings used for the physical, cultural, social and intellectual welfare of individuals, on general community land through a variety of methods including signage, social media and Council's website. Analyse and scope GCU reserves and investigate options to address gaps (where they exist) in the provision of appropriate facilities and settings, prioritise required actions and amend existing plans (eg. <i>Recreation Strategy 2013</i> and <i>Open Space and Recreational Asset Management Plan</i>) accordingly. Develop master plan/landscape concept plan and associated project plan outlining any proposed works to improve or upgrade specific recreation and other community facilities, engaging with the community in the early stages. Ensure future public recreation facilities and other community facilities are managed in such a way that they increase their long-term viability. Encourage and enlist community participation in care and maintenance of key GCU reserves by conducting community discussions. Manage the land, assets, environmental outcomes, and bushfire hazards, in accordance with legislative requirements and existing plans. Protect and promote the cultural heritage and update and maintain relevant Aboriginal Heritage where present. 	Community feedback indicates high level of satisfaction regarding recreational and other community activities, facilities and settings on GCU land. Local community participate in joint programs of protection, care and maintenance of key assets/ reserves (eg. community halls). Relevant natural resource outcomes are achieved, and bushfire hazards managed in accordance with local bushfire management plans. All development on community land is undertaken in accordance with cultural heritage legislation. Master plans and/or landscape concept plans (if required) prepared incorporating identified landscape and heritage values.

40 Performance Targets - to Achieve Core Objectives / Desired Outcomes



Objective	Performance Targets ⁴⁰	Strategies	Performance Indicator
	Provide public recreation facilities and other community facilities on GCU reserves to meet the future needs of the local community and of the wider public.	Undertake the relevant approvals process for any proposed development to improve or upgrade recreation facilities and other community facilities. Implement actions as required.	Flexible facilities that support a range of community needs and diverse range of user groups. Master plans and/or landscape concept plans prepared. Works undertaken consistent with the T&J SEPP or EP&AA as required. Community involvement in proposal consistent with Council's Community Engagement Policy.
In relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).	Manage the use of the land, and any facilities on that land, in relation to purposes for which a lease, licence or other estate may be granted in respect of the land.	Review and as required, update Council's LLCPP ⁴¹ , and PUP in line with this CLPoM for any leases/licences to reflect objectives for the management of GCU reserves, for long- and short-term use, and casual use activities. Issue tenures accordingly, ensuring that proposed uses are appropriate to the nature, characteristics and sustainable capacity of the land. Maintain register of leases/licences for community land for GCU.	Leases/licences issued in accordance with the requirements of the LGA and Council's LLCPP, and PUP for purposes consistent with the core objectives for GCU. Effective records management system for tenures issued or major infrastructure. Register of leases/licences for GCU.

⁴¹ Leasing and Licencing of Council Property Policy (2015): Mid-Western Regional Council.





9 Natural Area

9.1 Natural Area Category Definition

Land should be categorised under Section 36(4) as Natural Area under the Act, if the land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative living system or other natural feature or attribute that would be sufficient to further categorisation into one or more of the following:⁴²

bushland

watercourse
 wetland.

- escarpment
 - foreshore

Land must be categorised as a natural area⁴³ which:

- has been declared a critical habitat, and/or which is directly affected by a recovery plan or threat abatement plan under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*,
- is the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the Council to warrant protection or special management considerations, or
- is the site of a wildlife corridor.

9.2 Core Objectives – Natural Area

The core objectives for management of community land categorised as a Natural Area⁴⁴ are to:

- conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
- maintain the land, or that feature or habitat, in its natural state and setting, and
- provide for the restoration and regeneration of the land, and
- provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and

⁴² S 102 Local Government (General) Regulation 2021.

⁴³ Land which is (1) directly affected by a recovery plan or threat abatement plan under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*, or (2) the site of a known natural, geological, geomorphological, scenic or other feature that is considered by the Council to warrant protection or special management considerations, or (3) is the site of a wildlife corridor, cannot be included under a generic PoM such as this CLPOM (see S. 36 A, B and C of the LGA, and Public Land Management Practice Note No. 1 (revised) May 2000: *NSW Department of Local Government*). Generic plans that applied to the land cease to apply once land is affected by threatened species laws noted above. In this circumstance, a new, specific PoM must be prepared that complies with the requirements. No change in the use of the land and no new lease or licence can be granted until the required specific PoM is made.

⁴⁴ S 36E of the LGA - NSW Legislation.



 assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the relevant state legislation.

9.3 Values – Natural Area

Natural Areas across the Mid-Western Regional Council Local Government Area have a common grouping of values, all of which contribute intrinsically to environmental outcomes specific to the category. These values also define more broadly, the quality of the interaction of the various elements of Natural Areas, by people who live and/or visit the Mid-Western Regional Council Local Government Area.

Aesthetic Values and Landscape Amenity

Although highly subjective as it applies to natural environments, aesthetic value is defined as a judgment of value based on the appearance of an object and the emotional responses it evokes. It essentially defines a response (by humans) to a position in the landscape initiated by a preliminary appreciation of visual characteristic, but extends to include sensory, experiential and emotional responses to a place.⁴⁵ The aesthetic values and landscape amenity frames the viewing, softens the aspect, defines the character and helps create the identity of a natural area.

Habitat, Heritage, and Scientific Opportunity

The Natural Areas within the Mid-Western Regional Council Local Government Area provide habitat for a number of important threatened species, endangered ecological communities and significant diversity of native flora and fauna.⁴⁶ Natural Areas provide corridors for the movement and survival of key native species from marine, estuarine and land-based geographies. Natural Areas provide a record of past ecosystems and their physiographical environment, most important for the monitoring of change and condition through scientific endeavour.

Environmental Protection

Natural Areas provide buffers:

- reducing impacts of the activities of adjoining areas on all ecosystem elements (terrestrial, aquatic, marine, flora, fauna),
- protecting and stabilising landscape components (eg. soils, vegetation),
- absorbing rainfall and reducing the amount of runoff from storms,
- filtering pollutants from both air and water, and

⁴⁵ Defining the Aesthetic Values of the Great Barrier Reef. February 2013: Report to Commonwealth Department of Sustainability, Environment, Water, Population and Communities.

⁴⁶ Note that Councils are required to be consulted by the relevant agency (National Parks and Wildlife Service or NSW Fisheries) when a draft recovery plan or threat abatement plan is made, or a declaration of critical habitat is proposed that will affect public land (Public Land Management Practice Note No. 1 (revised) May 2000: NSW Department of Local Government.).



absorbing carbon dioxide and assisting in mitigating climate change.

Cultural Heritage

Natural Areas may also capture a rich array of both tangible and intangible elements of cultural heritage. Folklore, traditions, language, and knowledge are time-generated and have important dependencies on landscape components such as mountain, geological formation, forest, creek, river, foreshore, and flora. Aboriginal occupation sites, quarries and scarred trees provide evidence of Aboriginal use of the landscape element and their cultural life. Similarly, non-Aboriginal history is evident in old paths, walking tracks and steps, abandoned mine sites, wells, and other structures, including industrial remnants now consumed by nature.⁴⁷

Recreational

Natural Areas are an accessible community resource, providing recreational opportunities for bushwalking, exercising, camping, viewing, birdwatching, swimming, paddling, cycling, art, and relaxation. All are critical components of community health. Appropriate planning should also identify when and where prescribed recreational uses are not appropriate, due to excessive and inappropriate pressures on identified key natural values.

Educational

Natural Areas also provide a valuable community resource for both formal and informal education, through an opportunity to experience nature and develop awareness and interest in the environment. The involvement of the community in the management of the future of these areas is becoming increasingly important especially since some decisions about future management are not easily resolved by scientific or economic grounds alone. The creation of awareness through experience therefore provides a valuable lifeline for ongoing support in the management of Natural Areas, to which the community may contribute.

7 Land that is the subject of a resolution by the Council that declares that where items of Aboriginal, historical or cultural significance are present, the land is an area of cultural significance. In these cases, the land cannot be dealt with under a generic plan and must have its own specific PoM.



10 Natural Area Bushland

10.1 Bushland Category Definition

Community land is categorised as Natural Area - Bushland (Bushland) under Sections 36(4) and 36(5) of the LG Act if the land contains primarily native vegetation which is:⁴⁸

- in its natural state or a remainder of the natural vegetation, or
- although not the natural vegetation, is still representative of the structure or floristics, of the natural vegetation in the locality.

10.2 Core Objectives - Bushland

The core objectives for management of community land categorised as Bushland⁴⁹ are to:

- ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and microorganisms) of the land and other ecological values of the land.
- protect the aesthetic, heritage, recreational, educational and scientific values of the land.
- promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion.
- restore degraded bushland.
- protect existing landforms such as natural drainage lines, watercourses and foreshores.
- retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term.
- protect bushland as a natural stabiliser of the soil surface.

10.3 Land included in the Bushland Category

Bushland ranges from non, moderately, or highly disturbed native vegetation featuring regeneration, regrowth, various structures including native shrubs, grassland and includes weeds, logs and leaf litter, all of which contain a range of habitats for native fauna.

Within this CLPoM, Bushland category lands occur across a significant range of geographies as small pocket-sized residual areas often providing significant habitat and connectivity to other areas assisting the mobility of fauna and flora. In addition to the natural values they provide, the colourful

⁴⁸ S 107 Local Government (General) Regulation 2021.

⁴⁹ S 36J of the LGA – NSW Legislation.



naming of many of these Bushland areas reflects a range of additional characteristics they exhibit. For example, Henry Lawson Reserve and Maitland Gold Fields, reflects and acknowledges the history of the area; Location and physiography is reflected in the naming of Wyaldra Creek Reserve, Sandy Banks Reserve, and Running Stream Reserve; The functionality (secondary uses) of some reserves is also well reflected in their naming, such as the Wollar Recreation Reserve, Rylstone Recreation Reserve, Palermo Recreation Reserve, Cherry Tree Hill Resting Place, and Mudgee Quarry.

In the LEP, Bushland zoning generally reflects characteristics of community land with limited development, dominantly being RU1 (Primary Production). However, Bushland category land is also zoned RE1 (Public Recreation), RU5 (Village), RU4 (Primary Production Small Lots), R5 (Large Lot Residential) and E3 (Environmental Management).

All Bushland lands are listed in Appendix 7.

10.4 Key Management Issues of Bushland lands

- fragmentation by clearing for developments
- edge effects from urban development
- weed invasion
- predation of native fauna by domestic animals
- bushfire hazard reduction
- plantings in Bushland Lands
- changing climate, especially fire hazard impact and management
- Illegal rubbish dumping

- ensuring effective signage
- unsustainable levels of recreation use which compromise Bushland values
- lack of appreciation, awareness and education regarding Bushland values
- encouraging and facilitating volunteers
- managing ongoing legislative responsibilities eg. vegetation, biodiversity, bushfires management.

10.5 Desired Outcomes for Bushland lands

The desired outcomes for Bushland lands are:

- the components of Bushland lands ecosystems are protected, and natural ecological processes reinstated to appropriate levels, as required.
- no-net-loss of bushland areas and maintenance of existing bushland qualities for biodiversity, shade, and aesthetic value.
- safe and appropriate public access and enjoyment are facilitated without compromising other objectives.
- community education and involvement in Bushland land management, are enhanced.
- where they exist, cultural heritage values, including aboriginal, historic, aesthetic, scientific and social, are protected.
- where it exists, infrastructure including amenities, picnic areas and other recreation areas in a variety of settings are well considered and maintained.



 all land management including works occurs appropriately and in accordance with required legislation.

10.6 Permissible Uses and Development on Bushland lands

Bushland areas covered by this CLPoM may, subject to Council assessment, approvals and booking/hire systems and reserve purpose, be used for the following:

- access roads
- alternate energy technology
- biodiversity enhancement
- dog training and exercise
- drainage
- emergency use
- filming and photography of events, speeches, concerts etc. (commercial, amateur)
- fitness and wellbeing programs
- grazing
- maintenance activities

- natural areas
- passive recreation
- paths
- personal training
- public utilities and/or works associated with relevant legislation (bushfire, telecommunications etc.)
- public utility infrastructure
- recycling (return & earn stations)
- remediation works
- rest areas
- temporary compounds

10.7 Tenures on Bushland land

Council may consider granting lease, licence, permit or other estate on community land categorised as Bushland consistent with the requirements of Section 3 of this CLPoM and the Objectives and Permissible Uses listed in Sections 10.2 and 10.6.

This CLPoM expressly authorises on undeveloped lands categorised as Bushland:

- the issuing of permits for:
 - dog training and exercise
 - filming and photography of events, speeches, concerts etc.
- The issuing of licences or hire agreements for:
 - o access
 - biodiversity enhancement
 - filming and photography of events, speeches, concerts etc. (commercial, amateur)
 - o fitness and wellbeing programs

- (commercial, amateur)
- fitness and wellbeing programs
- o personal training.
- o grazing
- personal training
- o playing of a musical
- instrument, or singing, for fee or reward.
- the issuing of easements as required for utilities and access.



This CLPoM specifically authorises:

- a temporary licence to Mudgee District Environment Group Incorporated for the purposes of conservation & land care activities over Adams Lead reserve (R95817), ongoing until notice is given.
- a short-term licence to Bowdens Silver for access through a reserve and site investigations over Ropes Reserve (R120049), expiring 25 July 2024.
- a licence from the Minister to D & K Jones for the purposes of pump site and pipeline over part
 of Gardiners Road Reserve (R95606), ongoing until notice is given.
- a permissive occupancy from the Minister to Kurtz for the purposes of pump site and pipeline over part of Cullenbone Reserve (R75518), ongoing until notice is given.

Development approval may be required for certain events and activities on community lands.



10.8 Performance Targets - Natural Area Bushland

Objectives	Performance Targets ⁵⁰	Strategies	Performance Indicator
To ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land.	Ensure the components of Bushland ecosystems are protected, and natural ecological processes reinstated to appropriate levels as required. Protect and maintain the habitat of any Threatened Species or Endangered Ecological Community. Ensure Bushland areas which require priority action, are identified.	Assess key environmental pressures which threaten Bushland values, develop preventative and restorative plans for priority areas, add budgets accordingly and implement priority measures. Adequately consider any proposed development on or near the Bushland area, ensuring the objectives of management of this area are not compromised. As required, responsibly undertake a targeted control of priority weeds which threaten the native shrub lands and trees. Identify and manage Threatened Species, their habitat or Endangered Ecological Communities consistent with the requirements of state legislation. With local Bushfire Management authority, implement the relevant components of the respective Local Bushfire Management Plan. Identify priority reserves which support elements of more significant native vegetation and habitat requiring protection; in need of increased shade levels (for cooling purposes): or offer good corridor opportunities for wildlife corridor establishment/ improvement and target vegetation actions accordingly. Ensure rubbish is routinely removed and illegal rubbish dumping activities are minimised by effective signage and compliance. Regular inspection by Council officers.	Plans effectively implemented and current/ongoing threats to ecological viability minimised. Biodiversity values and natural habitat maintained and/or showing positive responses to on-ground actions. Bushfire hazard reduction requirements and works effectively implemented without significant bushfire damage to Bushland values. The right trees are established (or managed) in the right places.

⁵⁰ Performance Targets - to Achieve Core Objectives / Desired Outcomes



Objectives	Performance Targets ⁵⁰	Strategies	Performance Indicator
To protect the aesthetic, heritage, recreational, educational and scientific values of the land.	Cultural heritage values, including aboriginal, historic, aesthetic, scientific and social, are protected and are appropriately managed.	Master plans and/or landscape concept plans prepared incorporating identified landscape and heritage values on Bushland areas as required. Engage the community during early stages of developing masterplans. Implement plans accordingly.	Significant cultural, historical, social, recreational and scientific items of significance located in Bushland areas are retained and appropriately managed into the future. The community is involved in decisions and implementation.
To promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion.	Advise and direct the community in its use and enjoyment of Bushland areas to protect their ecological value. Ensure new and existing infrastructure meets the needs of the community in its use of Bushland areas. Enhance community education and involvement in Bushland Land management. Ensure strong involvement of the community in Bushland management.	Install effective signage which not only safely directs, but also effectively informs and educates the community on Bushland values. Consistent with the identification of priority areas (see action above), conduct appropriate plantings/establishment of native vegetation as required. Develop plans to create safe and appropriate public access and associated amenities (including walking paths, picnic and barbecue settings) without compromising other objectives. Involve the community in decision making to ensure strategies and plans which protect Bushland values are effective, for example through the creation of local Bush Care groups where interest exists. Undertake required works consistent with T&I SEPP.	Visitations to Bushland areas and involvement of the community in Bushland management, shows improvement. The community's use of Bushland areas does not impact on the values, quality and natural habitat of the land. Community action in targeted revegetation in critical areas, is enhanced.



Objectives	Performance Targets ⁵⁰	Strategies	Performance Indicator
To restore degraded Bushland.	Restore priority Bushland areas as required. Ensure Bushland values are not compromised by invasive plant species, bushfire and other pressures.	Identify key Bushland areas which are under significant threat and develop restorative plans, allocate budget and implement priority works. Consistent with the identification of priority areas (see action above), conduct appropriate plantings/establishment of native vegetation as required. Replant critical Bushland areas to native species where it has been	Plans to restore degraded Bushland are continuously and effectively implemented. Weed control, re-establishment of bushland maintained and/or showing positive responses to on-ground action. Bushfire fuel levels are adequately
		cleared/destroyed below reasonable thresholds. As required, undertake a targeted control of priority weeds which threaten the native shrub lands and trees. With local Bush Fire Management Authority, implement the relevant components of the Local Bushfire Management Plan. Where possible, enlist community support in bushland rehabilitation such as plantings and regrowth management. Regular inspection by Council officers.	managed and implementation of required bushfire management works effective. Community involvement in decision making for Bushland management is increased.
To protect existing landforms such as natural drainage lines, watercourses and foreshores.	Retain and enhance all native vegetation within the Bushland area,	Identify and protect important landforms such as riparian areas, creeks, gullies and steep landforms and appropriately manage native vegetation for their stabilisation. Adequately consider any proposed development on or near the reserve, ensuring any of the objectives for management of areas categorised Bushlands are not compromised. As required, adopt appropriate weed control strategies. Regular inspection by Council officers.	Developments do not impinge on Bushland values on key landforms. Required works and measures implemented effectively. Weed control, re-establishment of bushland on existing key maintained and/or showing positive responses to on-ground action.





Objectives	Performance Targets ⁵⁰	Strategies	Performance Indicator
To retain Bushland in parcels of a size and configuration that will enable the existing plant and animal	Ensure Bushland integrity and connectivity is maintained to satisfactory thresholds, below which significant declines in	Adequately consider any proposed development on or near the reserve, ensuring any of the objectives for management of areas categorised Bushlands are not compromised. Undertake required works consistent with T&I SEPP.	No declines in Bushland values occur due to ongoing uses and developments. Required works and measures implemented effectively.
communities to survive	Bushland values would		implemented effectively.
in the long term.	otherwise occur.	As required, adopt appropriate weed control strategies.	Weed control, re-establishment of bushland on existing key maintained and/or
	1	Regular inspection by Council officers.	showing positive responses to on-ground action.
To protect bushland as a natural stabiliser of the soil surface.	Retain and enhance all native vegetation within the Bushland area in order	Identify causes of inappropriate soil erosion due to authorised or unauthorised use (eg. Trail and mountain bikes, 4WD vehicles etc.).	No significant sheet, rill or gully erosion occurs during rainfall events.
	to address any existing or potential soil erosion	Install effective signage that effectively informs, educates and directs the community on Bushland values, especially soil erosion and degradation.	Positive responses to on-ground actions.
	issues.		No inappropriate use of Bushland areas by
		Identify and treat areas showing excessive soil erosion due to use,	the community, especially on tracks, steep
		development or inappropriate use by the community.	slopes etc.
		Regular inspection by Council officers.	



11 References

Crown Land Management Act 2016: www.industry.nsw.gov.au/lands/what-we-do/legislation-policies/the-crown-land-management-act-2016.

Crown Land Management Regulation 2018 5.31: https://www.legislation.nsw.gov.au/#/view/regulation/2018/88

Department of Local Government (2000): *Practice Note No.1, Public Land Management, Amended May 2000.* <u>https://www.olg.nsw.gov.au/wp-content/uploads/2020/03/Public-Land-Management-Practice-Note.pdf</u>

Regional Economic Development Strategy 2019-2022: Mid-Western Regional Council.

