



****CONFIDENTIAL COPY****

Business Papers 2024

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 17 APRIL 2024

*A prosperous and progressive
community we proudly call home*





PO BOX 156
MUDGEES NSW 2850

86 Market Street MUDGEES
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

10 April 2024

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
17 APRIL 2024
Public Forum at 5.30pm
Council Meeting commencing at conclusion of Public Forum

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

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

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

Yours faithfully

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

BRAD CAM
GENERAL MANAGER

AGENDA

Acknowledgement of Country	7
Item 1: Apologies.....	7
Item 2: Disclosure of Interest.....	7
Item 3: Confirmation of Minutes.....	7
3.1 Minutes of Ordinary Meeting held on 20 March 2024	7
Item 4: Matters in Progress	8
Item 5: Mayoral Minute.....	9
Nil	
Item 6: Notices of Motion or Rescission.....	10
6.1 Land and Environment Plan	10
Item 7: Office of the General Manager	11
Nil	
Item 8: Development	12
8.1 DA0238/2024 - PAN-415255 - Boundary Adjustment (3 into 3 lots) - Old Bombira 7 Moggs Lane BOMBIRA.....	12
8.2 Planning Proposal - 10 - 12 Burrundulla Avenue, Mudgee	28
8.3 Monthly Development Applications Processing and Determined - March 2024.....	35
8.4 Policy Review - Media Policy.....	45
Item 9: Corporate Services.....	52
9.1 Policy Review - Land Acquisition and Disposal	52
9.2 Naming of new streets in a subdivision off Hone Creek Drive, Caerleon	61
9.3 Naming of a new street in a subdivision off Rifle Range Road, Mudgee.....	73
9.4 Monthly Statement of Investments as at 31 March 2024	82
9.5 Monthly Budget Review - March 2024.....	90

9.6	Draft Delivery Program 2022/26 and Draft Operational Plan 2024/25.....	92
9.7	MWRC Distributed Battery Energy Storage System.....	95
Item 10:	Operations.....	99
	Nil	
Item 11:	Community.....	100
11.1	Robertson Park Mudgee Master Plan - Post Exhibition Report.....	100
11.2	Community and Cultural Services Quarterly Report.....	103
11.3	Solar Array Progress Report.....	111
11.4	Review of Mudgee Library Opening Hours.....	120
11.5	Rescission of Policy - Access to Information.....	122
Item 12:	Reports from Committees.....	145
12.1	Sports Advisory Groups Update - Meetings February 2024.....	145
12.2	Botobolar Community Committee Meeting Minutes - 26 March 2024.....	152
Item 13:	Urgent Business Without Notice.....	156
Item 14:	Confidential Session.....	157
14.1	Purchase of Cabin at Mudgee Valley Park.....	161
Item 15:	Urgent Confidential Business Without Notice.....	174
Item 16:	Open Council.....	174
Item 17:	Closure.....	174

Acknowledgement of Country

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

Item 1: Apologies

Item 2: Disclosure of Interest

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

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 20 March 2024

Council Decision:

That the Minutes of the Ordinary Meeting held on 20 March 2024 be taken as read and confirmed.

The Minutes of the Ordinary Meeting are separately attached.

Item 4: Matters in Progress

SUBJECT	RESOLUTION NO. & DATE	RESOLUTION	ACTION
Investigation of Garbage collection service at Queen's Pinch Waste Transfer Station	Res. 66/20 Ordinary Meeting 18/03/2020	Staff investigate the feasibility of replacing the Waste Transfer Station on Queen's Pinch Rd with a garbage collection service.	To be reported to Council at a future meeting.
Road Maintenance	198/22 Ordinary Meeting 20/07/2022	That Council receive a report for any or all opportunities to improve road network maintenance.	<u>RECOMMENDED FOR COMPLETION</u>
Indoor Pool Business Case	Res 296/22 Ordinary Meeting 21/09/2022	That Council investigate financing options and grant opportunities for the construction of an indoor swimming pool.	To be reported to Council at a future meeting.
Ulan and Cope Road Safety – Rumble Strips	Res 241/23 Ordinary Meeting 18/10/2023	That Council receive a report detailing costings and investigate opportunities for funding to install rumble strips along Ulan and Cope Roads to enhance safety measures.	To be reported to Council at a future meeting.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Land and Environment Plan

NOTICE OF MOTION LISTED BY CR PERCY THOMPSON
TO 17 APRIL 2024 ORDINARY MEETING
GOV400105,

MOTION

That Council commence a new Land and Environment Plan for the Council area.

Background

I have been approached by a number of people including real estate agents requesting that Council do another Land and Environment Plan (LEP), claiming that there is not enough land available for housing and Council hasn't done a LEP for around 14 years, so it's well and truly overdue.

Officer's comments

Council is about to commence the Housing Strategy project which will ensure a sufficient land supply for the next 20 years. The supply areas identified under the Comprehensive Land Use strategy will be reviewed to ensure suitability of housing supply moving forward.

The Housing Strategy will consider current and future needs and provide recommendations of any proposed changes to the LEP and DCP if required.

Further, Council has endorsed a review of the DCP which will take place in 2024-25.

Item 7: Office of the General Manager

Nil

Item 8: Development

8.1 DA0238/2024 - PAN-415255 - Boundary Adjustment (3 into 3 lots) - Old Bombira 7 Moggs Lane BOMBIRA

REPORT BY THE TOWN PLANNER
TO 17 APRIL 2024 ORDINARY MEETING
GOV400105, DA0238/2024

RECOMMENDATION

That Council:

- A. receive the report by the Town Planner on the Development Application DA0238/2024 - PAN-415255 - Boundary Adjustment (3 into 3 lots) - Old Bombira 7 Moggs Lane BOMBIRA;**
- B. That Development Application DA0238/2024 - PAN-415255 - Boundary Adjustment (3 into 3 lots) - Old Bombira 7 Moggs Lane BOMBIRA be approved subject to the following conditions and Statement of Reasons:**

CONDITIONS

APPROVED PLANS

- 1. The development must be carried out in accordance with the following approved plans and documents, except where the conditions of this consent expressly require otherwise.**

Title / Name:	Drawing No / Document Ref	Revision	Date	Prepared by:
Existing Site Plan	L01	A	18/10/2023	Barnson
Proposed Site Plan	L02	B	22/02/2024	Barnson

In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.

GENERAL

- 2. This consent is for a boundary adjustment (3 into 3 Lots) only. No physical works are approved under this consent.**
- 3. Proposed Lot 101 and Lot 102 is to have a minimum area of 4000m².**

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

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

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

5. A linen plan and two (2) copies are to be submitted to Council for approval and endorsement by the General Manager (or their delegate).
6. All costs associated with the preparation of a Survey Plan and associated easement documentation are to be borne by the developer.
7. Prior to the issue of a subdivision certificate, a survey drawing is to be submitted to Council, demonstrating that all private water services, sewer services and water meters are located wholly within the lot that they serve.

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. Division 8.2 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 6 months after the date on which you receive this notice. The request must be made in writing and lodged with the required fee; please contact Council's Development Department for more information or advice.
4. If you are dissatisfied with this decision section 8.7 of the EP&A Act 1979 gives you the right to appeal to the Land and Environment Court, pursuant to section 8.10(1)(b).
5. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning & Assessment Act 1979.
3. The development was not required to be publicly notified in accordance with Council’s Community Participation Plan 2019. No submissions were received.