Local Environmental Plan 2012: Mid-Western Regional Council.

Local Government (General) Regulation 2021 - NSW legislation.

Local Government Act, 1993: Amended by the Local Government (Community Land Amendment) Act 1998. NSW Government: <u>http://www.legislation.nsw.gov.au/</u>

Towards 2040 - Mid Western Region Community Plan. Mid-Western Regional Plan.



12 Appendices

- 1. Local Environment Plan objectives and permitted activities of RE1 and RU5 zoned lands described within this CLPoM.
- 2. State Environmental Planning Policies more relevant to the community land, Mid-Western Regional Council area.
- 3. Core objectives for categories of Community Land.
- 4. Names and Descriptions of Park lands described within this CLPoM.
- 5. Names and Descriptions of Sportsground lands described within this CLPoM.
- 6. Names and Descriptions of General Community Use lands described within this CLPoM.
- 7. Names and Descriptions of Natural Area Bushland lands described within this CLPoM.
- 8. Category Plans for Sites with more than a single category.





LOCAL ENVIRONMENT PLAN OBJECTIVES AND PERMITTED ACTIVITIES ON RE1 AND RUS ZONED LAND

Land Zoned RE1

The objectives of the RE1 - Public Recreation zone are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.

On land zoned RE1, the following activities are permitted without consent:

- environmental protection works
- water reticulation systems.

roads

On land zoned RE1, the following activities are permitted with consent:

- aquaculture
- boat launching ramps
- boat sheds
- camping grounds
- charter and tourism boating facilities
- community facilities
- environmental facilities
- flood mitigation works
- helipads
- information and education facilities
- kiosks

markets

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- recreation areas
- recreation facilities (indoor)
- recreation facilities (major)
- recreation facilities (outdoor)
- research stations
- restaurants or cafes
- sewerage systems
- signage
- water recreation structures.

On land zoned RE1 all other development is prohibited, subject to State and Regional Environmental Planning Policies that apply to this land.

Land Zoned RU5

The objectives of the RU5 - Village zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development that is sustainable in terms of the capacity of infrastructure within villages.

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Plan of Management Community Land

On land zoned RU5, the following activities are permitted without consent:

- environmental protection works
- home-based child care
- home businesses
- home occupations

- roads
- water reticulation systems.

On land zoned RU5, the following activities are permitted with consent:

- bee keeping
- centre-based child care facilities
- community facilities
- dwelling houses
- neighbourhood shops
- oyster aquaculture
- places of public worship
- recreation areas
- recreation facilities (indoor)

- recreation facilities (outdoor)
- respite day care centres
- schools
- tank-based aquaculture
- any other development not permitted without consent or prohibited, subject to State and Regional Environmental Planning Policies that apply to this land

On land zoned RU5, the following activities are prohibited:

- advertising structures
- agriculture
- air transport facilities
- airstrips
- animal boarding or training establishments
- biosolids treatment facilities
- boat building and repair facilities
- cellar door premises
- correctional centres
- crematoria
- extractive industries
- farm buildings
- farm stay accommodation
- forestry

- hazardous storage establishments
- heavy industries
- jetties
- livestock processing industries
- local distribution premises
- offensive storage establishments
- open cut mining
- rural workers' dwellings
- sawmill or log processing works
- sex services premises
- stock and sale yards
- waste disposal facilities
- waste or resource transfer stations
- water recreation structures



Plan of Management Wellington Park

Appendix 2

RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP Exempt) provides that certain types of works do not require development consent under Part 4 of the EP&A Act. The General Exempt Development Code is set out in Division 1 of the SEPP Exempt, providing the limitations and conditions of the exemptions. They include:

- Access Ramps
- Advertising and signage
- Aerials, antennae and communication dishes
- Air-conditioning units
- Animal shelters
- Aviaries
- Awnings, blinds and canopies
- Balconies, decks, patios, rotundas, terraces and verandahs
- Barbecues and other outdoor cooking structures
- Bollards
- Charity bins and recycling bins
- Earthworks, retaining walls and structural support

- Fences
- Flagpoles
- Footpaths, pathways and paving
- Fowl and poultry houses
- Garbage bin storage enclosure
- Hot water systems
- Landscaping structures
- Minor building alterations
- Mobile food and drink outlets
- Playground equipment
- Screen enclosures
- Sculptures and artworks
- Temporary uses and structures
- Waste storage containers

Section 1-16 of Division 2 of the SEPP Exempt provides the General Requirements for exempt development.

State Environmental Planning Policy (Resilience and Hazards) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 (R&H SEPP) commenced in New South Wales on 1 March 2022 consolidating three earlier SEPPs focused on employment and advertising. The R&H SEPP focuses on:

 Coastal management for land use planning within the coastal zone consistent with the Coastal Management Act 2016 and defines the coastal zone and establishes state-level planning priorities and development controls to guide decision-making for development within the coastal zone.

The aim of this Policy is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*, including the management objectives for each coastal management area, by—

a managing development in the coastal zone and protecting the environmental assets of the coast, and



- b. establishing a framework for land use planning to guide decision-making in the coastal zone, and
- c. mapping the four coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the *Coastal Management Act 2016*.
- the management of Hazardous and offensive development.
- the provision of a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

State Environmental Planning Policy (Transport and Infrastructure) 2021

The State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) commenced in New South Wales on 1 March 2022 consolidating 4 earlier SEPPs focused on employment and advertising. The T&I SEPP focuses on:

 Planning rules and controls for infrastructure in NSW, such as for hospitals, roads, railways, emergency services, water supply and electricity delivery.

The T&I SEPP provides that certain types of works do not require development consent under Part 4 of the *Environmental Planning and Assessment Act 1979*.

Section 2.20 of the T&I SEPP provides that a range of works are "exempt development" when carried out for or on behalf of a public authority. These works are itemised in Schedule 1 of the SEPP and include paths and ramps for disabled access, fencing, firefighting emergency equipment, small decks, prefabricated sheds of up to 30m² in area, retaining walls up to 2m in height, landscaping including paving and access tracks, minor external and internal alterations to buildings, open car parks (size is not specified) and demolition of buildings covering an area of up to 100m².

Section 2.73 of the T&I SEPP further provides that Development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Crown land manager of the land if the development is for the purposes of implementing a plan of management adopted for the land in accordance with the LG Act. Further, any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council:

- a. development for any of the following purposes:
 - i. roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges
 - ii. recreation areas and recreation facilities (outdoor), but not including grandstands
 - iii. visitor information centres, information boards and other information facilities
 - lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard
 - v. landscaping, including landscape structures or features (such as artwork) and irrigation systems
 - vi. amenities for people using Wellington Park, including toilets and change rooms
 - vii. food preparation and related facilities for people using Wellington Park
 - viii maintenance depot,
 - ix. portable lifeguard towers.



- b. environmental management works
- c. demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area).
- Educational establishments and childcare facilities containing planning for child-care centres, schools, TAFEs and Universities.
- Major infrastructure corridors containing planning controls and reserves land for the protection of the 3 North South Rail Lines, South West Rail Link extension and Western Sydney Freight Line corridors.
- Three ports containing the land-use planning and assessment framework for Port Botany, Port Kembla and the Port of Newcastle.

State Environmental Planning Policy (Industry and Employment) 2021

The State Environmental Planning Policy (Industry and Employment) 2021 (I&E SEPP) commenced in New South Wales on 1 March 2022 consolidating 2 earlier SEPPs focused on employment and advertising. The I&E SEPP focuses on:

- Western Sydney employment area' contains planning rules and controls for the employment land within the Western Sydney
- Advertising and signage ensuring that signage (including advertising):
 - (i) is compatible with the desired amenity and visual character of an area, and
 - (ii) provides effective communication in suitable locations, and
 - (iii) is of high-quality design and finish.
 - to regulate signage (but not content) under Part 4 of the Act, and
 - to provide time-limited consents for the display of certain advertisements, and
 - to regulate the display of advertisements in transport corridors, and
 - to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.



State Environmental Planning Policy (Biodiversity and Conservation) 2021

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 (B&C SEPP) commenced in New South Wales on 1 March 2022 consolidating 11 earlier SEPPs focused on biodiversity and conservation. The B&C SEPP focuses on:

- Vegetation in non-rural areas containing planning rules and controls relating to the clearing of native vegetation in NSW on land zoned for urban and environmental purposes.
- Koala habitat protection:
 - across NSW core rural zones of RU1, RU2 and RU3 except within the Greater Sydney and Central Coast areas, and
 - within Metropolitan Sydney and the Central Coast and applies to all zones except RU1, RU2 and RU3.
- Environmental planning and assessment along the Murray River.
- Bushland in urban areas containing provisions to protect and preserve bushland within public open space zones and reservations.
- Prohibition of canal estate development.
- Water quality objectives in the Sydney drinking water catchment.
- Protect the environment of the Hawkesbury–Nepean River system.
- Management and improvement of environmental outcomes for Sydney Harbour and its tributaries.
- Management and promotion of integrated catchment management policies along the Georges River and its tributaries.
- Protection, conservation and management of the Willandra Lakes Region World Heritage Property.

State Environmental Planning Policy (Housing) 2021

The *State Environmental Planning Policy (Housing) 2021* (HSEPP) commenced in New South Wales on 1 March 2022 consolidating 5 earlier SEPPs focused on affordable housing. The HSEPP focuses on:

- development for affordable housing, and
- diverse housing including:
 - secondary dwellings
 - o group homes



- co-living housing
- build to rent housing
- housing for seniors and for people with a disability
- o short term accommodation the aim of which is to:
 - support short-term rental accommodation as a home-sharing activity and contributor to local economies, while managing the social and environmental impacts from this use,
 - provide for the safety of users of short-term rental accommodation who may be less familiar with the dwelling,
 - clarify the types of housing that may be used for the purposes of short-term rental accommodation.
- o conversion of certain serviced apartments
- manufactured home estate
- caravan parks the aim of which is to encourage
 - the orderly and economic use and development of land used or intended to be used as a caravan park catering exclusively or predominantly for short-term residents (such as tourists) or for long-term residents, or catering for both, and
 - the proper management and development of land so used, for the purpose of promoting the social and economic welfare of the community, and
 - the provision of community facilities for land so used.
 - the protection of the environment of, and in the vicinity of, land so used.
- temporary emergency accommodation
- residential accommodation for flood recovery.





CORE OBJECTIVES FOR CATEGORIES OF COMMUNITY LAND (Local Government Act 1993):

36E Core objectives for management of community land categorised as a natural area

The core objectives for management of community land categorised as a natural area are:

- (a) to conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a natural area, and
- (b) to maintain the land, or that feature or habitat, in its natural state and setting, and
- (c) to provide for the restoration and regeneration of the land, and
- (d) to provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion, and
- (e) to assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in a recovery plan or threat abatement plan prepared under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*.

36F Core objectives for management of community land categorised as a sportsground

The core objectives for management of community land categorised as a sportsground are:

- to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- (b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

36G Core objectives for management of community land categorised as a park

The core objectives for management of community land categorised as a park are:

- (a) to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- (b) to provide for passive recreational activities or pastimes and for the casual playing of games, and
- (c) to improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

36H Core objectives for management of community land categorised as an area of cultural significance

- (1) The core objectives for management of community land categorised as an area of cultural significance are to retain and enhance the cultural significance of the area (namely its Aboriginal, aesthetic, archaeological, historical, technical or research of social significance) for past, present or future generations by the active use of conservation methods.
- (2) Those conservation methods may include any or all of the following methods:
 - (a) the continuous protective care and maintenance of the physical material of the land or of the context and setting of the area of cultural significance.



- (b) the restoration of the land, that is, the returning of the existing physical material of the land to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.
- (c) the reconstruction of the land, that is, the returning of the land as nearly as possible to a known earlier state.
- (d) the adaptive reuse of the land, that is, the enhancement or reinforcement of the cultural significance of the land by the introduction of sympathetic alterations or additions to allow compatible uses (that is, uses that involve no changes to the cultural significance of the physical material of the area, or uses that involve changes that are substantially reversible or changes that require a minimum impact).
- (e) the preservation of the land, that is, the maintenance of the physical material of the land in its existing state and the retardation of deterioration of the land.
- (3) A reference in subsection (2) to land includes a reference to any buildings erected on the land.

361 Core objectives for management of community land categorised as general community use

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

36J Core objectives for management of community land categorised as bushland

The core objectives for management of community land categorised as bushland are:

- (a) to ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna (including invertebrates, fungi and micro-organisms) of the land and other ecological values of the land, and
- (b) to protect the aesthetic, heritage, recreational, educational and scientific values of the land, and
- (c) to promote the management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures directed to minimising or mitigating any disturbance caused by human intrusion, and
- (d) to restore degraded bushland, and
- (e) to protect existing landforms such as natural drainage lines, watercourses and foreshores, and
- (f) to retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term, and
- (g) to protect bushland as a natural stabiliser of the soil surface.

36K Core objectives for management of community land categorised as wetland

The core objectives for management of community land categorised as wetland are:

(a) to protect the biodiversity and ecological values of wetlands, with particular reference to their



hydrological environment (including water quality and water flow), and to the flora, fauna and habitat values of the wetlands, and

- (b) to restore and regenerate degraded wetlands, and
- (c) to facilitate community education in relation to wetlands, and the community use of wetlands, without compromising the ecological values of wetlands.

36L Core objectives for management of community land categorised as an escarpment

The core objectives for management of community land categorised as an escarpment are:

- (a) to protect any important geological, geomorphological or scenic features of the escarpment, and
- (b) to facilitate safe community use and enjoyment of the escarpment.

36M Core objectives for management of community land categorised as a watercourse

The core objectives for management of community land categorised as a watercourse are:

- (a) to manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows, and
- (b) to manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability, and
- (c) to restore degraded watercourses, and
- (d) to promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

36N Core objectives for management of community land categorised as foreshore

The core objectives for management of community land categorised as foreshore are:

- (a) to maintain the foreshore as a transition area between the aquatic and the terrestrial environment,
- and to protect and enhance all functions associated with the foreshore's role as a transition area, and
 (b) to facilitate the ecologically sustainable use of the foreshore, and to mitigate impact on the foreshore by community use.



Appendix 4

PARKS DESCRIBED WITHIN THIS PLAN OF MANAGEMENT

Name	Location	Area		Parcel	s)	Zone	Category	Owner	Reserve	Reserve Purpose
		(m ²)	Lot	Sec	DP		CONTRACT.		No	(Gazette Date)
George Campbell Park	Bombira	6,751	18		747912	R2	Park	Council		
Hone Creek Reserve	Caerleon	835	157	-	1219918	R1	Park	Council		
Clandulla Sportsground	Clandulla	32,898	170		755765	RU5	Park	Crown	R55623	Public Recreation (1/9/1922)
Anzac Park	Gulgong	5,387	12	28	758482	RE1	Park	Crown	R62055	Public Recreation (22/8/1930)
	1.00	1.1.1.1	13	28	758482	RE1	Park	Crown		a and the same the sub-strength
			7	28	758482	RE1	Park	Crown		
			15	28	758482	RE1	Park	Crown	1	
			9	28	758482	RE1	Park	Crown]	
			10	28	758482	RE1	Park	Crown	1	
			11	28	758482	RE1	Park	Crown]	
			14	28	758482	RE1	Park	Crown]	
			7011		1026305	RE1	Park	Crown		
Apex Park	Gulgong	506	8	6	758482	RE1	Park	Council		
		127	6c	6	758482	E1	Park	Council		
		1,012	7	6	758482	RE1	Park	Council		1
Coronation Park	Gulgong	721	5	2	758482	RE1	Park	Council		
Flirtation Hill	Gulgong	6,294	7302	1	1146508	RE1	Park	Crown	R86031	Public Recreation (28/10/1966)
Frank Halloran Park	Gulgong	5,528	7302		1138895	RE1	Park	Crown	R84963	Preservation of Graves (31/7/1964)
Gorrie Park	Gulgong	1,182	42		262671	RE1	Park	Council		
J H Stahl Park	Gulgong	930	487		721775	RE1	Park	Crown	R120018	Public Recreation (24/12/1986
Pearls Park	Gulgong	3,256	39	_	260746	RE1	Park	Council		
The Peoples Park	Gulgong	77,510	139		755434	RE1	Park	Crown	R520036	Public Recreation (24/10/1882
Louisa Park	Hargraves	2,194	175	-	756885	RU5	Park	Crown	R87511	Public Recreation
			7012		1115350	RU5	Park	Crown		(21/11/1969)
Darton Park	Kandos	2,783	7008		1124393	RU5	Park	Crown	R87121	Public Recreation (28/3/1969)
Ilford Road Reserve	Kandos	1,886	285		45384	RU5	Park	Crown	R96671	Public Recreation (25/3/1983)
Kandos Pool Rotary Park	Kandos	20,195	258		755789	RU5	Park	Crown	R85088	Public Baths (6/11/1964)
White Crescent Park	Kandos	1,550	22	4	8161	RU5	Park	Council	-	
	1.	2,109	24	8	8161	RU5	Park	Council		



Name	Location	Area		Parcel(s)	Zone	Category	Owner	Reserve	Reserve Purpose
		(m ²)	Lot	Sec	DP				No	(Gazette Date)
Williamson Park	Kandos	1,191	17	7	8161	RU5	Park	Council		
		1,002	18	7	8161	RU5	Park	Council	· · · · · · · · · · · · · · · · · · ·	
Garner Street Reserve	Lue	21,270	25		1140863	RU5	Park	Council		
Swanston Street Park	Lue	2,261	7004		1055577	RU1	Park	Crown	R83290	Children's Playground (28/7/1961)
Apex Park	Mudgee	607	1		230349	RE1	Park	Council		
		620	2		230349	RE1	Park	Council		
Blackman Park	Mudgee	11,911	394		756894	RE1	Park	Crown	R700000	Public Park (8/3/1963)
		1	395		756894	RE1	Park	Crown	· · · · · ·	
		803	12		225919	RE1	Park	Council		
	All I and	493	13		225919	RE1	Park	Council		
		2,150	14		225919	RE1	Park	Council		-
Carmichael Park	Mudgee	2,242	14		828370	RE1	Park	Council		
Chapman Park	Mudgee	1,077	8		248938	RE1	Park	Council		
Collyer Park	Mudgee	3,267	19		802144	RE1	Park	Council		
	141	2,005	19		788035	RE1	Park	Council		
Dewhurst Reserve	Mudgee	366	24		789072	RE1	Park	Council		
		8,343	706		808598	RE1	Park	Council		
		396	14		793691	RE1	Park	Council		
		1,139	30		813888	RE1	Park	Council		
		7,941	15		793691	RE1	Park	Council		
		3,266	19		261385	RE1	Park	Council		
		4,460	113		264562	RE1	Park	Council		
		107	20	_	737423	RE1	Park	Council		
		2,079	312		739789	RE1	Park	Council		
		5,436	2		702948	RE1	Park	Council		
	1	13,070	510		787908	RE1	Park	Council		
Donnelly Park	Mudgee	3,559	17		810434	RE1	Park	Council		
Flirtation Hill	Mudgee	104,347	7300		1129228	RE1	Park	Crown	R520082	Public Recreation (7/5/1886)
Gilbey Park	Mudgee	2,106	345		1106854	RE1	Park	Council		
Interact Park	Mudgee	1,024	8		230260	RE1	Park	Council		
Lahy Court Reserve	Mudgee	63	92	A	836490	RE1	Park	Council		



Name	Location	Area		Parcel(s)	Zone	Category	Owner	Reserve	Reserve Purpose
		(m ²)	Lot	Sec	DP			10000	No	(Gazette Date)
Lawson Park	Mudgee	57,687	1	74	758721	RE1	Park	Crown	R520083	Public Recreation (17/1/1894)
	1	3,483	1	54A	758721	RE1	Park	Crown	R520084	Addition - Public Recreation (11/9/1912)
and the second se		681	1		787930	RE1	Park	Council		
Lions Park	Mudgee	8,047	57		248275	RE1	Park	Council		
	1.	5,653	7		239875	RE1	Park	Council		
		3,276	41	_	262863	RE1	Park	Council		
Loy Avenue Reserve	Mudgee	1,551	2		1176841	RE1	Park	Council		
Macquarie Drive Reserve	Mudgee	7,994	47		862452	R1	Park	Council		
Matilda Park	Mudgee	38,010	340		1194168	RE1	Park	Council		A day have a start
Memorial Park	Mudgee	4,147	20	8	758721	RE1	Park	Crown	R700001	Public Park (8/3/1963)
			19	8	758721	RE1	Park	Crown		
Moufarrige Park	Mudgee	3,174	49		262657	RE1	Park	Council		
Mulgoa Park	Mudgee	1,909	36	1	585586	RE1	Park	Council		
Mulley Park	Mudgee	6,425	53		802483	RE1	Park	Council		
		160	18		1120592	R1	Park	Council		
Nicholson Street Reserve	Mudgee	18,810	47		1065134	RE1	Park	Council		
Norm King Park	Mudgee	1,571	11		1182613	R1	Park	Council		
Redbank Park	Mudgee	2,323	6		261191	RE1	Park	Council		
		1,129	10		261247	RE1	Park	Council		
Robertson Park	Mudgee	14,432	4		727197	RE1	Park	Crown	R520037	Public Recreation (16/8/1890)
Weemaran Reserve	Mudgee	230	91		812546	RE1	Park	Council		
White Circle Reserve	Mudgee	9,021	254		1167671	RE1 R1	Park	Council	ST 1991	
Coomber Street Park	Rylstone	2,535	16	9	758891	RUS	Park	Crown	R86671	Children's Playground
	1 Sec. 1 (1997)		17	9	758891	RU5	Park	Crown		(29/3/1968)
Rylstone Rotary Park	Rylstone	9,867	7001	1000	1023891	RU5	Park	Crown	R60834	Public Recreation (30/11/1928)
		15,200	7300	- 21	1140929	RU5	Park	Crown		
Rylstone Showground ⁵¹	Rylstone	1,328	9	2B	758891	RU5	Park	Crown	R83503	Public Recreation (6/10/1961)
		7,669	7014		1023898	RU5	Park	Crown		
	a descent sector and	1,379	7013	i 4	1023898	RU5	Park	Crown		

⁵¹ See Appendix 8 diagram 1 for category definition.



Name	Location	Area		Parcel(s)	Zone	Category	Owner	Reserve	Reserve Purpose
		(m ²)	Lot	Sec	DP				No	(Gazette Date)
Sammy's Flat ⁵²	Rylstone	26,700	7015		1032590	RU5	Park / Sportsground	Crown	R55764	Public Recreation (27/10/1922)
Harry Harvey Park	Wollar	8,857	9	1	759102	RU5	Park	Crown	R20772	Public Recreation (19/5/1894)
			10	1	759102	RU5	Park	Crown		
			8	1	759102	RU5	Park	Crown		
			7	1	759102	RU5	Park	Crown		
		6	1	759102	RU5	Park	Crown			

⁵² See Appendix 8 diagram 1 for category definition.



Appendix 5

SPORTSGROUNDS DESCRIBED WITHIN THIS PLAN OF MANAGEMENT

Name	Location	Area		Parcel	(s)	Zone	Category	Owner	Reserve	Reserve Purpose
		(m ²)	Lot	Sec	DP		Translater.		No	(Gazette Date)
Goolma Sports Ground	Goolma	23,800	20		1039881	RU5	Sportsground	Council	-	
Billy Dunn Park	Gulgong	121,233	1		433114	RE1	Sportsground	Crown	R72354	Public Recreation (18/7/1947)
		536	1		629283	R1	Sportsground	Council		
Gulgong Tennis Club	Gulgong	7,193	183		755434	RE1	Sportsground	Crown	R61206	Public Recreation (21/6/1929)
Victoria Park	Gulgong	40,984	91		755434	RE1	Sportsground	Crown	R520064	Public Recreation (31/12/1878)
		2,086	43		262671	RE1	Sportsground	Council		
Dr Darton Memorial	Kandos	2,061	1	10	12191	RU5	Sportsground	Council		
Park		2,049	3	10	12191	RU5	Sportsground	Council		
		1,910	4	10	12191	RU5	Sportsground	Council		
		1,935	5	10	12191	RU5	Sportsground	Council		
		1,770	6	10	12191	RU5	Sportsground	Council		
		1,429	7	10	12191	RU5	Sportsground	Council		
		1,378	8	10	12191	RU5	Sportsground	Council		
	1 1	1,277	9	10	12191	RU5	Sportsground	Council		
		1,378	10	10	12191	RU5	Sportsground	Council		
	1	1,378	11	10	12191	RU5	Sportsground	Council		
		1,948	2	10	12191	RU5	Sportsground	Council		
Simpkins Park	Kandos	39,160	7006		1023895	RU5	Sportsground	Crown	R58899	Public Recreation (28/5/1926)
Waratah Park	Kandos	49,084	7005		1023895	RU5/ E4	Sportsground	Crown	R61218	Athletics Sports (21/6/1929)
Cahill Park	Mudgee	16,295	701		1030862	RE1	Sportsground	Crown	R35022	Public Recreation (27/09/1902)
Cahill Park	Mudgee	4,455	404		756894	RE1	Sportsground	Council		
Victoria Park	Mudgee	40,487	701	- 1	1030861	RE1	Sportsground	Стоwn	R40891	Athletic Sports - Public Recreation (12/9/1906)
Walker's Oval	Mudgee	14,420	6	24A	758721	RE1	Sportsground	Council		
		10,120	9	24A	758721	RE1	Sportsground	Council		
		17,550	10	24A	758721	RE1	Sportsground	Council		
	1	11,460	3		749570	RE1	Sportsground	Council		



Name	Location	Area		Parcel	(s)	Zone	Category	Owner	Reserve	Reserve Purpose	
and the second s		(m ²)	Lot	Sec	DP				No	(Gazette Date)	
Rylstone Recreation	Rylstone	827,681	2		565936	RU1	Sportsground	Crown	R84185	Public Recreation (8/02/1963)	
Reserve ⁵³			145		755789	RU5	Sportsground / GCU	Crown		and a second	
	1001		7011		1023907	RU5	Sportsground	Crown	1		
			7010		1023906	RU1	Sportsground / NA Bushland	Crown			
Rylstone Showground 54	Rylstone	31,300	701	1	1023894	RU5	Sportsground / GCU	Crown	R590025	Public Recreation - Showground	
	the second se	10,060	7016		1032590	RU5	Sportsground / GCU	Crown		(2/9/1938)	
Sammy's Flat ⁵⁵	Rylstone	26,700	7015		1032590	RU5	Park / Sportsground	Crown	R55764	Public Recreation (27/10/1922)	

See Appendix 8 diagram 2 for category definition.
 See Appendix 8 diagram 1 for category definition.
 See Appendix 8 diagram 1 for category definition.



Appendix 6

GENERAL COMMUNITY USE LANDS DESCRIBED WITHIN THIS PLAN OF MANAGEMENT

Name	Location	Area		Parcel(s)			Category	Owner	Reserve No	Reserve Purpose
		(m ²)	Lot	Sec	DP		1 4 2	-		(Gazette Date)
Apple Tree Flat Resting	Apple Tree	13,147	219		756870	RU4	GCU	Crown	R85895	Resting Place (22/7/1966)
Place (1)	Flat		7002		1019737	RU4	GCU	Crown		
Ulan Road Reserve	Bombira		9		1243029	R2	GCU	Council		
Wurth Drive Reserve	Bombira	6,541	20	1	1227585	R2	GCU	Council		
Bungaba Community Hall	Bungaba	4,533	100		1092931	R5	GCU	Council	-	
Cooks Gap Hall	Cooks Gap	2,972	901	0 I	864661	R5	GCU	Council		
Crudine Recreation Reserve	Crudine	17943	25		755768	RU1	GCU	Crown	R86754	Public Recreation (31/5/1968)
Henry Lawson Memorial	Eurunderee	221	1	· · · · · ·	368450	RU4	GCU	Council		
Frog Rock Reserve	Frog Rock	4,413	61	· · · · · ·	250751	R5	GCU	Council		Particle Contractor
Goolma Hall	Goolma	2650	147		750777	RU5	GCU	Crown	R88328	Public Recreation (6/8/1971)
Cope Road Reserve	Gulgong	1,525	389	1 = 1	755434	C3	GCU	Crown	R49010	Storage (9/7/1913)
Gulgong Scouts Hall	Gulgong	2271	485		46131	RE1	GCU	Crown	R97218	Boy Scouts (13/4/1984)
Hargraves Court House	Hargraves	14,160	701		1021142	RU5	GCU	Crown	R91643	Preservation of Historical Sites and Buildings (30/11/1979)
3 Poles Quarry	Mudgee	189,884	Pt 355	i IIII	756894	RE1	GCU	Crown	R91534	Quarry (10/8/1979)
Acacia Grove Reserve	Mudgee	80	12	-	1021781	R1	GCU	Council		and the second sec
Charles Lester Reserve	Mudgee	155	6	$\cdot - \cdot$	1208541	R1	GCU	Council	-	
Church Walkway	Mudgee	700	3	111	812087	RE1	GCU	Council	-	
Gawthorne Walkway	Mudgee	523	65	1	825504	R1	GCU	Council		
Gladstone Street Reserve	Mudgee	937	84		831352	R1	GCU	Council		
Hardy Crescent Reserve	Mudgee	195	76		1076597	R1	GCU	Council		
Henry Bayly Reserve	Mudgee	28,030	4		828410	RE1	GCU	Council		
Macquarie Walkway	Mudgee	241	28	<u>(1)</u>	1051165	R1	GCU	Council		
Mudgee Arts Precinct	Mudgee	1944.08	Pt 112		48439	R3	GCU	Crown	R120045	Public buildings (27/11/1987), Government Purposes, Community Purposes (20/03/2020)

Name	Location	Area	-	Parcel(s)	Zone	Category	Owner	Reserve No	Reserve Purpose
	Concernant of	(m²)	Lot	Sec	DP					(Gazette Date)
Mudgee Arts Precinct	Mudgee	1106.3	Pt 112		48439	R3	GCU	Crown	R96911	Community Purposes (19/08/1983), Government Purposes, Urban Services, Heritage Purposes (8/11/2019
Tennant Walkway	Mudgee	209	198	1 1	1089672	R1	GCU	Council		
Weemaran Reserve	Mudgee	4,771	22		791533	RE1	GCU	Council		
Winter Street Reserve	Mudgee	14,690	55		1172013	RE1 R1	GCU	Council		
White Circle Walkway 1	Mudgee	346	77		1076597	R1	GCU	Council		
White Circle Walkway 2	Mudgee	231	159	2	1082615	R1	GCU	Council		
Ulan Road Public Reserve	Mudgee	5,292	814	-	1262514	R2	GCU	Council		
Rylstone Guide Hall	Rylstone	1120	9	5	758891	RU5	GCU	Crown	R590069	Public Hall (1/4/1932)
			10	5	758891	RU5	GCU	Crown		
Rylstone Memorial Hall	Rylstone	2279	21	5	758891	RU5	GCU	Crown	R590070	Public Hall (5/10/1924)
Rylstone Recreation Reserve ⁵⁶	Rylstone		145		755789	RU5	Sportsground / GCU	Crown	R84185	Public Recreation (8/02/1963)
Rylstone Showground ⁵⁷	Rylstone	1,593	10	2B	758891	RU5	GCU	Crown	R83503	Public Recreation (6/10/1961)
		461.6	11	2B	758891	RU5	GCU	Crown	R590025	Public Recreation -
		31,300	701		1023894	RU5	Sportsground / GCU	Crown		Showground (2/09/1938)
		10,060	7016		1032590	RU5	Sportsground / GCU	Crown		
		3,218	7017	1	1125243	RU5	GCU	Crown		
		2,023	13	· 1	1136363	RU5	GCU	Council		
		2,023	14		1136363	RU5	GCU	Council		
		2,023	15		1136363	RU5	GCU	Council		
		1,631	А	1	151198	RU5	GCU	Council		
	1	2,447	В		151198	RU5	GCU	Council		

See Appendix 8 diagram 2 for category definition.
 See Appendix 8 diagram 1 for category definition.



Name	Location	Area	-	Parcel()	Zone	Category	Owner	Reserve No	Reserve Purpose
	(m²)	Lot	Lot Sec DP						(Gazette Date)	
Turill Community Hall	Turill	13009	54	1	750748	RU1	GCU	Crown	R91236	Public Recreation (1/9/1978)



Appendix 7

NATURAL AREA - BUSHLAND LANDS DESCRIBED WITHIN THIS PLAN OF MANAGEMENT

Name	Location	Area		Parcel	(s)	Zone	Category	Owner	Reserve	Reserve Purpose
and a second sec		(m ²)	Lot	Sec	DP				No	(Gazette Date)
Apple Tree Flat Resting	Apple Tree	3,819	221		756870	RU4	NA Bushland	Crown	R87522	Public Recreation
Place (2)	Flat	1	222		756870	RU4	NA Bushland	Crown		(28/11/1969)
			7300		1126169	RU4	NA Bushland	Crown	1	
Maitland Bar Goldfields	Avisford	31,705	133		756884	C3	NA Bushland	Crown	R97504	Public Recreation (26/10/1984)
Beryls Reserve	Beryl	908,518	7002	· · · · · · · · · · · · · · · · · · ·	1020162	C3	NA Bushland	Crown	R89982	Public Recreation (3/12/1976
			7001		1030132	RU1	NA Bushland	Crown	1	
Bungaba Reserve	Bungaba	7,481	57		155597	RU1	NA Bushland	Crown	R88823	Public Recreation (12/1/1973
Charbon Entrance	Charbon	18,365	253		755789	RU5	NA Bushland	Crown	R60558	Public Recreation (6/7/1928)
			254		755789	RU5	NA Bushland	Crown		
Cooyal Creek Reserve	Cooyal	7,487	7002		1021468	RU1	NA Bushland	Crown	R90756	Public Recreation (15/4/1977
Cullenbone Reserve	Cullenbone	62,082	7004		1020304	R5	NA Bushland	Crown	R75518	Public Recreation
	The second second		7003		1023499	R5	NA Bushland	Crown		(19/12/1952)
Cumbo Reserve	Cumbo	64,604	7002	1	1025322	RU1	NA Bushland	Crown	R120051	Public Recreation (18/12/1987)
Goolma Reserve	Goolma	24,154	7002	1	1020397	RU1	NA Bushland	Crown	R74023	Camping, Public Recreation
			129		750752	RU1	NA Bushland	Crown		Resting Place (9/5/1951)
	-	1.0	7003	· · · · · · · · ·	1020397	RU1	NA Bushland	Crown		
Old Lambing Hill Public	Goolma	57,014	122	· · · · · · · · · · · · · · · · · · ·	750777	RU1	NA Bushland	Crown	R90968	Public Recreation
School	1		123		750777	RU1	NA Bushland	Crown	1	(18/11/1977)
Bylong Valley Way Resting Place	Growee	4,748	238	-	755432	RU1	NA Bushland	Crown	R87094	Resting Place (7/3/1969)
Adams Lead Reserve	Gulgong	32,888	437		755434	RU1	NA Bushland	Crown	R95817	Public Recreation (19/2/1982
		1.00	409		755434	RU1	NA Bushland	Crown		Contraction and the second
	11.000	1.0	431		755434	RU1	NA Bushland	Crown		
Jos Davis Reserve	Gulgong 243,251	210		755433	RE1	NA Bushland	Crown	R83603	Public Recreation (1/12/1961	
	71	7001	1	1026312	RE1	NA Bushland	Crown	1.1.1.1	Connection of the second se	
		211		755433	RE1	NA Bushland	Crown			
			7002		1026312	RE1	NA Bushland	Crown		
		7016	· · · · · · · · · · ·	1026314	RE1	NA Bushland	Crown			



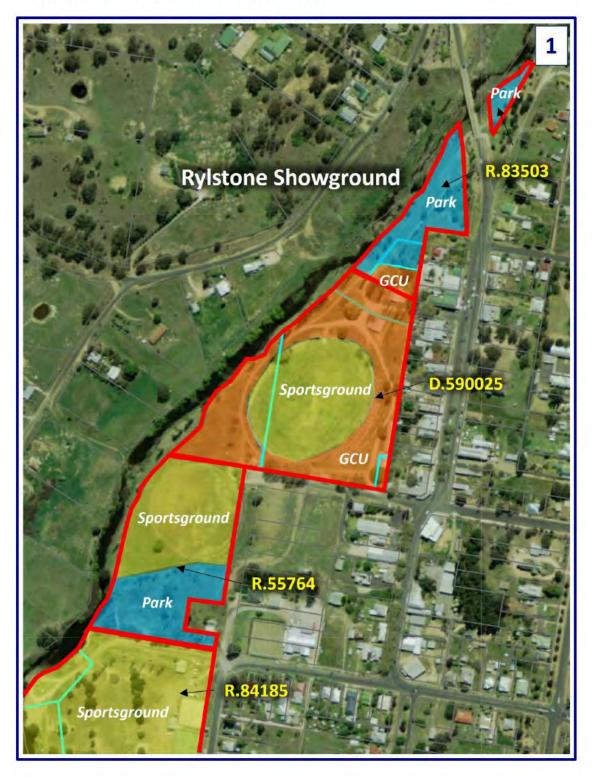
Name	Location	Area	1000	Parcel	(s)	Zone	Category	Owner	Reserve	Reserve Purpose
		(m²)	Lot	Sec	DP				No	(Gazette Date)
Hargraves Reserve	Hargraves	18,330	48		756900	RU1	NA Bushland	Crown	R84083	Public Recreation & Resting
		1	47		756900	RU1	NA Bushland	Crown		Place (23/11/1962)
Henry Lawson Reserve	Home Rule	117,179	7001		1020325	RU1	NA Bushland	Crown	R89700	Public Recreation (24/12/1975)
Cherry Tree Hill Resting Place	llford	13,302	7005		1030841	RU1	NA Bushland	Crown	R82235	Resting Place (18/12/1959)
Ropes Reserve	Lue	134,209	7002		1029653	RU1R5	NA Bushland	Crown	R120049	Public Recreation (18/12/1987)
Mount Knowles Reserve	Mount	6,839	7		721239	RU1	NA Bushland	Crown	R120073	Public Recreation (11/8/1989
	Knowles		9	(C	721239	RU1	NA Bushland	Crown		And the second second
			8		721239	RU1	NA Bushland	Crown		
3 Poles	Mudgee	161,106	352		756894	RE1	NA Bushland	Crown	R91152	Public Recreation (2/6/1978)
			Pt 355		756894	RE1	NA Bushland	Crown		
Palermo Recreation Reserve	Mudgee	125,653	2		1054877	RE1	NA Bushland	Crown	R96117	Public Recreation & Water Supply (25/6/1982)
Pyramul Reserve	Pyramul	1,005	1		721967	RU5	NA Bushland	Crown	R78278	Public Recreation (20/1/1956
Running Stream Reserve	Round Swamp	91,160	7003	-	1056614	RU1	NA Bushland	Crown	R76963	Public Recreation (6/8/1954)
Running Stream Resting Place	Round Swamp	8,476	178		755778	RU1	NA Bushland	Crown	R87365	Resting Place (5/9/1969)
Rylstone Recreation Reserve ⁵⁸	Rylstone	1	7010		1023906	RU1	Sportsground / NA Bushland	Crown	R84185	Public Recreation (8/2/1963)
		0.00	159		755789	RU1	NA Bushland	Crown		
Sandy Banks Reserve	Sofala	27,172	7007		1019619	RU1	NA Bushland	Crown	R86609	Public Recreation (9/2/1968)
			7008		1019619	RU1	NA Bushland	Crown	1	
Wyaldra Creek Reserve	Stubbo	50,487	102		750765	RU1	NA Bushland	Crown	R120050	Public Recreation (18/12/1987)
Gardiners Road Reserve	Two Mile Flat	46,345	7001		1032533	R5	NA Bushland	Crown	R95606	Public Recreation (2/10/1981
Windeyer Reserve	Windeyer	49,800	701		1026906	RU1	NA Bushland	Crown	R520074	Public Recreation (15/1/1886
Wollar Recreation Reserve	Wollar	7,985	701		1032571	RU5	NA Bushland	Crown	R11695	Public Recreation (14/6/1890
Wollar Reserve	Wollar	57,696	231		257572	RU1	NA Bushland	Crown	R91470	Public Recreation (22/6/1979

58 See Appendix 8 diagram 2 for category definition.

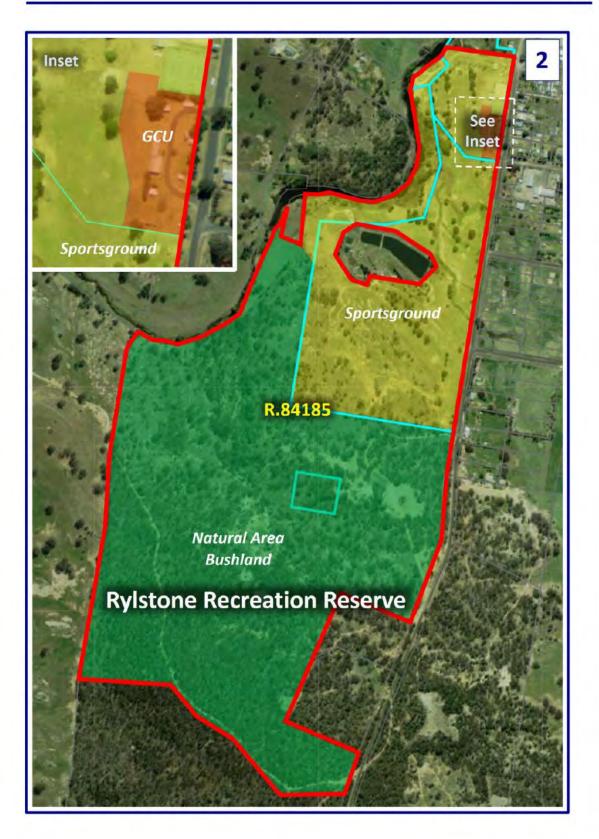


Appendix 8

Category Plans for Sites with more than a Single Category







Department of Planning and Environment



Our ref: LBN21/2177; DOC21/237272

Craig Barnes Director - Lands Advisory Services Mid-Western Regional Council PO Box 156 MUDGEE NSW 2850 By email: craig.barnes@landsas.com.au Cc: council@midwestern.nsw.gov.au, Diane.Sawyers@midwestern.nsw.gov.au, ian.clayton@midwestern.nsw.gov.au

22 November 2023

Subject: Mid-Western Regional Council's draft Plan of Management – Community Land. Approval to proceed to public exhibition only.