Executive summary

OWNER/S	Desmond and Carol Anne Kennedy
APPLICANT:	Desmond Kennedy c/o Jack Massey – Barnson
PROPERTY DESCRIPTION	Lot 1 DP 772140 – 7 Moggs Lane BOMBIRA Lot 10 DP 1284642 – 6 Page Street BOMBIRA Lot 11 DP 1284642 – 8 Page Street BOMBIRA
PROPOSED DEVELOPMENT	Boundary Adjustment (3 into 3 lots)
ESTIMATED COST OF DEVELOPMENT:	\$1.00
REASON FOR REPORTING TO COUNCIL:	Determination of a development application where a senior member of Council or Councillor (Mayor), is the owner or applicant of the subject land (excluding Council owned or managed land)
PUBLIC SUBMISSIONS:	Nil

Council is in receipt of a Development Application DA0238/2024 which seeks approval for a boundary adjustment – 3 into 3 lots located at 7 Moggs Lane Bombira and 6 and 8 Page Street Bombira, legally described as Lot 1 DP 772140 and Lot 10 and 11 DP 1284642 (**Figure 1**). The application was received by Council on 4th March 2024.

The applicant is proposing a boundary adjustment that involves adding additional area to Lot 1 and reducing the areas of Lots 10 and 11 accordingly. The three lots are proposed to be numbered 103, 102 and 101. Lot 103 will contain the existing dwelling and associated structures and increase in area to 2.577ha, while Lots 101 and 102 will be reduced in area to 4000m² each and remain vacant residential lots. The proposal is for a re-alignment of boundaries only. No physical works are proposed. The existing and proposed plans are included within **Attachment 1**.

The application was not required to be advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019.

The proposed development has been assessed in accordance with Council's DCP and the LEP. The proposed development is considered consistent with Council's planning controls.

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the owner of the subject land is a senior member of Council or Councillor (Mayor).

The application is recommended for Approval.

Disclosure of Interest

Mayor Des Kennedy is a part owner of all three lots subject to this application.

Detailed report

SITE DESCRIPTION

The proposed boundary adjustment is located within the established 'Old Bombira' residential precinct and the recently subdivided 'Bonnyview Estate' approximately 2km to the north-east of the Mudgee Town Centre. The proposed boundary adjustment is located on the north-eastern side of Moggs Lane and western side of Page Street. Lot 1 DP 772140 is a large allotment that contains an existing dwelling house, associated outbuildings, pool and tennis court. Lot 10 and 11 DP 1284642 were recently created under a new subdivision and are vacant residential allotments.

The subject site is located within an established residential area and the immediate vicinity is characterised by large R2 low density residential allotments. Extending beyond the subject site is the racecourse to the south west, Ulan Road and the AREC centre to the north west and rural land to the north and east.