Dear Mr Barnes

Thank you for submitting the draft Plan of Management (PoM) for Community Land on 17 November 2021.

I have reviewed the draft PoM and support it being placed on public exhibition, with the following minor amendments:

- P. 18 A public hearing is not required for re-categorisation of Crown reserves.
- P. 18 Make note that the Minister's approval is required for adoption of any PoM.
- Due to some perceived encroachments, for example R62055, Council should add a statement in the PoM explaining how council intend to manage any encroachments.
- Due to a residential tenancy on R85088, which alienates the public from part of the reserve, the use of
 the reserve is not consistent with the reserve purpose of Public Baths. Council should add a comment
 in the PoM that it will endeavour to establish a future lease arrangement with the resident and include
 caretaker responsibilities in the lease, which would assist Council in its care, control and management
 of the reserve.
- There is an expired licence for a holiday/camping/caravan park on R84185, either remove reference to the licence or explain whether it is being renewed or on holdover.
- Remove 'Restaurants' from Permissible Uses/tenures in Park and Sportsground (under s6.7, 6.8 and s7.7, 7.8)
- There is another expired licence on R120049, either remove reference to the licence or explain whether it is being renewed or on holdover.
- Some reserves have formed roads in them. Council should add a statement in the PoM as to how it
 intends to manage these roads as they do not comply with s47f of the LG Act (see Reserves 87511,
 85088, 83603, 120050, 520074).
- Council is unable to issue any licences for telecommunication structures on Crown land as per the Crown Land Management Rule. Please amend s6.7, 6.8, 8.7, 7.8, 8.7, 8.8, 10.6 and 10.7 accordingly.
- P. 72 Remove reference to Nambucca Valley Council if it is not relevant.
- P. 84 R84185 is missing lot 159/755789 in Appendix 5 (which is land category Natural Area Bushland).
- P. 85 R120045. Ensure reserve purpose details & gazette dates are correct Public Buildings gazetted 27 Nov 1987. Community Purposes, Government Buildings (s2.14) gazetted 20 Mar 2020.
- P. 86 R96911. Ensure reserve purpose details & gazette dates are correct Community Purposes gazetted 19 Aug 1983. Heritage Purposes, Urban Services, Government Purposes (s2.14) gazetted 8 Nov 2019.

⁶ Stewart Avenue, Newcastle NSW 2302 PO Box 1002 Dangar NSW 2309 reservemanager.crownland.nsw.gov.au 1

Department of Planning and Environment



Council should conduct a final review of the document to ensure all legislation referenced is currently in force, departmental names are up to date, and spelling, grammar and formatting is correct and consistent.

Next Steps: Request Minister's consent to adopt the PoM

After public exhibition, to obtain Minister's consent for council to adopt the PoM, council must provide the following documents:

- · copy of the PoM
- summary report of submissions after public exhibition of PoM
- a table outlining amendments or tracked changes to the PoM.

If you have any questions or need assistance, please email the Council Crown Land Management Team at council.clm@crownland.nsw.gov.au.

Yours sincerely,

Daniel Heather Manager Reserve Programs Department of Planning and Environment – Crown Lands



PAR300020

Objective

This policy has been developed to provide consistent guidelines for developers, the community and Council when allocating new road names or re-naming existing roads; allocating bridge names and allocating place names; and to ensure names are allocated that will stand the test of time and are of local or historical significance.

Legislative requirements

- Roads Act 1993
- Roads Regulation 2018
- Geographic Names Board (GNB) of NSW Policy Place Naming July 2019. GNB is responsible for assigning names to places anywhere in NSW. While the Local Government Authority is the road naming and addressing authority, GNB is the authority over which names can or cannot be used in place and road naming.
- Australian/New Zealand Standard Rural and urban addressing AS/NZS 4819:2011
- NSW Addressing User Manual September 2016Revised May 2021 Sections 6.7 and 6.10

Policy - Road naming.

- 1. In cases involving the naming of a new or an un-named road or the re-naming of an existing named road where:
- Council receives a request from a member of the community; or
- Council receives a request from a developer as part of the DA process; or
- A staff member is of a view that a road should be named or renamed; as appropriate:
 - a) letters will be forwarded to neighbours seeking their submissions for new name(s); and
 - b) concurrently advertise in the local newspaper and on Council's website for naming submissions from members of the public.
 - c) submissions, referred to in (a) & (b) above, must be received by Council within 21 days of the date of the letter and advertisement.
 - d) memorandum to Councillors informing them of the proposal.
- 2. At the expiration of that period of time, a letter will be forwarded to the GNB indicating that Council is proposing to either name a new road, an un-named road or to re-name an existing named road, as the case may be. The letter should indicate the name(s) proposed the views of any local residents and whether there are any other names that might be considered. Council must give the GNB at least 30 days to respond. Each proposed name is evaluated via the Geographical Names Board (GNB) Road Name Eligibility Check site to ensure there is no duplication within a rural, rural/urban or urban area. The evaluation will also highlight similar sounding names that may not meet GNB standards.

PAGE 1 OF 6 | MID-WESTERN REGIONAL COUNCIL

1

- POLICY: [ROAD, BRIDGE & PLACE NAMING] | [VERSION 1.2 ,
 - Following the response from the GNB, if there is an objection objection of a potential issue is found in the Road Name Eligibility Check, such as duplication, the proposed name may not be used.
 - 4. If the GNB approves the proposed name/s, aA report is to be presented to Council setting out the basis of the request, the name or names proposed, details of the justification including historical or local significance of the name or names proposed and confirmation that the GNB evaluation has no objection to the name or names proposed. If there is an objection, the details are to be included. A brief overview of the process involved in naming or re-naming roads should also be included. Any decision by the Council at this stage can only be that it is proposing a road name from the choices submitted.
 - 5. Once Council has chosen a name from the submissions, the name is entered into the GNB's NSW Place and Road Naming Proposal System. The GNB will serve a notice of the proposal on the following:
 - (i) Australia Post;
 - (ii) the Registrar General;
 - (iii) the Surveyor General;
 - (iv) the Chief Executive of the Ambulance Service of NSW;
 - (v) Fire and Rescue NSW;
 - (vi) the NSW Rural Fire Service;
 - (vii) the NSW Police Force;
 - (viii) the State Emergency Service;
 - (ix) the New South Wales Volunteer Rescue Association Inc; and
 - (x) in the case of a classified road the RMS;
 - inviting submissions, in writing to the Council, within 14 days.
 - 4.6. Following <u>Council'sa</u> decision by <u>Councilon</u> to the proposed naming or re-naming of a road:
 - a) Write to the party who lodged the request and any members of the public who had responded and inform them of the Council's decision and what was happening now;
 - Publish a notice of the proposed name in a local newspaper and on Council's website inviting submissions, in writing, to the Council within 21 days;
 - c) Confirm the GNB have approved the name proposal in the NSW Place and Road Naming Proposal system. Then, Notify the NSW Online Road Naming System (NORNS) of the proposed name. NORNS will serve a notice of the proposal on the following:
 - (i) Australia Post;
 - (ii) the Registrar General;
 - (iii) the Surveyor General;
 - (iv) the Chief Executive of the Ambulance Service of NSW;
 - (v) Fire and Rescue NSW;
 - (vi) the NSW Rural Fire Service;
 - (vii) the NSW Police Force;
 - (viii) the State Emergency Service;
 - (ix) the New South Wales Volunteer Rescue Association Inc; and
 - (x) in the case of a classified road the RMS;

inviting submissions, in writing to the Council, within 21 days.

- POLICY: ERRORI REFERENCE BOURCE NOT FOUND ERRORI REFERENCE SOURCE NOT FOUND. | ERROR! REFERENCE SOURCE NOT FOUND., NOT FOUND.,
 - 5.7. aAt the expiration of time for the lodgement of submissions, prepare a further report to Council addressing submissions received and recommending formal adoption of the proposed road name and Gazettal of the new name.
 - 6.8. If the Council resolves to adopt the proposed name:
 - Publish a notice in a local newspaper and on Council's website advising the new name and giving a brief description of the location of the road; and
 - b) Notify NORNS of the new name. NORNS will publish a notice in the<u>submit a</u> Government Gazette via the GNB's NSW Place and Road Naming Proposal system. <u>This and will also</u> inform the following, giving sufficient particulars to enable the road to be identified:
 - (i) Australia Post;
 - (ii) the Registrar General;
 - (iii) the Surveyor General;
 - (iv) the Chief Executive of the Ambulance Service of NSW;
 - (v) Fire and Rescue NSW;
 - (vi) the NSW Rural Fire Service;
 - (vii) the NSW Police Force;
 - (viii) the State Emergency Service;
 - (ix) the New South Wales Volunteer Rescue Association Inc; and
 - (x) in the case of a classified road the RMS.
 - c) Inform the property owner and neighbours, along with everyone who has made a request or submission, and neighbours of Council's decision.

7.9. Once confirmation has been received that the notice has appeared in the Government Gazette:

- a) Update Council records mapping, property, <u>assets</u> EDRMS (electronic data records management system) and roads database.
- b) Organise street signs.
- c) Notify affected property owners and agencies of any new addressing allocated to the newly named road.

Policy - Bridge naming.

- 1. In cases involving the naming of a new or an un-named bridge where:
- Council receives a request from a member of the community; or
- A staff member is of a view that a bridge should be named or renamed; as appropriate:
 - a) letters will be forwarded to neighbours seeking their submissions for a new name(s); and
 - b) concurrently advertise in the local newspaper and on Council's website for naming submissions from members of the public.
 - c) submissions, referred to in (a) & (b) above, must be received by Council within 21 days of the date of the letter and advertisement.
 - d) memorandum to Councillors informing them of the proposal.
- 2. No consultation is required with the GNB in relation to bridge naming, however, the same guidelines should be adhered to at minimum, the submitted names/s cannot relate to

POLICY: [ROAD, BRIDGE & PLACE NAMING] | [VERSION 1.2, living persons or a commercial interest and duplication of names should be avoided. However, proposals containing more than one name may be accepted. 3. At the end of the advertising period a report is to be presented to Council setting out the basis of the request, the name or names proposed, details of the justification including historical or local significance of the name or names proposed. A brief overview of the process involved in naming the bridge should also be included. Council makes a choice from the options submitted and recommends formal adoption of the proposed bridge name along with Gazettal of the new name. Any decision by the Council at this stage can only be that it is proposing a bridge name from the choices submitted. 4. FIf the Council resolves to adopt the proposed name ellowing a decision by Council to the proposed naming of a bridge: a) Write to the party who lodged the request and any members of the public who had responded and inform them of the Council's decision and what was happening now; b) Publish a notice of the proposed name in a local newspaper and on Council's website inviting submissions, in writing to the Council, within 21 days c) Notify the following authorities or agencies of the proposed name: Australia Post; the Registrar General; the Surveyor General; the Chief Executive of the Ambulance Service of NSW; Fire and Rescue NSW; the NSW Rural Fire Service; the NSW Police Force; the State Emergency Service; ii) the New South Wales Volunteer Rescue Association Inc; and in the case of a bridge located on a classified road - the RMS; inviting submissions, in writing to the Council, within 21 days. 5. At the expiration of time for the lodgement of submissions, prepare a further report to Council addressing submissions received and recommending formal adoption of the proposed bridge name and Gazettal of the new name. 6. If the Council resolves to adopt the proposed name: 4. a) Publish a notice in the Government Gazette, a local newspaper and on Council's website advising the new name, giving a brief description of the location of the bridge; and. b) notify the following authorities or agencies of the new name: Australia Post; (ii) the Registrar General; the Surveyor General; (iii) the Chief Executive of the Ambulance Service of NSW; (iv)Fire and Rescue NSW; (v) the NSW Rural Fire Service; (vi)the NSW Police Force; (vii) (viii) the State Emergency Service; the New South Wales Volunteer Rescue Association Inc; and (ix)

- (x) in the case of a bridge located on a classified road the RMS.
- c) Inform everyone who has made a request or submission and neighbours of Council's decision.

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45. Once confirmation has been received that the notice has appeared in the Government Gazette:

- a) Update Council records mapping, property, assets. EDRMS and roads database.
- b) Organise bridge signage.

Policy - Place naming.

- 1. In cases involving the naming of a place (place means any geographical or topographical feature or any district, division, locality, region, city, town, village, settlement, railway station, school or park or any other place within NSW but does not include any road, any local government area, urban area, county district or electoral district.) where:
- Council receives a request from a member of the community; or
- Council receives a request from a developer as part of the DA process; or
- A staff member is of a view that a place should be named or renamed; as appropriate:
 - a) letters will be forwarded to neighbours seeking their submissions for a new name(s); and
 - b) concurrently advertise in the local newspaper and on Council's website for naming submissions from members of the public.
 - c) submissions, referred to in (a) & (b) above, must be received by Council within 21 days of the date of the letter and advertisement.
 - d) memorandum to Councillors informing them of the proposal.
- 2. At the end of the advertising period a report, containing all submissions, is to be presented to Council setting out the basis of the request, the name or names proposed, details of the justification including historical or local significance of the name or names proposed. A brief overview of the process involved in naming a place should also be included. Any decision by the Council at this stage can only be that it is proposing a place name from the choices submitted.
- 3. Following a decision by Council to the proposed naming or re-naming of a place:
 - a) Write to the party who lodged the request and any local residents who had responded and inform them of the Council's decision and what was happening now;
 - b) Complete and send a place name Enter the name as a proposal application form teon the NSW Place and Road Naming Proposal System GNB with all submissions received and advising which is Council's preferred name.
 - c) The matter will then go to the next meeting of the Geographical Names Board for approval, deferral or rejection. If deferred GNB will seek further information. If rejected GNB will advise Council to reconsider the submission.
 - If approved the name will be advertised in a local newspaper by the GNB inviting submissions for or against the preferred name.
 - e) If the advertising period (one month) is completed with no objections to the GNB the name becomes official and the GNB will advertise the name in the Government Gazette and will update the official NSW mapping database. The GNB will write to Council with confirmation of the acceptance of the proposed name.
 - f) If objections are received against the proposed name Council will be required to recommence the submission process. At the end of this process, when the application is again sent to GNB with Council's preferred name, which may or may not be the same name, GNB will review submissions and either reject, alter or endorse the name.

POLICY: [ROAD, BRIDGE & PLACE NAMING] | [VERSION 1.2 ,

- 4. Once a name is formally approved Council will inform everyone who has made a request or submission and neighbours of the final decision.
- Once confirmation has been received that the notice has appeared in the Government Gazette:
 - a) Update Council records property database, assets (if applicable) and EDRMS. The mapping database will be updated by GNB.
 - b) Organise place signs.

VARIATION

Council reserves the right to vary the terms and conditions of this policy, subject to a report to Council.



Objective

To provide eligible pensioners with the statutory pensioner concession relating to rates and charges as specified in Division 1 Part 8 of Chapter 15 of the Local Government Act 1993 (LGA).

Legislative requirements

- Local Government Act 1993
- Local Government (General) Regulation 20052021
- Privacy and Personal Information Protection Act 1998
- Privacy & Personal Information Protection Regulation 2019

Related policies and plans

- Council Rating and Revenue Raising Manual, Department Local Government 2007
- Debt Management and Hardship Guidelines Office of Local Government 17 November 2019
- Debt Recovery PolicyManagement and Recovery Policy
- Hardship Provisions-Policy- Rates and Charges Policy
- Privacy Management Plan

Policy

The LGA Division 1 Part 8 of Chapter 15 provides concessions for eligible pensioners.

ENTITLEMENT TO STATUTORY PENSIONER CONCESSION - S575 LGA

Entitlement is granted under section 575 LGA which provides that if an eligible pensioner is the person solely liable, or a person jointly liable with one or more other persons, for a rate or charge levied on land on which a dwelling is situated, the rate or charge is, on application to the council and on production to the council of evidence sufficient to enable it to calculate the amount of the reduction, to be reduced in accordance with this section.

An eligible pensioner, not being the owner of the property, who has a Life interest in the property which is registered on the Certificate of Title and is responsible for the payment of rates and charges, is deemed as the person liable for a rate or charge levied on the property for the purpose of this Policy.

APPLICATION FOR PENSIONER CONCESSION - S579 LGA

POLICY: PENSIONER CONCESSIONS 3.0 1313/12/2023

Pensioners requesting a rebate are required to submit an initial application in the prescribed form and hold a current Pension Concession Card issued by Centrelink, or receive a prescribed pension from the Department of Veterans Affairs, in order to qualify for any reduction in rates and charges.

Pension and eligibility information supplied in an initial application will be validated Validation of eligible-pensioner reference cardholders will be carried out at least annually in conjunction with Centrelink and Department of Veterans' Affairs prior to the granting of a concession. Further validation checks will be carried out in the same way each guarter to ensure ongoing eligibility.

Where eligibility is not confirmed in a quarterly validation check, any reduction in rates and charges applicable to future quarters will be reversed and the amounts will become payable. Where eligibility has not been confirmed due to a temporary pause in pension payments, a new pension concession application is required. If eligibility is confirmed in relation to the new application, reductions in rates and charges previously reversed will be reinstated to the start of the quarter in which the new application is made.

Applications for pensioner rebates must be made during the year the rate or charge is levied. Rebates will not be retrospectively applied to previous years.

AMOUNT OF CONCESSION - S575 LGA & ENDING OF CONCESSION - S584 LGA

The amount of a pensioner concession to be granted is as listed in section 575(3) LGA. This is currently as follows:

- The total amount by which all ordinary rates and charges and for domestic waste management services levied on any land for the same year are reduced is not to exceed \$250.
- The total amount by which all water supply special rates or charges levied on any land for the same year are reduced is not to exceed \$87.50.
- The total amount by which all sewerage special rates or charges levied on any land for the same year are reduced is not to exceed \$87.50.

The maximum amounts of the pensioner rebates allowed are adjusted downwards proportionately subject to whether the person making the application is solely liable or jointly liable with eligible dwelling occupiers.

Persons who become, or cease to be, eligible pensioners during the year will receive a concession proportionate to the number of full quarters in which they are an eligible pensioner.

FUNDING OF CONCESSION - S581 LGA

Council receives a Pensioner Concession Subsidy of 55% of all concessions granted for a rating year. The subsidy represents both State and Commonwealth funding.

Council funds the balance of 45% of the pensioner concessions granted.

Council is required to submit an independent Audit Certificate prepared by Council's auditor to the Office of Local Government on an annual basis when applying for payment of the Pensioner Concession Subsidy.

ABANDONMENT OF PENSIONERS RATES AND CHARGES - S582 LGA

Council does not provide any additional waiver or reduction in rates, charges and interest due by an eligible pensioner unless in accordance with other related policies.

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Рпуасу

Personal information collected as a consequence of this Policy will only be used for the purpose of assessing eligibility under the Policy and will be managed by Council's Privacy Management Plan.

Variation

Council reserves the right to vary the terms and conditions of this Policy, subject to a report to Council.

POLICY: PENSIONER CONCESSIONS | 1.0 1313/12/2023

Definitions

Word/Term	Definition
	As defined in the Dictionary to the LGA:
	In Division 1 of part 8 of chapter 15, in relation to a rate or charge levied on land on which a dwelling is situated means a person:
"eligible pensioner"	(a) who is a member of a class of persons prescribed by the regulations, and
	(b) who occupies that dwelling as his or her sole or principal place of living.
	As defined under S560 LGA – Who is liable to pay rates?
	(1) The owner for the time being of land on which a rate is levied is liable to pay the rate to the council, except as provided by this section.
"the person solely liable" or "a person	(2) If land owned by the Crown is leased, the lessee is liable to pay the rate.
iointly liable"	(3) If there are two or more owners, or two or more lessees from the Crown, of the land, they are jointly and severally liable to pay the rate.
	As defined in the Dictionary to the LGA:
	(a) in relation to Crown land, means the Crown and includes:
	(i) a lessee of land from the Crown, and
	(ii) a person to whom the Crown has lawfully contracted to sell the land but in respect of which the purchase price or other consideration for the sal has not been received by the Crown, and
	(b) in relation to land other than Crown land, includes:
	(i) every person who jointly or severally, whether at law or in equity, is entitled to the land for any estate of freehold in possession, and
	(ii) every such person who is entitled to receive, or is in receipt of, or if the land were let to a tenant would be entitled to receive, the rents and profits of the land, whether as beneficial owner, trustee, mortgagee in possession, or otherwise, and
"Owner"	(iii) in the case of land that is the subject of a strata scheme under the Strata Schemes (Freehold Development) Act 1973 or the Strata Schemes (Leasehold Development) Act 1986, the owners corporation for that scheme constituted under the Strata Schemes Management Act 1996, and
	(iv) in the case of land that is a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act 1989, the association for the parcel, and
	(v) every person who by this Act is taken to be the owner, and
	(c) in relation to land subject to a mining lease under the Mining Act 1992 , includes the holder of the lease, and
	(d) in Part 2 of Chapter 7, in relation to a building, means the owner of the building or the owner of the land on which the building is erected.



Objective

The objective of this Policy is to provide a framework for the efficient and effective collection of outstanding debts and to fulfil statutory requirements in relation to the recovery of rates, charges, fees and other debts.

Council has a responsibility to ensure monies owed to it are recovered in a timely, effective and efficient manner to finance its operations and ensure effective cash flow management. Whilst carrying out this responsibility, Council will:

- Treat all people fairly and consistently under this Policy; and
- Treat all matters under this Policy confidentially; and
- Treat people with respect and sensitivity in considering their circumstances.

Relevant Llegislationive requirements

- Local Government Act 1993 NSW
- Local Government (General) Regulation 2005-2021 NSW
- Privacy and Personal Information Protection Act 1998
- Privacy & Personal Information Protection Regulation 2019

Related policies and plans

- Hardship Provisions-Policy-Rates and Charges
- Pensioner Concessions Policy
- Credit Policy
- Privacy Management Plan
- Debt Management and Hardship Guidelines Office of Local Government 17 November 2018

Policy

Rates and charges

Due dates

Chapter 15 Part 7 of the Local Government Act 1993 sets out the requirements for payment of rates and charges.

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POLICY: DEBT MANAGEMENT AND RECOVERY | 3.04.0, 131 DECEMBER 202319

Annual rates and charges may be paid in a single instalment or by quarterly instalments. If a payment is made in a single instalment, the instalment is payable by 31 August. If payment is made by quarterly instalments, the instalments are payable by 31 August, 30 November, 28 February and 31 May.

Council is to issue a quarterly reminder notice for the payment of the November. February and May instalment at least 30 days before the due date of each of the instalments.

Overdue Amounts

Overdue accounts are to be forwarded to Council's nominated Debt Management and Recovery Provider (DMRP) for debt management and/or debt recovery processes in the following circumstances:

- (i) Rate accounts that show arrears as at 1 July of any year be forwarded to the DMPR in July;
- Rate accounts that show the first rate instalment as unpaid be forwarded to the DMRP in September;
- (iii) Rate accounts that show the second rate instalment as unpaid be forwarded to the DMRP in December;
- (iv) Rate accounts that show the third rate instalment as unpaid be forwarded to the DMRP in March;
- Rate accounts that show the fourth rate instalment as unpaid be forwarded to the DMRP in June;

with the exception of those outstanding debts generated by the Farmland Category during exceptional circumstances such as drought or flood; the General Manager is to determine the special circumstances. In this situation, the ratepayer is to contact Council in the first instance, and submit an application for Hardship Assistance under the *Hardship Provisions Policy* with a view to putting into place a suitable arrangement for payment.

Suitable Arrangements

A ratepayer may make a suitable arrangement for the payment of the rates and charges, including those accounts already with the DMRP. The DMRP may advise a debtor when a payment arrangement is not suitable and does not comply with the Policy and may advise a debtor to apply directly to the General Manager.

A suitable arrangement for payment will clear the total outstanding debt;

- before the subsequent rate instalment is due; and where this cannot be achieved;
- b) by the end of the current financial year provided that all subsequent rate instalments that may become due in that time frame are paid or are incorporated into the total repayment amount; and where this cannot be achieved;
- c) in up to 1 (one) year, provided that subsequent rate instalments that may become due in that time frame are paid or are incorporated into the total repayment amount.

Such arrangements may be approved by the DMRP and/or Revenue Staff. In the majority of cases, a ratepayer will be required to negotiate a suitable arrangement directly with the DMRP. The DMRP will record and monitor arrangements for compliance.

The General Manager may approve arrangements for payment where the proposed payment arrangement will not clear the debt as at c), above, including proposed arrangements for Farmland Category debts during periods declared exceptional circumstances.

In accordance with Section 568 Local Government Act 1993, money paid in respect of rates or charges levied on land is to be applied towards payment of those rates or charges in the order in which they became due.

Debt Management

Debt Management procedures will be commenced immediately following the due date. Upon the referral of a debt to the DMRP, an initial reminder advice will be issued.

At Debt Management stage and at Steps 1 to 6 at the Debt Recovery stage, below, Council's DMRP may be instructed by the Manager Revenue & Property to employ various communication channels to remind, contact and negotiate payment arrangements with ratepayers. Options include, but are not limited to, written correspondence delivered by <u>ordinary post, registered post</u>, telephone calls, email, SMS, Facebook, field calls and on-line chat.

Debt Recovery

Where the referral of the debt for Debt Management has not resulted in payment in full or a suitable payment arrangement negotiated in accordance with this Policy, the debt will be progressed and Debt Recovery procedures will apply.

STEP 1 - FIRST LETTER OF DEMAND SENT TO RATEPAYER BY DMRP

Recovery proceedings shall not be commenced until after the expiration of 14 days after the debt <u>Debt Management process has commenced becomes due</u>. A first letter of demand is to be forwarded to the debtor notifying that unless the account is paid in full within 14 days of the date of the letter or a suitable arrangement made, legal action will-<u>may</u> commence for the outstanding amount.

STEP 2 - SECOND LETTER OF DEMAND SENT TO THE RATEPAYER BY DMRP

Where the debt value is less than \$1,000100, a second demand letter will be sent to the debtor where a response or payment has not been received as a result of the first letter of demand. A second demand letter may be sent to a debtor under certain circumstances such as if there is uncertainty that the debtor received the previous letter or if the original debt has been updated.

OR

STEP 2 - NOTICE TO THE OCCUPIER IS ISSUED

Where a response to Step 1 is not received, a notice under Section 569 of the Local Government Act 1993 may be issued, if applicable.

STEP 3 - STATEMENT OF LIQUIDATED CLAIM ISSUED

Where a response to Step 1 is not received and the debt is over \$1,000100, a Statement of Liquidated Claim may be issued through the Local Court at Mudgee by the DMRP.

STEP 4 - JUDGEMENT

POLICY: DEBT MANAGEMENT AND RECOVERY 3.04.0, 131 DECEMBER 202349

Where a response to the Statement of Liquidated Claim is not received, default judgment is to be entered by the DMRP.

STEP 5 - WRIT issued

On the entry of judgment and the failing of the debtor to enter into a payment arrangement, a writ is to be issued by the Court against the debtor to recover personal property.

OR

STEP 5 - WAGES AND/OR BANK GARNISHEE ISSUED

Where an arrangement has not been entered into or has not maintained and necessary particulars are known, a wage and/or bank garnishee is to be_-put in place. A summons process is initiated with the court.

OR

STEP 5 - ORAL EXAMINATION SUMMONS ISSUED

Oral examination summons action is taken when there is insufficient knowledge to effectively use a garnishee or writ. This summons requires the debtor to attend court and be questioned as to the debtor's current financial situation and ability to meet Council's claim. Failure by a debtor to comply with an oral examination summons may result in the issue of a Warrant to enforce compliance.

Council's Revenue staff will determine whether a notice to the occupier, writ, garnishee or oral examination summons will be issued or commenced, based on the individual circumstances of the debtor.

OR

STEP 5 - BANKRUPTCY AND WINDING UP PROCEEDINGS

Bankruptcy and winding-up proceedings, authorised only by the General Manager, will commence if the debt is in excess of \$5,000-10,000 and previous action has secured judgment.

STEP 6 - SALE OF LAND FOR UNPAID RATES AND CHARGES

Where steps 1 to 5 have been unsuccessful, the General Manager is to commence a sale of land for unpaid rates and charges, in accordance with Chapter 17, Part 2 Division 5, Section 713 of the Local Government Act 1993.

FIELD CALLS

The DMRP may be instructed by the Manager Revenue and Property to conduct a Field call to the residential address of a ratepayer and/or to the property address (if different to the residential address of the ratepayer) at any of the steps 2 to 5, above, to assess or confirm circumstances.

All debt recovery costs and fees associated with any course of action are to be borne by the owner of the debt and will subsequently remain a charge on the property until paid. The debt recovery costs and fees are to be charged in accordance with Council's *Annual Fees and Charges*.

POLICY: DEBT MANAGEMENT AND RECOVERY 4.0, 11 DECEMBER 2019

Water Usage Charges

DUE DATES

Water meter readings are collected four times a year and accounts are sent to the property owners after each meter reading. The due date for payment is 21 days from the date of the Water Consumption Charge Notice.

OVERDUE AMOUNTS

Water usage accounts are considered overdue immediately following the due date.

SUITABLE ARRANGEMENTS

A ratepayer may make a suitable arrangement for the payment of their water usage charges, including those accounts already with the DMRP. The DMRP may advise a debtor when a payment arrangement is not suitable and does not comply with the Policy and may advise a debtor to apply directly to the General Manager.

A suitable arrangement for payment will clear the total outstanding debt:

- by the end of the month in which the next meter reading is scheduled; and where this cannot be achieved;
- by the end of the month in which the subsequent meter reading is scheduled, provided that all subsequent water usage accounts that may become due in that time frame are paid or are incorporated into the total repayment amount.

Such arrangement may be approved by the DMRP and/or Revenue and Customer Service staff. In the majority of cases, a ratepayer will be required to negotiate a suitable arrangement directly with the DMRP. The DMRP will record and monitor arrangements for compliance.

The General Manager may approve arrangements for payment where the proposed payment arrangement will not clear the debt at *Suitable Arrangements* b), above.

In accordance with Section 568 Local Government Act 1993, money paid in respect of charges levied on land is to be applied towards payment of those charges in the order in which they became due.

DEBT MANAGEMENT

Debt Management procedures will be commenced immediately following the due date. Upon the referral of a debt to the DMRP, an initial reminder advice will be issued.

At *Debt Management* stage and at Steps 1 to 6 of the *Debt Recovery* stage, below, Council's DMRP may be instructed by the Manager Revenue & Property to employ various communication channels to remind, contact and negotiate payment arrangements with ratepayers. Options include, but are not limited to, written correspondence delivered by <u>ordinary</u> post, <u>registered post</u>, telephone calls, email, SMS, Facebook, field calls and on-line chat.

DEBT RECOVERY

Where the referral of the debt for *Debt Management* has not resulted in payment in full or a suitable payment arrangement negotiated in accordance with this Policy, the debt will be progressed and *Debt Recovery* procedures will apply.

Step 1 - Overdue water reminder notice issued

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POLICY: DEBT MANAGEMENT AND RECOVERY 3.04.0, 131 DECEMBER 202349

At the expiration of 7-14 days after the *Debt Management* process has commenced after the due date of the Water Consumption Charge Notice, if an account remains unpaid and no satisfactory payment arrangement has been made, an overdue water reminder notice is issued by the DMRP on Council letterhead.

Step 2 - Water restriction notice issued

At the expiration of 5 days after the due date of the Overdue Water Reminder Notice, if an account in excess of \$200 remains unpaid or no satisfactory payment arrangement has been made, a water restriction notice is issued on DMRP letterhead by the DMRP during a field call or by post.

Step 3 - Notice of intention to restrict

At the expiration of 5 days after the due date of the Water Restriction Notice, if no payment or satisfactory payment arrangement has been made, a notice of intention to restrict water supply is issued by Council on Council letterhead. A restriction action notice penalty, as per Council's *Fees and Charges*, applies to the issue of this notice.

Step 4 - Water restriction

A restriction action notice penalty, as per Council's Annual Fees and Charges, applies to the issue of this notice. On, or as soon as practicable after the nominated date appearing on the Notice of Intention to Restrict, if no payment or a satisfactory arrangement has been made, the restriction device is to be fitted to the water meter connected to the property. The restriction device will not be removed until full payment is received which includes the penalty fee.

Step 5 - Water disconnected

At the expiration of 30 days after the restriction device has been fitted to the water meter, if an account remains unpaid or no satisfactory payment arrangement has been made, a notice of intention to disconnect, authorised only by the General Manager, may be issued. The disconnection of the water meter connected to the property will occur on, or soon after a nominated date. A restriction/disconnection notice penalty, as per Council's *Annual Fees and Charges*, applies to the issue of this notice. A service disconnection/reconnection fee, as per Council's *Annual Fees and Charges* and *Charges* and *Charges* also applies.

Step 6- Referral to the DMRP

If after water restriction or disconnection have been put in place and the debt remains outstanding, the recovery of the debt may be forwarded back to Council's DMRP for legal proceedings. In such instances, the debt collection procedures in Steps 2 to 5 as listed in the <u>Debt Recovery</u> Rates and Charges section of this Policy are to apply.

FIELD CALLS

The DMRP may be instructed by the Manager Revenue and Property to conduct a Field call to the residential address of a ratepayer and/or to the property address (if different to the residential address of the ratepayer) at any of the steps 2 and 6, above, to assess or confirm circumstances.

POLICY: DEBT MANAGEMENT AND RECOVERY 4.0, 11 DECEMBER 2019

All debt recovery costs and fees associated with any course of action are to be borne by the owner of the debt and will subsequently remain a charge on the property until paid. The debt recovery costs and fees are to be charged in accordance with Council's *Annual Fees and Charges*.

Sundry Debtors

This encompasses all amounts owing to Council excluding rates and charges, water usage accounts and government grants.

DUE DATES

Council issues debtor accounts for numerous services. These services include, but are not limited to, trade waste services, private works, staff uniforms, airport usage and property rentals.

Accounts are generally issued on a weekly, fortnightly or monthly basis. The trading term is 30 days from date of invoice, available to credit-approved applicants only. Services such as private works, facilities hire and cemetery fees generally require payment in advance, in accordance with individual service policies; refer to *Credit Policy*.

OVERDUE AMOUNTS

Sundry debtor accounts are considered overdue immediately following the due date.

Council reserves the right to deny access to Council facilities or suspend services or suspend credit terms to customers with overdue amounts; refer to Credit Policy.

SUITABLE ARRANGEMENTS

A debtor may make a suitable arrangement for the payment of their sundry debtor account, including those accounts already with the DMRP. The DMRP may advise a debtor when a payment arrangement is not suitable and does not comply with the Policy and may advise a debtor to apply directly to the General Manager.

A suitable arrangement for payment will clear the total debt;

a) within 60 days of making the arrangement.

The General Manager may approve arrangements for payment where the proposed payment arrangement will not clear the debt at a), above.

In accordance with Section 568 Local Government Act 1993, money paid in respect of sundry debtor amounts is to be applied towards payment of those amounts in the order in which they became due.

DEBT MANAGEMENT

Debt Management procedures will be commenced immediately following the due date. Upon the referral of a debt to the DMRP, an initial reminder advice will be issued.

At Debt Management stage and at the Debt Recovery stage, below, Council's DMRP may be instructed by the Manager Revenue & Property to employ various communication channels to remind, contact and negotiate payment arrangements with debtor. Options include, but are not limited to, written correspondence delivered by <u>ordinary post, registered post</u>, telephone calls, email, SMS, Facebook, field calls and on-line chat.

DEBTRECOVERY

POLICY: DEBT MANAGEMENT AND RECOVERY 3.04.0, 131 DECEMBER 202349

Where the referral of the debt for Debt Management has not resulted in payment in full or a suitable payment arrangement negotiated in accordance with this Policy, the debt will be progressed and Debt Recovery procedures will may apply.

The procedure for the collection of debts due to Council will follow those procedures outlined in Steps 1 to 5 of the *Rates and Charges* section of this Policy.

FIELD CALLS

The DMRP may be instructed by the Manager Revenue and Property to conduct a Field call to the residential address of a ratepayer and/or to the property address (if different to the residential address of the ratepayer) at any of the steps 2 to 5 of the *Rates and Charges* section of this Policy, to assess or confirm circumstances.

Further considerations for the collection of Rates and Charges, Water Usage and Sundry Debtor debts

Where a matter proceeds to a pre-trial consultation or a hearing, Council's Solicitor is to be instructed to act on Council's behalf.

Interest is applied to all outstanding rates and water usage charges and sundry debtor fees and charges, where deemed, whether a suitable agreement is in place or not. The interest rate is determined by Council as part of adopting the Delivery Programme and Operational Plan. Interest commences to accrue on unpaid rates and charges and water usage charges and sundry debtor fees and charges, where deemed, as soon as practical after the due date.

Interest is applied to sundry debtors, where deemed, in accordance with the legislation under which the fee or charge is raised.

The General Manager has delegated authority to write-off rates and charges, fees, charges and other debts, in accordance with <u>Section 131Clauses 131 & 213</u> of the Local Government (General) Regulation <u>20052021</u>, up to and including an amount resolved by Council. This amount is currently set at \$2,500<u>5,000</u>.

The Manager Revenue & Property and Assistant Manager Revenue & PropertyRevenue <u>Coordinator</u> have delegated authority to write off interest that has accrued on rates and charges, charges, fees and other debts up to \$10 where the ratepayer/s was unable to pay the rates and charges when they became due and payable for reasons beyond their control; (refer Sections 567(a) & (b) LGA).

The General Manager is to be advised by the Manager Revenue & Property or the Chief Financial OfficerDirector Corporate Services of any staff member or Councillor whose overdue account has been referred to Council's DMRP.

Council's Revenue Staff are required to act as authorised officers in relation to the recovery of rates and charges where that nominated person is required to represent Council at Court.

In accordance with s23A of the Local Government Act 1993, Council has considered the Office of Local Government's *Debt Management and Hardship Guidelines* issued on 27/11/2018 in formulating this Policy.

Privacy

Personal information collected as a consequence of this Policy will only be used for the purposes of this Policy and will be managed by Council's Privacy Management Plan.