Figure 1 – Site Locality Map

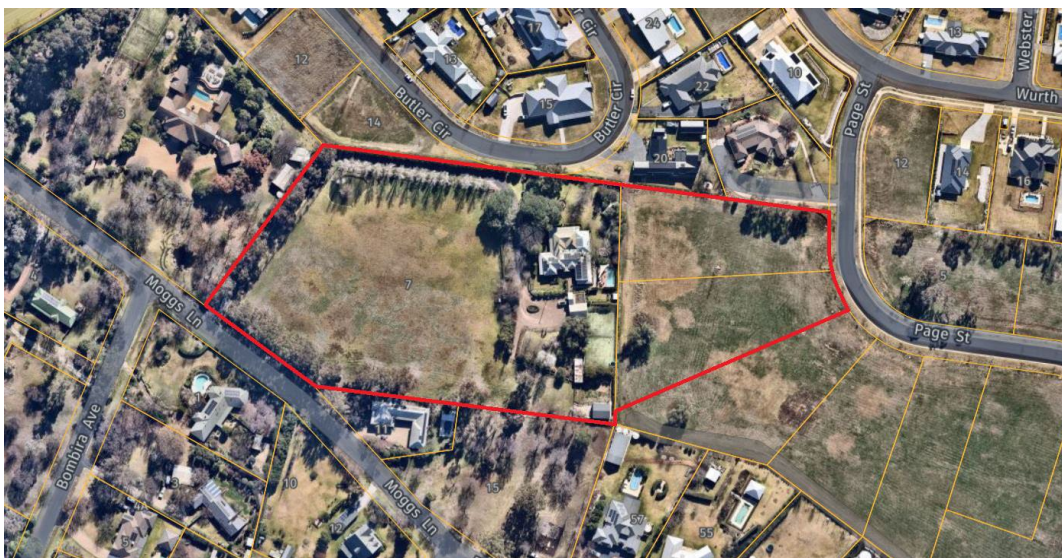


Figure 2 – Site Aerial

PROPOSED DEVELOPMENT

The proposed development is for a boundary adjustment between Lot 1 DP 772140, Lots 10 DP 1284642 and Lot 11 DP 1284642. The proposal seeks to shift the rear boundary of Lot 10 and 11 east and allocate this portion of land to Lot 1. This would result in an increase in land area of Lot 1 by 1875m².

Lot 1 will retain its access off Moggs Lane and Lot 10 and 11 will retain its access off Page Street, as per the existing arrangement. All existing services shall be retained and the proposed boundary adjustment does not impact on any existing service infrastructure located on the subject site.

The proposed boundary adjustment is a re-alignment of boundaries only. No physical works are proposed.

Existing site details:

Street No.	Lot & DP	Road Frontage	Area	Use of Land
7	Lot 1	Moggs St	2.389 ha	Residential. Contains an existing house and ancillary buildings
6	Lot 10	Page St	4592m ²	Vacant residential land
8	Lot 11	Page St	5283m ²	Vacant residential land

Proposed site details:

Street No.	Lot	Road Frontage	Area	Use of Land
7	Lot 103	Moggs St	2.577 ha	Residential. Contains an existing house and ancillary buildings
6	Lot 101	Page St	4000m ²	Vacant residential land
8	Lot 102	Page St	4000m ²	Vacant residential land



Figure 3 – Existing Site Plan



Figure 4 – Proposed Site Plan

LEGISLATIVE REQUIREMENTS

Environmental Planning and Assessment Act 1979

Designated Development

The development proposal is not considered to be Designated Development, in accordance with Schedule 3 of the Environmental Planning and Assessment Regulation 2021 (EP&A Regs).

Integrated Development

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

ASSESSMENT

The application has been assessed in accordance with **Section 4.15** of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed below as follows.

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

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

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

The proposed development will not require the removal of vegetation. Therefore, no further consideration of the SEPP is considered necessary.

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

The proposed development is not impacted by any requirements of this Policy. It is acknowledged that any fencing undertaken in the future will be required to be undertaken in accordance with this policy between landowners. No further consideration is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Pursuant to section 4.6(2) of the Policy, no preliminary contamination report is required. The site currently is approved for residential purposes.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

The proposed development is for a boundary realignment only. It does not impact upon any nearby infrastructure or trigger the requirements of this policy.

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

The following clauses of Mid-Western Regional Local Environmental Plan 2012 have been assessed as being relevant and matters for consideration in assessment of the Development Application.

Clause 1.2 Aims of Plan

The application is not considered to be contrary to the relevant aims and objectives of the plan.

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned R2 Low Density Residential and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned R2 Low Density Residential pursuant to MWRLEP 2012. The proposal, being a boundary adjustment is permissible with consent in the zone and complies with the relevant objective of the R2 Zone which is to:

1. *To provide for the housing needs of the community within a low density residential environment.*

Comment The proposal will not inhibit the housing needs of the community as expected in the R2 zone.

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

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

Clause 2.6 Subdivision – consent requirements

As the proposal involves a boundary adjustment this will also require development consent as discussed throughout the report.

Clause 4.1 Minimum subdivision lot size

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

The minimum lot size pursuant to the LEP mapping is 2ha. However, the subject lots are also located within the nominated 'Area B' on the Minimum Lot Size map.