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POLICY: DEBT MANAGEMENT AND RECOVERY 4.0, 11 DECEMBER 2019

There are legal obligations under the Privacy and Personal Information Protection Act 1998 (PPIP Act) which Council must abide by when it collects, stores, uses or discloses personal information. The 12 Information Protection Principles (IPPs) are as follows:-

Collection

1. LAWFUL

An agency must only collect personal information for a lawful purpose. It must be directly related to the agency's function or activities and necessary for that purpose.

2. DIRECT

An agency must only collect personal information directly from you, unless you have authorised collection from someone else, or if you are under the age of 16 and the information has been provided by a parent or guardian.

3. OPEN

An agency must inform you that the information is being collected, why it is being collected, and who will be storing and using it. You must also be told how you can access and correct your personal information, if the information is required by law or is voluntary, and any consequences that may apply if you decide not to provide it.

4. RELEVANT

An agency must ensure that your personal information is relevant, accurate, complete, up-to-date and not excessive. The collection should not unreasonably intrude into your personal affairs.

Storage

5. SECURE

An agency must store personal information securely, keep it no longer than necessary and dispose of it appropriately. It should also be protected from unauthorised access, use, modification or disclosure.

Access and accuracy

6. TRANSPARENT

An agency must provide you with details regarding the personal information they are storing, why they are storing it and what rights you have to access it.

7. ACCESSIBLE

An agency must allow you to access your personal information without excessive delay or expense.

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POLICY: DEBT MANAGEMENT AND RECOVERY 3.04.0, 131 DECEMBER 202319

8. CORRECT

An agency must allow you to update, correct or amend your personal information where necessary.

Use

9. ACCURATE

An agency must ensure that your personal information is relevant, accurate, up to date and complete before using it.

10. LIMITED

An agency can only use your personal information for the purpose for which it was collected unless you have given consent, or the use is directly related to a purpose that you would expect, or to prevent or lessen a serious or imminent threat to any person's health or safety.

Disclosure

11. RESTRICTED

An agency can only disclose your information in limited circumstances if you have consented or if you were told at the time they collected it that they would do so. An agency can also disclose your information if it is for a directly related purpose and it can be reasonably assumed that you would not object, if you have been made aware that information of that kind is usually disclosed, or if disclosure is necessary to prevent a serious and imminent threat to any person's health or safety.

12. SAFEGUARDED

An agency cannot disclose your sensitive personal information without your consent, for example, information about ethnic or racial origin, political opinions, religious or philosophical beliefs, sexual activities or trade union membership. It can only disclose sensitive information without consent in order to deal with a serious and imminent threat to any person's health or safety.

As exemptions may apply in some instances, it is therefore suggested to contact Council's Governance Officer or the Information and Privacy Commission for further advice.

Variation

Council reserves the right to vary the terms and conditions of this policy, subject to a report to Council.



Objective

Each act of supply of goods and/or services to an external individual, organisation or other party will give rise to a debt.

The objective of this Policy is to set out Council's principles in relation to the provision of credit facilities for external parties. The primary objectives of this Policy aim to ensure that:

- The provision of credit will be based upon equitable and consistent treatment of all prospective commercial debtors; and
- That parties who incur sundry debts do so in full expectation of meeting the repayment terms prescribed; and
- That all accounts receivable are managed in such a way as to not jeopardise the funding or effective cash flow of Council's operations.

Legislative requirements

- Local Government Act 1993
- Local Government (General) Regulation 20052021
- Privacy and Personal Information Protection Act 1998 (PPIPA ACT)
- Privacy and Personal Information Protection Regulation 2019

Related policies and plans

- Debt Management and Recovery Policy
- Privacy Management Plan

Policy

Accounts receivable - Sundry Debtors

Sundry debtor credit accounts will not be routinely established for the following services:

- Private Works
- Facilities Hire
- Cemetery Fees

POLICY: CREDIT 4.0, 20 NOVEMBER 2019

The provision of these services requires payment in advance except in limited circumstances where prior approval has been obtained from the <u>Chief Financial Officer Director Corporate</u> Services.

Prior to credit being given and a service provided, an application for such credit must be submitted on the prescribed form. The *Application for Credit* form details the terms and conditions of credit with Council. If the applicant is a corporation (as defined in the Corporations Act 2001), the Council may require from all the directors of the applicant company, personal guarantees in support of an application for such credit. The *Deed of Personal Guarantee and Indemnity* form details the terms and conditions of the personal guarantee.

Once submitted, the forms will be reviewed and assessed by the Manager Revenue & Property. The review and assessment of the application may include:

- 1. An evaluation of the applicant's previous payment history with Council; and
- The Council making enquiries as to the credit and financial status of the applicant. The applicant is required to provide its consent for the Council to use the information disclosed in the submitted forms to make such enquiries. The enquiries may include, but are not limited to:
 - a. a credit reporting agency;
 - b. a debt collector; or
 - c. a legal services provider.

Credit will be refused where an evaluation of an application is deemed to be unsatisfactory.

The service unit manager/concernation <u>Coordinator</u> who provides the particular service and is requesting the creation of the sundry debtor, is responsible for ensuring that Council is legally entitled to collect the debt when the invoice is raised.

Where a sundry debtor does not make payment within the timeframe stipulated in the General Debtors and Other Debt Collection Considerations of Council's Debt Management and Recovery Policy, the Chief Financial Officer Management Revenue & Property is authorised to suspend the debtor's credit with Council. The service unit manager/supervisor coordinator is to be advised immediately and is required to give consideration that no further services are provided to the debtor until further notification.ie the service may be suspended.

Services may be provided, and credit extended, where debtors with suspended accounts repay the amount outstanding in full and subject to a further analysis of the credit that may be provided.

From time to time there will be instances where Council has to undertake immediate works that will require an *Application for Credit* form to be completed retrospectively. Where applicable an *Application for Credit* form will still be required to enable all sundry debtors to be treated consistently in accordance with this Policy.

Procedures in relation to the recovery of overdue sundry debtor accounts are prescribed in the General Debtors and Other Debt Collection Considerations of Council's *Debt Management and Recovery Policy*.

Ghtet Financial Office The Director Corporate Services is authorised to deal with all matters that may vary from the provisions of this Policy.

POLICY: CREDIT | 4.0, 20 NOVEMBER 2019

Privacy.

The Council is committed to protecting privacy. The personal information that Council is collecting is personal information for the purposes of the *Privacy and Personal Information Protection Act* 1998 (the Act). The intended recipients of the personal information are Officers within Council.

The Council keeps this personal information to change and update records and for assessing Applications for Commercial Credit, managing accounts and, if necessary collecting debts. This information may be disclosed, whether or not an account is overdue, to the Council's risk insurers, management and debt recovery collectors and its legal representatives.

Application may be made for access or amendment to information held by Council. A request may also be made that Council suppress personal information from a public register. Council will consider any such application in accordance with the Act. Enquiries concerning privacy issues can be addressed to the General Manager, PO Box 156, Mudgee NSW 2850.

Vanation

Council reserves the right to vary the terms and conditions of this policy, subject to a report to Council.

Guidelines for the Appointment and Oversight of General Managers

2022





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INTRODUCTION

The Local Government Act 1993 (the Act) requires councils to appoint a person to be the council's general manager (section 334).

One of the prescribed functions of the governing body of a council is to determine the process for the appointment of the general manager and to monitor their performance (section 223).

These Guidelines have been developed to assist councillors when performing their functions under the Act relating to the appointment of general managers and overseeing their performance. They provide guidance on:

- the role of the general manager and the importance of a good working relationship between councillors and the general manager
- the recruitment process and the appointment of a general manager
- day to day oversight of and liaison with the general manager
- the performance review process
- separation, and
- renewal of the general manager's contract.

These Guidelines are issued under section 23A of the Act and must be taken into consideration by councils when exercising their functions in relation to the recruitment and oversight of general managers. They should be read in conjunction with the relevant provisions of the Act and the *Local Government (General) Regulation 2021* (the Regulation) and the standard contract of employment for general managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act (the approved standard contract).

ROLE OF THE GENERAL MANAGER

Councillors comprise the governing body of a council and make decisions by passing resolutions. It is the general manager's role to implement the lawful decisions of the council and to carry out the functions conferred on them by the Act and Regulation and other legislation.

General managers also perform other functions delegated to them by the governing body.

The governing body monitors the implementation of its decisions through the general manager's reports to council meetings.

Key functions of the general manager

The Act confers certain functions on general managers of councils (section 335). Key aspects of the general manager's role are set out below:

Management of the council

The general manager is responsible for conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies approved by the governing body of the council and implementing without undue delay, lawful decisions of the governing body.

Assisting the governing body to set the strategic direction

The general manager also plays a key role in assisting the governing body to develop the council's strategic direction. The general manager is responsible for guiding the preparation of the community strategic plan and the council's response to it via the delivery program and operational plans. The general manager is also responsible for implementing the delivery program and operational plans and reports to the governing body on their implementation. More information on this is available on the Office of Local Government's website.

Determining the organisation structure

The general manager is responsible for determining the organisation structure of the council (other than senior staff positions) following consultation with the governing body and in accordance with the budget approved by the governing body (section 332). The positions within the organisation structure of the council must be determined to give effect to the priorities set out in the council's strategic plans, including the community strategic plan and delivery program.

Appointment and direction of staff

The general manager is responsible for the appointment and direction of staff and their dismissal. The general manager must consult with the governing body before appointing or dismissing senior staff.

Supporting councillors

The general manager is also responsible for ensuring councillors are provided with the information and the advice they require to make informed decisions and to carry out their civic duties.

The general manager should ensure that council meeting business papers contain sufficient information to allow councillors to make informed decisions and to allow them to effectively monitor and review the council's operations and performance. This will assist councils in ensuring they are complying with statutory requirements, keeping within the budget approved by the council, and achieving the strategic goals set by the council in its delivery program and operational Plan.

The governing body may direct the general manager to provide councillors with advice but cannot direct them as to the content of that advice.

Requests by councillors for assistance or information outside of meetings should be made to the general manager unless the general manager has authorised another staff member to receive such requests. The Model Code of Conduct for Local Councils in NSW contemplates that councils should adopt a policy to provide guidance on interactions between councillors and staff. The policy should be agreed to by both the governing body and the general manager. To assist councils, the Office of Local Government has prepared a model councillor and staff interaction policy which reflects best practice. This is available on the Office of Local Government's website.

The delegation of functions to the general manager

A governing body may delegate certain functions of the council to the general manager but cannot delegate the functions set out in section 377(1) of the Act. The delegation of a council's functions must be made by resolution and be evidenced in writing. Delegations must be reviewed during the first 12 months of each term of the council (section 380).

The general manager may sub-delegate a function delegated to them by the governing body (section 378). However, the general manager still retains responsibility to ensure that any sub-delegated function is carried out appropriately.

The importance of a good working relationship with the general manager

The position of general manager is pivotal in a council. It is the interface between the governing body which sets the strategic

direction of the council and monitors its performance, and the administrative body of the council, headed by the general manager, which implements the decisions of the governing body. A good working relationship between the general manager and the councillors is therefore critical for good governance and a well-functioning council. Where this relationship breaks down, this can quickly lead to dysfunction.

The Centre for Local Government at the University of Technology in Sydney has identified the following as key components of a good working relationship between councillors and the general manager:

- mutual trust and respect
- councillors publicly supporting the work of the general manager
- councillors dealing with any performance concerns through appropriate channels e.g., not the media or council meetings
- councillors not getting involved in the day-to-day operational matters of the council (which makes it difficult for the general manager to do their job)
- councillors having a clear understanding of how and when to approach the general manager or other staff for information or support and following agreed protocols
- regular meetings between the general manager, mayor and councillors to ask questions and share information and advice
- respect of confidentiality, and
- any conflict is dealt with professionally and quickly and where it can't be addressed informally, proper processes are followed.

RECRUITMENT AND SELECTION

Requirements of the Local Government Act 1993

One of the prescribed functions of the governing body of a council is to determine the process for the appointment of the general manager (section 223).

When recruiting a new general manager, the position must be advertised in a manner sufficient to enable suitably qualified persons to apply for the position (section 348).

As with the appointment of all council staff, councils must ensure that the appointment of the general manager is made using merit selection principles (section 349). Recruitment using merit selection is a competitive process where the applicant who demonstrates that they have the best qualifications and experience relevant to the role is appointed. Equal employment opportunity principles also apply to the recruitment of general managers (sections 349 and 344).

The recruitment process must be open and transparent, but the confidentiality of individual applicants must be maintained. A failure to maintain appropriate confidentiality may constitute a breach of the Act, the council's code of conduct and the *Privacy and Personal Information Protection Act 1998*.

Councils should engage an external recruitment consultant to assist them with the recruitment process and that person should have a role in verifying that proper processes and procedures are followed in the appointment of the general manager.

There are a range of possible approaches to undertaking the recruitment of the general manager. The guidance contained in these Guidelines reflects what the Office of Local Government considers to be best practice.

The pre-interview phase

As noted above, the council's governing body is responsible for determining the process for recruiting the general manager.

The governing body should delegate the task of recruitment to a selection panel led by the mayor and approve the recruitment process. The panel will report back to the governing body on the process and recommend the most meritorious applicant for appointment by the council.

The selection panel should consist of at least the mayor, the deputy mayor, another councillor and a suitably qualified person independent of the council. Where practicable, the selection panel membership should remain the same throughout the entire recruitment process.

Selection panels should, where possible, have a mix of genders.

The council's governing body should delegate to one person (generally the mayor) the task of ensuring:

- the selection panel is established
- the general manager's position description is current and evaluated in terms of salary to reflect the responsibilities of the position
- the proposed salary range reflects the responsibilities and duties of the position
- the position is advertised according to the requirements of the Act
- information packages are prepared, and
- applicants selected for interview are notified.

The mayor, or another person independent of council staff, should be the contact person for the position and should maintain confidentiality with respect to contact by potential applicants.

Interview phase

Interviews should be held as soon as possible after candidates are short listed.

Questions should be designed to reflect the selection criteria for the position and assist the selection panel to assess the suitability of the candidate for the position.

Interviews should be kept confidential.

All written references must be checked. The selection panel must delegate the task of contacting referees to one panel member. Other panel members should not contact referees.

If contact with someone other than a nominated referee is required, the applicant's permission must be sought.

At least 2 referees must be contacted and asked questions about the candidate relevant to the selection criteria.

Where tertiary qualifications are relied on, they should be produced for inspection and if necessary, for verification.

Appropriate background checks must be undertaken, for example, bankruptcy and criminal records checks and whether the candidate has been disqualified from managing a corporation by the Australian Securities and Investments Commission. For guidance on better practice recruitment background checks, see the Australian Standard AS 4811:2022 Workforce Screening and the Independent Commission Against Corruption's publication, Strengthening employment screening practices in the NSW public sector which is available on its website.

Selection panel report

The selection panel is responsible for preparing a report to the council's governing body that:

- recommends the most meritorious applicant with reasons
- recommends an eligibility list if appropriate
- recommends that no appointment is made if the outcome of interviews is that there are no suitable applicants.

This report should be confidential and reported to a closed meeting of the council.

The appointment of a general manager is a non-delegable function of the council under section 377 of the Act and a general manager cannot be appointed without a formal resolution of the council.

The council's governing body must by resolution approve the position of the general manager being offered to the successful candidate before the position is offered to the candidate.

Finalising the appointment

The mayor makes the offer of employment after the governing body has resolved to appoint the successful candidate. The initial offer can be made by telephone.

Conditions such as term of the contract (1-5 years) and remuneration package (within the range approved by the governing body of the council) can be discussed by telephone but must be confirmed in writing.

The standard contract of employment for general managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act must be used. The approved standard contract is available on the Office's <u>website</u>. The terms of the approved standard contract must not be varied. Only the term of the contract and the schedules to the approved standard contract can be adapted by councils.

General managers must be employed for 1-5 years.

outlines the selection process

The contract governs:

- the duties and functions of general managers
- performance agreements
- the process for renewal of employment contracts
- termination of employment and termination payments
- salary increases, and
- leave entitlements.

It should be noted that the Departmental Chief Executive of the Office of Local Government cannot approve individual variations to the standard terms of the contract.

Candidates who are placed on the eligibility list and unsuccessful applicants should be advised of the outcome of the recruitment process before the successful applicant's details are made public.

Record keeping

Councils should retain all records created as part of the recruitment process including the advertisement, position description, selection criteria, questions asked at interview, interview panel notes, selection panel reports and notes of any discussions with the selected candidate. These records are required to be stored and disposed of in accordance with the *State Records Act 1998*.

DAY-TO-DAY OVERSIGHT AND LIAISON WITH THE GENERAL MANAGER

While one of the prescribed functions of the governing body is to monitor the general manager's performance, day-to-day oversight of and liaison with the general manager should be undertaken by the mayor.

The mayor's role in the day-to-day management of the general manager should include:

- approving leave
- approving expenses incurred, and
- receiving and managing complaints about the general manager in accordance with the Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW.

The council's governing body should ensure there are adequate and appropriate policies in place to guide the mayor in the day-to-day oversight of and liaison with the general manager and keep those policies under regular review.

Some of the key policies the governing body should ensure are in place are those relating to:

- leave
- travel
- credit cards
- purchasing and procurement
- expenses and facilities
- petty cash, and
- financial and non-financial delegations of authority.

The governing body should also ensure there are appropriate policies in place with respect to the expenditure of council funds and reporting requirements in relation to that expenditure.

The council's governing body should satisfy itself that any policy governing the conferral of a benefit on the general manager, such as use of a motor vehicle, allows the actual dollar value of that benefit to be quantified so it can be accurately reflected in the general manager's salary package in Schedule C to the approved standard contract.

PERFORMANCE MANAGEMENT

Managing the performance of the general manager

The general manager is made accountable to the council for their performance principally through their contract of employment.

The role of the governing body is to monitor the general manager's performance in accordance with their contract of employment.

The performance of the general manager must be reviewed at least annually against the agreed performance criteria for the position. Councils may also choose to undertake more frequent interim reviews of the general manager's performance.

The agreed performance criteria must be set out in an agreement that is signed within three months of the commencement of the contract. Development of the performance agreement is discussed below.

Establishing a performance review panel

The governing body must establish a performance review panel led by the mayor, and delegate the task of undertaking the general manager's performance reviews to the panel. The extent of the delegation should be clear.

It is recommended that full responsibility for performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

Performance review panels should comprise of the mayor, the deputy mayor, another councillor nominated by council and a councillor nominated by the general manager. The council's governing body may also consider including an independent observer on the panel. Panel members should be trained in the performance management of general managers.

The role of the review panel includes:

- conducting performance reviews
- reporting the findings and recommendations of reviews to the council, and
- development of the performance agreement.

The governing body and the general manager may agree on the involvement of a suitably qualified external facilitator such as a human resources professional to assist with the performance review process and the development of a new performance agreement. That person may be selected by the governing body or the performance review panel.

Councillors who are not members of the performance review panel may be invited to contribute to the performance review process by providing feedback to the mayor on the general manager's performance relevant to the agreed performance criteria.

All councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

The panel should report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review. This should not be an opportunity to debate the results or revisit the general manager's performance review. The general manager should not be present when the matter is considered. The performance agreement, action plan and

any associated records that contain specific

information about the work performance or

conduct of the general manager are to remain

confidential unless otherwise agreed to by the

disclosed by law. The unauthorised disclosure

of this information may constitute a breach of the Act, the council's code of conduct and the

Privacy and Personal Information Protection Act

general manager or are required to be

1998.

The performance agreement should contain but not be limited to key indicators that measure how well the general manager has met the council's expectations with respect to:

- service delivery targets in the council's delivery program and operational plans
- budget compliance
- organisational capability
- timeliness and accuracy of information and advice to councillors
- timely implementation of council resolutions
- management of organisational risks
- promotion of an ethical culture
- ensuring a safe workplace and facilitating compliance with the Work Health and Safety Act 2011, and
- leadership and providing a consultative and supportive working environment for staff etc.

Performance review process

The approved standard contract requires that the performance of the general manager must be formally reviewed at least annually. The governing body of the council may also undertake interim performance reviews as appropriate.

The assessment should include:

- a self-assessment by the general manager, and
- an assessment by the review panel of the general manager's performance against the performance agreement.

The performance review meeting should be scheduled with sufficient notice to all parties in accordance with clauses 7.6 and 7.7 of the approved standard contract. These require:

- the general manager to give the council 21 days' written notice that an annual performance review is due, and
- the council to give the general manager at least 10 days' written notice that the performance review is to be conducted.

Establishing the performance agreement The performance agreement is the most important component of successful

performance management. The performance agreement should include clearly defined and measurable performance indicators against which the general manager's performance can be measured.

As one of the general manager's key responsibilities is to oversee the implementation of the council's strategic direction, it is important to align the general manager's performance criteria to the goals contained in the community strategic plan, and the council's delivery program and operational plans.

The performance agreement should also include indicators relevant to the general manager's personal contribution to the council's key achievements and their core capabilities, including leadership qualities.

The performance agreement should also include indicators related to promoting and maintaining an ethical culture within the council. These could include the conduct and measurement of the outcomes from staff surveys and the promotion of whistleblowing procedures under the *Public Interest Disclosures Act 1994* and the reporting of suspected wrongdoing to appropriate oversight agencies including the Independent Commission Against Corruption and the Office of Local Government.

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The meeting should concentrate on constructive dialogue about the general manager's performance against all sections of the performance agreement.

The meeting should identify any areas of concern and agreed actions to address those concerns.

In undertaking the performance review, care must be taken to ensure that the review is conducted fairly and in accordance with the principles of natural justice. The appointment by the council, in agreement with the general manager, of a suitably qualified external facilitator to advise on the process (see above) should assist councils to comply with these requirements.

The council's governing body must advise the general manager, in writing, in clear terms, the outcome of any performance review.

The new performance agreement for the next period should be prepared as soon as possible after the completion of the previous period. The agreement should be presented to the governing body of the council for discussion in a closed meeting together with the outcomes of the previous review period.

REMUNERATION AND REWARD

Under the approved standard contract, general managers are entitled to an annual increase in their salary package on each anniversary of the contract, equivalent to the latest percentage increase in remuneration for NSW public sector senior executive office holders as determined by the Statutory and Other Offices Remuneration Tribunal.

Councils may also approve discretionary increases to the general manager's total remuneration package under the approved standard contract as a reward for good performance. Discretionary increases may only be approved after a formal review of the general manager's performance has been undertaken and the general manager's performance has been assessed as being better than satisfactory.

Any discretionary increases should be modest and in line with community expectations and only apply for one year unless the council determines that it is to apply for the balance of the contract. All discretionary increases in remuneration, together with the reasons for the increase, must be reported to an open meeting of the council.

Councils may also on one occasion during the term of the contract approve the payment of a retention bonus to the general manager as an incentive for them to serve out their contract. If approved, the retention bonus is to be accrued on an annual, pro-rata basis for the remainder of the contract and is to be paid at the end of the contract period.

SEPARATION

Termination of the general manager's employment

The approved standard contract sets out how the general manager's employment contract can be terminated before its expiry date by either the governing body or the general manager (see clause 10 of the approved standard contract). The circumstances in which the general manager's employment contract may be terminated are set out below:

By agreement

The contract may be terminated at any time by written agreement between the council and the general manager.

Resignation

The general manager may terminate the contract by giving 4 weeks written notice to the governing body of the council.

Incapacity

A council may terminate the general manager's contract by giving them 4 weeks written notice or by paying the equivalent of 4 weeks' remuneration calculated in accordance with Schedule C of the approved standard contract where:

- the general manager has become incapacitated for 12 weeks or more
- they have exhausted their sick leave, and
- the duration of the incapacity is either indefinite or for a period that would make it unreasonable for the contract to be continued.

Poor performance

A council may terminate the general manager's contract by giving them 13 weeks written notice or by paying the equivalent of 13 weeks' remuneration calculated in accordance with Schedule C of the approved standard contract on grounds of poor performance.

A council may only terminate the general manager's contract on the grounds of poor performance where:

- a performance review has been conducted, and
- the council has concluded that the general manager's performance falls short of the performance criteria or the terms of their performance agreement, and
- the general manager has been afforded a reasonable opportunity to utilise dispute resolution under clause 17 of the contract (see below).

No fault termination

A council may terminate the general manager's contract at any time by giving them 38 weeks written notice or paying the equivalent of 38 weeks remuneration calculated in accordance with Schedule C of the approved standard contract. If there are less than 38 weeks left to run in the term of the general manager's contract, the council can pay out the balance of the contract in lieu of notice.

Where the council proposes to terminate the general manager's contract on these grounds, if either party requests it and both parties agree, they may participate in mediation in relation to the proposed decision to terminate the contract. If the council does not agree to participate in mediation, it must give the general manager reasons for its decision where the general manager requests them.

Where a council terminates the contract on these grounds, it must give the general manager reasons for its decision to terminate their employment where the general manager requests it.

Summary dismissal

Councils may summarily dismiss the general manager on the grounds set out under clause 10.4 of the approved standard contract. These include:

- serious or persistent breach of the employment contract
- serious and wilful disobedience of any reasonable and lawful instruction or direction given by the council,
- serious and wilful misconduct, dishonesty, insubordination or neglect in the discharge of the general manager's duties and functions under their contract,
- failure to comply with any law or council policy concerning sexual harassment or racial or religious vilification
- serious or persistent breach of the council's code of conduct
- commission of a crime, resulting in conviction and sentencing (whether or not by way of periodic detention), which affects the general manager's ability to perform their duties and functions satisfactorily, or that brings the council into disrepute
- absence without approval for a period of 3 or more consecutive business days.

Automatic termination

The general manager's contract of employment is automatically terminated where the general manager becomes bankrupt, or they are disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001*.

Where this occurs, the general manager's employment with the council automatically ends without the need for a decision by the council to terminate their contract of employment.

Suspension of the general manager

Councils may suspend the general manager, for example while allegations against them are

being investigated. Suspension should be on full pay for a clearly defined period. Councils should not suspend a general manager's employment without first seeking expert legal advice. It would not be appropriate to seek advice from council human resources staff on the proposed suspension of the general manager.

Any decision to suspend a general manager should be made at a closed council meeting, having first carefully considered the expert legal advice received in relation to the specific matter.

The principals of procedural fairness apply to any decision to suspend a general manager, i.e., the general manager must be advised of the circumstances leading to their suspension, the reasons for the suspension, the period of the suspension and be given a right to respond to the decision to suspend.

Dispute resolution

The approved standard contract contains a dispute resolution clause at clause 17. These provisions are designed to encourage councils and general managers to attempt to resolve disputes when they arise.

Councils are required to offer the general manager an opportunity to utilise dispute resolution before they can terminate their employment for poor performance.

Where it is proposed to terminate the contract on the "no fault" grounds (clause 10.3.1(e)), if either party requests it and both parties agree, they may participate in mediation under clause 17 in relation to the proposed decision to terminate. If the council does not agree to participate in mediation, it must give the general manager reasons for its decision where the general manager requests them.

The governing body of the council should ideally resolve to delegate this function to the mayor or a panel of 3 councillors including the mayor.

If the dispute involves the mayor, then the deputy mayor should take the mayor's place. If there is no deputy mayor then the governing body should resolve to appoint another councillor to take the mayor's place.

The governing body of the council and the general manager should agree on an independent mediator to mediate the dispute. The approved standard contract allows the Departmental Chief Executive of the Office of Local Government to appoint a mediator where the parties cannot agree on one.

Councils and general managers may also agree on a mediator when the contract is made.

RENEWING THE GENERAL MANAGER'S CONTRACT

Clause 5 of the approved standard contract sets out the process for renewing the general manager's contract of employment. The key steps in the process are as follows:

- At least 9 months before the contract expires (or 6 months if the term of employment is for less than 3 years), the general manager must apply to the council in writing if seeking reappointment to the position
- At least 6 months before the contract expires (or 3 months if the term of employment is for less than 3 years), the council must respond to the general manager's application by notifying the general manager in writing of its decision to either offer the general manager a new contract of employment (and on what terms) or to decline their application for re-appointment
- At least 3 months before the contract expires (or 1 month if the term of employment is for less than 3 years) the general manager must notify the council in writing of their decision to either accept or decline the offer made by the council.

Approval may be sought from the Departmental Chief Executive of the Office of Local Government to vary these timeframes in exceptional or unforeseen circumstances.

The terms of the new contract of employment, and in particular the schedules to the new contract, should be set out in the letter of offer. Before offering a new contract, the council should carefully review the terms of the schedules to the new contract. The governing body should ensure that the performance criteria of the new performance agreement adequately reflect its expectations of the general manager's performance.

The governing body should also consider previous performance reviews conducted under previous contracts.

The process of deciding whether to offer the general manager a new contract should be as follows:

- a performance review is conducted
- findings and recommendations are reported to a closed council meeting in the absence of the general manager
- the closed meeting considers and decides whether to offer a new contract of employment to the general manager and on what terms as set out in the schedules to the contract
- the mayor informs the general manager of the council's decision.

Details of the decision to offer a new contract and a salary package should be reported to an open council meeting.

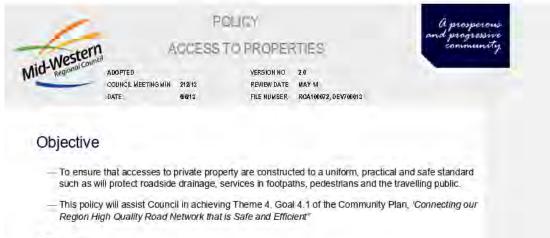
Appendix 1 – Performance management timelines

Timeline	Activity	Responsibility
At commencement of each new council	Provide induction training on performance management of the general manager	Council
Within 3 months of the commencement date of the contract	A performance agreement setting out agreed performance criteria must be signed between the general manager and the council	Council or council panel General Manager
Within 2 months of the signing of the performance agreement	The general manager must prepare and submit to the council an action plan which sets out how the performance criteria are to be met	General Manager
21 days' notice (before annual review)	The general manager gives the council written notice that an annual performance review is due	General Manager
At least 10 days' notice	The council must give the general manager written notice that the performance review is to be conducted	Council or council panel
After 6 months	The council may also decide, with the agreement of the general manager, to provide interim feedback to the general manager midway through the annual review period	Council or council panel General Manager
Prior to the annual review	Ensure all councillors on the review panel have been trained in performance management of general managers	Council
Prior to the annual performance review	The general manager may submit to council a self-assessment of their performance	General Manager
Annually	The general manager's performance must be reviewed having regard to the performance criteria in the agreement	Council or council panel General Manager
Annually	The performance agreement must be reviewed and varied by agreement	Council or council panel General Manager
Within 6 weeks of the conclusion of the performance review	Council will prepare and send to the general manager a written statement with council's conclusions on the general manager's performance during the performance review period	Council or council panel
As soon as possible after receipt of the statement	The general manager and the council will agree on any variation to the performance agreement for the next period of review	Council or council panel General Manager

Appendix 2 - Stages of performance management

STAGE	ACTION	PROCESS
1. Developing performance agreement	 Examine the position description and contract List all position responsibilities from the position description Identify stakeholder expectations List the key strategic objectives from the delivery program and operational plans Develop performance measures (identify indicators - set standards) 	 Good planning Direct and effective communication Open negotiation Joint goal setting
2. Action planning	 Develop specific strategies to meet strategic objectives Identify resources Delegate tasks (e.g., put these delegated tasks into the performance agreements for other senior staff) 	 Detailed analysis Two-way communication Detailed documentation
3. Monitoring progress (feedback halfway through the review period)	 Assess performance Give constructive feedback Adjust priorities and reset performance measures if appropriate 	 Communication Avoid bias Counselling Coaching Joint problem solving
4. Annual	 Assess performance against measures Give constructive feedback Identify poor performance and necessary corrective action Identify outstanding performance and show appreciation 	 Evaluation of the reasons behind performance being as assessed Open, straightforward communication (as bias free as possible) negotiation Counselling, support, training Documenting Decision making
5. Developing revised agreement	See stage 1	See Stage 1

Guidelines for the Appointment and Oversight of General Managers 2022



Policy

An access to property is to be constructed to the same standard as the road to which it abuts and complies with Council's requirements as detailed in the standard drawings available from Council.

General:

- The construction and maintenance of the driveway, from the edge of the made road to the property boundary, remains the responsibility of the property owner or occupier, and must be carried out in accordance with this policy. Any variance from these details must have Council's written approval before work is commenced. Failure to comply with this document may result in the works being removed at the owner's expense.
- The property owner is responsible to check the locations of any services, which might be affected by the access and also for any costs of relocation of these services.
- An allotment on which a single dwelling or dual occupancy is or is to be constructed will be
 permitted to have two (2) vehicular access driveways subject to the following conditions: -
 - The driveway access must provide access to an additional useable parking space, which
 must be located behind the standard 6.0 metre building setback from the front boundary.
 - All driveway access locations must be suitably located clear of any site constraints such as street gully pits, light poles or any other constraint.
- Residential accesses are not to be located within 10 metres of the intersection of two public roads;
- Where it is proposed that new road works will pass by any driveway then the design criteria will be such that it will not affect the present access and egress enjoyed by the landholder.
- All crossovers (a constructed traffic way connecting the paved street to the private property) shall be constructed to the approved Council standards and specifications (Section 4 – Vehicle Crossovers). The Owner/Agent is to arrange for construction.
- Inspection of the access will be required before pouring concrete in the driveway. Council is to be given 24 hours notice to inspect the excavation and the steel;
- Commercial/industrial accesses to be located as shown on development consents;

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- Provision for Traffic and Public Safety shall be in accordance with A.S. 1742 (Traffic Control Devices - 2009). The contractor or property owner shall be adequately insured against Public Risk Liability and shall be responsible for any claims arising from these works.
- Public Utilities The contractor/owner shall take every precaution to locate and protect all water, sewer, electricity, telephone and stormwater drainage during construction. If any of these services are damaged, the full cost of repairs is to be borne by the contractor/owner. If construction of the vehicular access requires service alterations or the relocation of stormwater gully pits such alterations will be at full cost to the contractor/owner.
 - Inspections Concrete must not be poured until the excavation, formwork and reinforcing has been
 inspected by Council. The contractor/owner must arrange an inspection by contacting Council
 between 8.00am and 4.30pm Monday to Friday, giving at least twenty four (24) hours notice.
 Failure to have the work inspected may result in the access being removed and reconstructed at
 the contractors/owners expense.
 - · All physical works shall be undertaken in accordance with AUSPEC.
 - BONDS To achieve a neat, safe and consistent streetscape and good road condition, bonds securing the construction or reconstruction of crossovers will be required to be paid at time of issue an approval. The amount of the bond will be determined and set by Council in its annual fees charges.
 - Crossover construction or reconstruction may be required as a condition of subdivision, development and/or as a condition of issue of building license where it is deemed by the General Manager (or delegate) that the work is necessary.
 - Council may construct the crossover in concrete (urban) or two coat seal (rural) or gravel (rural unsealed road) if not constructed by the owner/agent within 6 months of practical completion or occupation of the building, for which payment of a crossover bond has been made.
 - · Council will not be responsible for any maintenance of crossovers.

Urban Accesses (with kerb and gutter):

- The provision of a vehicular access driveway from the property boundary to the kerb and gutter or
 edge of road seal is the responsibility of the property owner. All building plans that involve the
 construction or alteration of a vehicular access to a property are required to include certain details
 with the Building Application. A list of these details is available separately on request.
- Crossovers are to be constructed in reinforced concrete, 125mm thick with F72 mesh for residential
 accesses and 200mm with F82 mesh for industrial/commercial accesses. See attached standard
 drawing. The Owner / Agent is to arrange and pay for construction.
- -Gutter bridges, concrete infill's or any other gutter obstruction are not permitted and will be
 removed, unless, in extreme circumstances, Council's written approval is given for such a device.
- Roll backkerb and gutter will be used wherever possible to avoid the need for gutter crossings.
- Where "roll bop-kerb and gutter" exists, kerb inverts are not required. Existing inverts may be used
 provided they are of sufficient width.
- In the case of upright kerb, the kerb is to be removed and an invert crossing constructed. The
 driveway is to rise for 1.2 metres to at least from the former invert level of the kerb and gutter or top

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of roll kerb, then rise at a 42.5% grade for a 1.2 metre wide fooipath and then another 1-20.9 metres to the property boundary before easing to the grade of the driveway. See attached standard drawing:

- A copy of Council "Residential Vehicle Crossing Detail" Drawing No. M524 and "Industrial Vehicle Crossing Detail" Drawing No. M526" Vehicular Driveway Access Details" Plan is attached setting out all relevant requirements.
- Gutter crossings in excess of site requirements are to be removed and returned to kerb matching the area.
- A crossing may remain in conjunction with residential use when it can be dearly shown that leaving the crossing will have no effect on traffic or residential amenity of the area.
- When as a result of a building application or a development application it is necessary to remove a
 gutter crossing and reinstate the footpath, the footpath deposit will be increased by a sufficient
 amount to allow Council to carry out the removal and restoration if the applicant fails to carry out the
 work.
- The location of the proposed crossover shall not conflict with public utilities services such as drainage pits and structures, services inspection pits, power or light poles, traffic medians and street trees.
- Road safety and turning radii will be taken into account in deciding the position of a crossover.
- Bonds securing the construction or reconstruction of crossovers will be required to be paid at time
 of issue of building licence. The amount of the bond will be determined and set by Council in its
 annual fees & charges.

Rural Accesses (or urban areas without kerb and gutter):

- Where kerb and guttering has not been provided but levels for the future kerb and guttering are available the proposed access must accommodate the future design. Where levels are not available, a piped crossing of the table drain is to be provided. This can be constructed by Council, at the property owner's expense, or privately to Council's requirements. The access in this case must not extend beyond the outer edge of the road shoulder. Concrete driveways may be extended from the property boundary to the kerb line or edge of bitumen and levels will be provided, on request by Council staff.
- Accesses are to commence at the outside edge of the road shoulder, and under no circumstances are to impinge onto the road shoulder;
- Access to rural properties are to be constructed at a location such as to provide adequate sight distances, so that road users can see vehicles entering or leaving access in time to brake or take evasive action. Council staff will provide advice, and if necessary on site inspections, on the location of proposed accesses;
- Accesses are to be properly formed and drained so that stormwater is not channelled by the driveway onto the surface of Council's road. The driveway drainage should direct stormwater into Council's table drain;
- Where the access crosses a table drain beside Council's road, a concrete pipe (minimum dia. 375mm, minimum length 4.88m with headwalls) is to be placed so that water in the table drain can

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POLICY: ACCESS TO PROPERTIE SACCESS TO PROPERTIES | 2.0 , 6 JUNE 2013 Formatted: Font: 9 pt, Bold, Font color: Accent 1 flow unimpeded. In some instances a larger diameter pipe will be required, and this will be as directed by the General Manager (or delegate). Should an existing access be such that no drainage pipes were required before construction work, • but are required after such work, Council will provide a 4.88m wide entrance of appropriate diameter, complete with concrete heads and 100mm depth sub-base gravel. When, during the course of construction work on dedicated roads, a property access is interfered with, such access shall be reconstructed as a job charge at no cost to the property owner, provided that the original crossover complied with this policy. Where a driveway crossover is proposed off a Local sealed road, the crossover shall be *... constructed to a minimum hard standard of 100mm depth of compacted mad base sub-base gravel and be drained and drained Where the driveway crossover is proposed off one of the roads listed in Schedule 1 Council may need to seek concurrence from Transport for NSW before approving the access. The crossover shall be bitumen sealed from the edge of the road pavement to the property boundary or for a distance of at least 10m for driveways frequented by light vehicles. For driveways frequented by heavy vehicles a length of bitumen seal greater than 10m may be required. Where pipes are required, arrangements can be made through Council to supply and deliver these ٠ at cost to the applicant. The applicant will be required to pay in advance for the pipes. A copy of Council's "Rural Vehicle Crossing Detail" Drawing No. M525 "Vehicular Driveway Access Details with Piped Table drains" is attached setting out all relevant requirements. Definitions: Driveway - means an all weather access across a table drain and may include pipes or culverts. Crossover - is the area between the driveway and the property boundary and may include a made footpath. Private Property Entrance - the roadway linking the edge of a Council Road to the private property boundary. The Private Property Entrance may traverse road reserve or stock route. Council Road - a Council controlled road listed on the Mid Western Regional Council Road Register. Roads Act 1993. The following sections from the Roads Act are applicable with respect to this policy: SECT 6 (Right of access to public road by owners of adjoining land) (1) The owner of land adjoining a public road is entitled, as of right, to access (whether on foot, in a vehicle or otherwise) across the boundary between the land and the public road. (2) The right conferred by this section does not derogate from any right of access that is conferred by the common law, but those rights are subject to such restrictions as are imposed by or under this or any other Act or law.

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SECT 92 (Roads authority may alter landform of land adjoining public road without acquiring land)

- A roads authority may alter the landform of land adjoining a public road so as to ensure the stability of the road.
- (2) The roads authority must pay compensation to the owner of the land for any loss or damage.

SECT 95 (Removal of windblown sand etc) damage arising from the alteration.

- (1) The appropriate roads authority may direct the occupier of land from which sand, soil or other such matter has been washed or blown onto a public road to take such action as is necessary to remove the obstruction and prevent its recurrence.
- (2) The direction may specify the period within which the direction must be complied with.

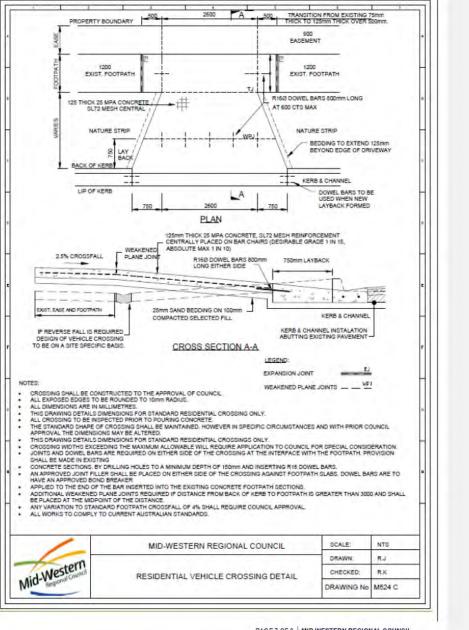
SECT 218 (Roads authority may recover cost of constructing or repairing a special crossing)

- (1) The owner of land adjoining a public road is liable to pay to the appropriate roads authority the cost incurred by the roads authority in constructing or repairing any special crossing over a footway in the public road for the traffic of vehicles across the footway to or from the land
- (2) If the crossing has been constructed or repaired at the request of the occupier of the land concerned, any amount paid to the roads authority by the owner of the land may be recovered by the owner from the occupier.

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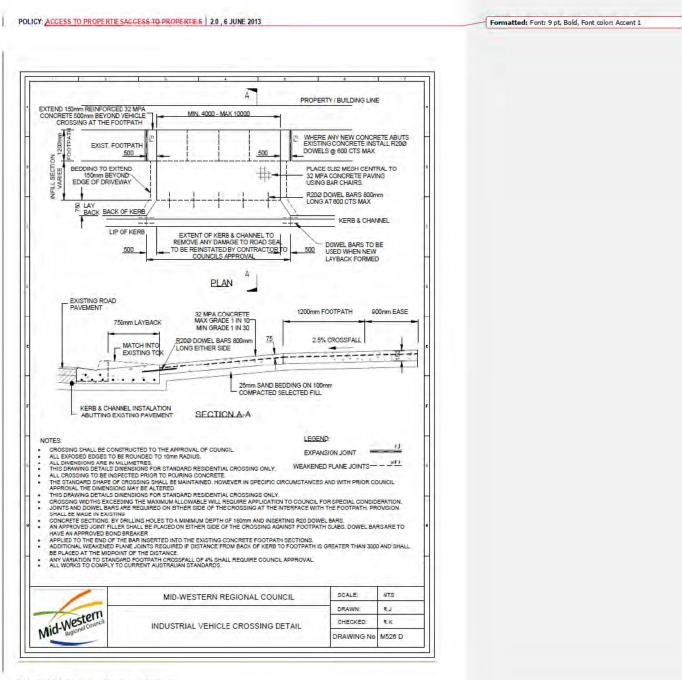
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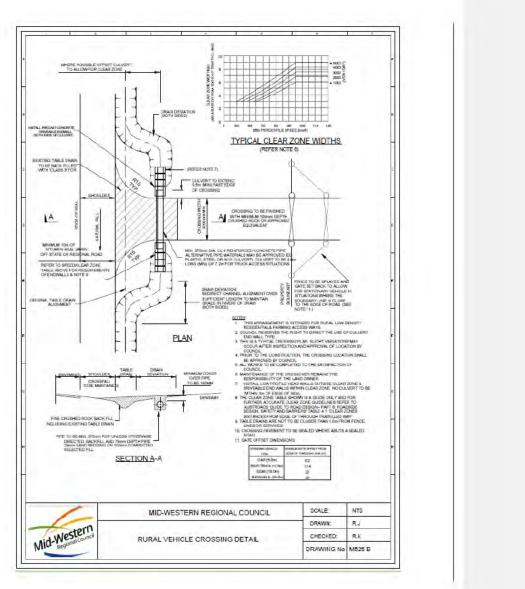
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construction of the world class Glen Willow Regional Sporting Complex in Mudgee. An important part of experience for visitors utilising these facilities is the ability to move easily throughout the region via a ra	
consistent and professional signs. This includes the use of traditional brown or blue tourism signs, inform	
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Information & Directional Signage

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Directional road signage assists in wayfinding for drivers, riders and pedestrians. Directional signage can help promote visitor attractions but should not be used as commercial advertising.	
informational signage is particularly useful for community attractions that have regular visitation from a wide catchment with people less familiar with the precinct.	
Excessive or unclear use of informational and directional signs can lead to confusion, causing distraction and ncreasing the road safety risk. They can also impact on visual amenity.	
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Other than the major town and city directional signs, there are fourthree major types of informational and directional signage placed within road reserves to identify the location of road reserves road signs used by visitors to assist road users to find tourist attractions and facilities in the Mid-Western region. These are:	
1. Tourist Attraction Signs (Brown and WhiteWhite on Brown)	
2. Services Signs (Blue and White White on Blue)	
3. Community Facilities Signs (Blue and White White on Blue)	
A Advertising Signs (as adverte granath)	
<u>Advertising Signs (on private property)</u> The first threeThese sign types are denoted by a particular colour scheme (conforming to Australian standards) which indicates their different function to the travelling public. It is to be noted Aadvertising signs installed on private property require an MWRC Development Application and	
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vpical facilities that may be considered for signage include;	Formatted: Font: Arial Narrow, Underline, Font color: Background 1
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Information & Directional Signage

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formation and directional signage shall always remain the property of MWRGCouncil. Applicant's fees are for e cost of manufacture and installation and for a permit to display such signage. WRGCouncil maintains the right to replace, or remove any sign installed on roads under its control when any the following occurs:	
the following occurs:	
 the applicant no longer conforms with the conditions of the sign approval; 	Formatted: Indent: Left: 0.37 cm, Bulleted + Level: 2
 the sign is in a poor state of repair; 	Aligned at: 2.25 cm + Indent at: 2,89 cm
 there is a demonstrated need for aggregating signs in a particular location; or 	
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e need for sign repairs or replacement, for any reason, shall be at the discretion of MWRECouncil. In cost for maintaining signs, including damage or vandalism, replacement, reinstatement and/or re-erection Il be the responsibility of the owner/operator of the facility to which the sign refers.	
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sporting and conference events, including the construction of the world class Glen Willow-Regional Sporting Complex in Mudgee. An important part of the experience for visitors utilising these facilities is the ability to move easily throughout the region via a range of consistent and professional signs. This includes the use of traditional brown or blue tourism signs, information centre signs, facility signs and designated tourist trails. In addition, MWRC aims to provide quality, accessible and consistent information to visitors via a series of roadside tourism information bays placed throughout the region and in the urban centres.

Other than the major town and city directional signs, there are four major types of road signs used by visitors to find tourist attractions and facilities in the Mid-Western region. These are:

4	Tourist Attraction Signs (Brawn and IThus)	Formatted: Body Text, Indent: Left: 0.37 cm, Rig 1.45 cm, Space Before: 0 pt, Line spacing: Exactl	
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Advertising signs installed on private property require an MWRC Development Application and are covered by a separate advertising signage policy.

RESPONSIBILITY FOR SIGNAGE

Responsibility for approving information and directional signage depends on the type ofroad on which the signage is located. The State Government, and specifically the Roads and Maritime Service (RMS) has responsibility for designing and approving the location of signage placed within the road reserve on state and regional roads such as the Castlereagh Highway and Ulan Rd. MWRC has responsibility for the design and location approval of signage placed within the road reserve on local roads only. The NSW Tourism Attraction Signposting Assessment Committee (TASAC) has developed the Tourist Signposting manual with guidelines for State and Regional roads. Council generally applies these guidelines for local roads also. Applications for State and Regional roads need to be made direct to TASAC, while local roads must be submitted to Council utilising the TASAC application form.

RMS has developed guidelines for accommodation facility directional signposting (white on blue) on State and Regional roads. MWRC generally applies these guidelines with regard to directional signposting on State roads; however MWRC will allow alternate directional signage that incorporates the name of the accommodation facilities on Regional and Localroads in support of the many and varied Bed and Breakfast type accommodation inthe region. Accommodation providers will need to apply to Council utilising the MWRCnodation Signage Application form attached and provide evidence of approval as a registered facility such as a Development Application. This signage will only be approvedfor installation on the closest local road intersection to the facility and simply state the name of the facility

Details about how to obtain these guidelines and about the approval process forinformational and directional signs are available on the MWRC website at www.midwestern.nsw.gov.au or from Council Customer Service Centres.

Facility owners/operators are responsible for getting all necessary approvals and paying all costs involved with information and directional signage.

Information & Directional Signage

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PERMITS

MWRC permits are required for informational/directional signage. These permits grant the right to use the portion of road reserve for a period of 3 (three) years, after which time the appropriateness and efficacy of the sign may be reassessed.

Information and directional signage shall always remain the property of MWRC. Applicant's fees are for the cost of manufacture and installation and for a permit to display such signage.

MWRC maintains the right to replace, or remove any sign installed on roads under its control when any of the following occurs:

- the applicant no longer conforms with the conditions of the sign approval;
- the sign is in a poor state of repair;
- there is a demonstrated need for aggregating signs in a particular location; or
- Council needs to resume the land.

Should MWRC need to replace or remove a sign, the applicant will be notified in writing 21days in advance of that action.

The need for sign repairs or replacement, for any reason, shall be at the discretion of MWRC-

The cost for maintaining signs, including damage or vandalism, replacement, reinstatement and/or re-erection will be the responsibility of the owner/operator of the facility to which the sign refers.

A sign permit is granted for the original sign face design. The sign face cannot be alteredin any way. Any alteration to a sign design is subject to a new application, which may or may not require a new sign permit.

INFORMATION BAYS & PROMOTIONAL

MWRC will operate information bays in rural and urban settings and will be responsible for approving all informational/directional and promotional signage to ensure consistencyand accuracy. Such signage will be assessed on a case by case basis.



POLICY: ROAD ENCROACHMENTS ON PRIVATE LAND 6 JUNE 2013

It will not apply to private right of ways or tracks on private property nor private right of ways that have been allocated a road name and numbering.

PAGE 2 OF 2 | MID-WESTERN REGIONAL COUNCIL



Objective

- 1. To establish guidelines for the management and administration of unformed/unmaintained roads, and
- 2. This policy will assist Council in achieving Theme 4, Goal 1 of the Community Plan.

Legislative requirements

This Policy is consistent with the ROADS ACT 1993

Related policies and plans

- The Roads Asset Management Plan
- Land Acquisition & Disposal Policy

Scope

This policy applies throughout the Mid-Western Regional Council local government area.

This policy applies to:

(a) All roads identified in Council's Road Asset Management Plan as ":unmaintained (b) All roads identified in Council's Road Asset Management Plan as "unformed

This policy applies to all "unformed" roads regardless of if they are named or not.

Definitions

- "Unmaintained" for the purpose of this policy, shall mean a road reserve that can be a formed road or unformed road that is not constructed to a standard and has no assets that are maintained by Council or which is privately owned. A road is identified as unmaintained if it is not listed as maintained in Council's Road Asset Maintenance-Management Plan
- "Unformed" for the purpose of this policy, shall mean that the road exists in cadastre however has either:
 - not been graded to the appropriate width with appropriate crossfalls and table drains and other necessary drainage facilities do not exist. A flat dozer bladed track will still be classified as "Unformed"; or
 - are "paper roads" and have had no physical work carried out on the road reserve and the reserve is generally in its natural state.

POLICY: UNMAINTAINED AND UNFORMED ROADSUMMAINTAINED AND UNFORMED ROADSUMMAINTAINED AND UNFORMED ROADS

PolicyBackground

In addition to the expansive network of sealed and unsealed roads that Council maintains, there are hundreds of kilometres of Crown and Public roads across the Mid-Western Regional Council local government area that Council does not maintain. These roads, while available for Public use, are referred to as Unmaintained or Unformed roads.

Council currently looks after approximately 1,200 km of unsealed roads. The roads that Council currently maintains are listed in Council Roads Asset Management Plan. If a road or access way is not listed in this document and exists in cadastre as a Council or Crown road, it is legally accessible to the Public, however the maintenance of the road is the responsibility of the landowners who use the road for accessThere are hundreds of kilometres of roads in our local government area (LGA) that are presently identified as unmaintained, i.e. those that do not receive regular grading or any other works thereon. The cost to perform a maintenance grade on these roads would be approximately \$2,000 per grade/km (assuming appropriate formation exists)

The length of unformed roads (i.e. paper roads) in the area has been estimated to be over 3,000 km. At an assumed average rate for construction in excess of \$20,000 per km for good open surface road (single lane in virgin country) it may cost over \$60 million to construct all of the presently unformed roads. This does not take into account that many of the unformed roads have never been constructed because they are over sand-hills, rocky ridges or swamps.

The issue of roads that should be maintained by Council is an emotive one, where in certain cases an expectation exists for Council to maintain every rural road to each ratepayer's property. A road is defined as unmaintained, if not listed as maintained in Council's Roads Asset Management Plan.

Unfortunately with existing financial constraints it is unlikely that sufficient funding is available to adequately maintain Council's existing unsealed road network. The reason for this is Council does not have the funds or capacity to construct and maintain an access along every road reserve in the local government area over and above Council's maintained road network. To add any additional roads at this time would place an undue burden on the available funding.

Even though all road reserves are owned by Council or the Crown, Council only maintains those roads that have been constructed by Council, or constructed by another party to Council's requirements then formally handed over to Council.

People wishing to upgrade their access along an unformed road are required to gain the approval of Council prior to undertaking the work. In addition, if the road is a Crown Road, approval is also required from the Department of Lands. The formation of a road to Council standards, however, does not automatically imply that Council will maintain the road.

The lack of a maintained road to every rural property could have some social impact placing an increased cost on the landowners to maintain their own access.

All Councils are being urged to consider very carefully the creation of new assets as figures indicate that it may already be beyond the resources of governments, including local government to maintain existing assets. While council will receive requests for the creation of new roads it will give such requests consideration against the above background and as a rule will only take over maintenance of the road if it serves a genuine public function, for example by providing access to a minimum number of five propertiespermanent residences along the road.

An easement with right of carriageway is generally constructed to a lesser standard and will not be accepted and maintained by Council.

PAGE 2 OF 5 MID-WESTERN REGIONAL COUNCIL

POLICY: UNMAINTAINED AND UNFORMED ROADS UNMAINTAINED AND UNFORMED ROADS 202.02-0, 20 NOVEMBER 2019

<u>UThe unformed but surveyed roads roads</u> are on occasions a hindrance and a liability to property owners. There are occasions when Council will give consideration to selling <u>unformed</u> road reserves to the adjoining landowner(s) – refer Permanent Road Closures Policy.

Policy

Council Road Reserves

Roads will only be added to the maintained list after consideration by Council and taking into account the cost to bring the road up to a minimum standard (as defined in the Road Asset Management Plan), ongoing maintenance costs and the impact on the total roads program.

Sections of Council road reserve that service less than 5 permanent residences will not be considered for addition to the maintained road list, noting that historically, there are maintained roads within the local government area that do not meet this requirement.

Road extensions beyond a property boundary will not be considered. Council considers that its first priority is to provide access to individual properties, access for the improved management of a property is the responsibility of the landowner.

Council may perform maintenance on unmaintained roads under a private works arrangement with the affected property owner(s) when plant is in the region and subject to current workloads.

Private individuals or Contractors may perform maintenance on public roads that are unmaintained, if and only if:

- They have submitted Council's 'Application for Works within the Road Reserve' such application shall detail the extent of proposed maintenance activities, experience of the person performing the works, and plant and equipment to be used for the maintenance;
- Appropriate traffic control plans are in place prior to undertaking the proposed works;
- The applicant has a current Public Liability Insurance Policy to cover any mishap which may occur with a recommended minimum level of indemnity of \$20 million and such policy shall be suitable endorsed to cover Council

Approval of a dwelling on a property on an <u>unmaintained or</u> unformed road or track does not commit the Council to the construction or repairs of that road. Council works are dependent on finances available and works programmed.

Crown Road Reserves.

Crown Road Reserves are administered by NSW Department of Industry - Crown Lands & Water. Council does not maintain or administer Crown Road Reserves.

Where a Crown road reserve has a road constructed on it that is maintained by Council, Council will transfer these Crown road reserves to Council road reserves.

Where a Crown road reserve that is not maintained by Council is required because it provides the only legal and physical means of access, Council will not consent to the road reserve being closed. Council will transfer these Crown road reserves to un-maintained Council road reserves, the maintenance being the responsibility of the owners of the lots gaining access from the road. All NSW Department of Industry – Crown Lands & Water fees and/or Council fees associated with any road closures and/or transfers will be borne by the landowner requesting the closure or transfer.

POLICY: UNMAINTAINED AND UNFORMED ROADSUNMAINTAINED AND UNFORMED ROADSUNMAINTAINED AND UNFORMED ROADS

Council must be satisfied prior consenting to any Crown Road transfers that there are no fencing encroachments, enclosure permits (issued by Crown Lands), or misaligned roads. Under the Crown Lands <u>Management Act 2016Act 1989</u>, NSW Trade & Investment – Lands, there ishas a legal responsibility to ensure the use of the public land, including roads, is authorised. Any anomalies should be resolved prior to transfer as once Council becomes the roads authority, it also assumes the liability for the roads.

Council is not responsible for any costs associated with the physical construction of any former Crown road reserve once it has been transferred to Council control. This includes (but not limited to) surveys and fencing.

The Landowner is responsible for lodgement of the required Council 'Application for Works within the Road Reserve' with council prior to commencing any physical construction of unformed road reserves, and only after the Crown road reserve has been formally transferred and gazetted to Council as the controlling authority.

Where the Crown Road provides access to 10 or more lots and the road is upgraded by the developer, Council may consider maintenance of the Crown Road. This will only be considered where the developer has constructed the road to conform to conditions of consent, and only after the Crown road reserve has been formally transferred and gazetted to Council as the controlling authority.

Private Roads

The following procedure shall be followed when a request is made to have the Council accept a privately owned road as a Council public road:

- An application to Council signed by all people having an interest in the road, such as owner in fee simple and abutting property owners having rights-of-way over the road, shall be presented. This application shall state that all parties having interest in the road will be willing to dedicate the subject road as a public road reserve. The application shall also be accompanied by a scaled drawing of the road, prepared by a licensed surveyor, locating the road with reference to existing roads, waterfronts, etc., and showing all abutting property lines.
- The Council shall accept no privately owned road unless it meets all of the minimum standards as set forth in Auspec and the Council's Road Asset Management Plan.
- A copy of the application will be submitted to Council who may suggest other requirements upon the applicants before the Council may accept the road.
- If Council accepts the transfer of the Road as a maintained public road, then the applicant(s) shall lodge a Subdivision Application for determination and registration of the road reserve.
- The road shall not be considered a Council maintained road until all conditions and requirements have been met and approved by the Council.

Comments:

A review of the policy is considered necessary in relation to the possible francier of private roude to Cloundi

Apart from the consideration that Council should limit its road network as much as possible and not be creating or accepting new assets the following comments are made:

Right of ways are generally created to lower standards than public roads.

At a minimum, the additional areas required for a road reserve may be contrary to the original development consent in relation to the minimum areas.

Possibly the history of such applications may have had support or been an emotive issue.

However the conversion of the right of ways to Council's asset schedule cannot be accepted on economic grounds.

However it would be rare that five lots would be involved so no maintenance of road requirements by Council would possibly not occur.