Proposed Lot 103 already exceeds 2ha. However, proposed Lot 101 and 102 are proposed to be 4000m².

It is acknowledged that existing Lot 10 and 11 were approved below 2ha under the original subdivision approval (DA0101/2020). Under this consent, consideration was given to clause 4.1(3A)(b) of the LEP which states:

(3A) Despite subclause (3), if the consent authority is satisfied that each lot is, or will be serviced by a water reticulation system and sewerage system—

(b) land identified as “Area B” on the Lot Size Map may be subdivided to create lots of at least 4,000 square metres.

As the original subdivision extended reticulated water and sewer services, lots below 2ha (but no less than 4000m²) were permitted. Accordingly, as the boundary adjustment does not propose to reduce the lot area below 4000m² or require changes to the existing servicing strategy, the boundary adjustment is satisfactory and achieves compliance with the minimum lot size provisions.

Clause 4.3 Height of buildings

Not applicable. No physical works are proposed.

Clause 5.10 Heritage Conservation

The development site is not identified as containing a heritage item, nor is it located within the Mudgee Heritage Conservation Area. Accordingly no further heritage consideration is considered necessary.

Clause 5.21 Flood planning

Not applicable. The site is not flood affected.

Clause 6.3 Earthworks

Not applicable. No physical works are proposed.

Clause 6.4 Groundwater vulnerability

The site is identified as groundwater vulnerable in accordance with Council’s mapping. However, no physical works are proposed.

Clause 6.5 Terrestrial biodiversity

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

Clause 6.9 Essential Services

All lots are currently serviced by both Council’s water and sewer networks, the boundary adjustment will not affect these current arrangements. No new service connections or easements are required. As a result, all essential services are available to all allotments.

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

(ii) Draft environmental planning instruments (EPI)

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

(iii) Any development control plans

MID-WESTERN REGIONAL DCP 2013

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

Part 4.7 Tree Preservation Order

No trees to be removed listed under the TPO.

Part 5.2 Flooding

Not applicable.

Part 5.3 Stormwater Management

Both lots and the existing structures can drain to either Moggs Lane or Page Street via existing drainage systems and easements. No additional infrastructure or easements are required.

Part 5.4 Environmental Controls

Not applicable.

Part 7.1 Urban Subdivision

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Applies to	
Land zoned residential; village zones; rural residential lots up to 2 hectares	Land is zoned Residential
Lot size	
Minimum lot size as determined by MWRC LEP 2012	Yes. Each lot complies with clause 4.1(3)
All lots have street frontage	Proposed Lot 103 will retain its access to Moggs Lane. Proposed Lot 101 and 102 will retain access to Page Street.
Lots increase in size relative to slope as follows: – 0-10 degrees: 600m ² – 10-15 degrees: 700m ² – 15-20 degrees: 800m ² – >20: subdivision prohibited	Approximate fall is between 0-10 degrees.
All lots have 16m width at building line in residential and village zones	There is no change to the lot width.
Battle-axe handles in R1, R3 and RU5 Village have width of 4m	Not applicable
Battle-axe handles in R2 and R5 residential zones have width of 6m	Not applicable
Lot Design	
For infill subdivision lot orientation maximises solar access and takes account of existing pattern of development	Yes. The proposed boundary adjustment does not impact on solar access for future development. The lot are large and are capable of achieving maximum solar access.

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
For new release subdivision lot orientation maximises solar access by maximising north-south lots	The lot orientation was already approved. The change is lot depth and configuration will not impact on solar access.
For new release subdivision east-west orientated lots have increased width and midpoint	All lots are of a suitable size to achieve a high level of solar access.
Lots generally rectangular in shape	Achieved.
Lots on southern side of road provide greater frontage width for better solar orientation of future dwelling	Not applicable
Corner lots have sufficient area to allow dual occupancy and independent utility connection points	Not applicable
Street Layout and Design	
Traffic Impact Statement submitted for 5+ lots	Not applicable. A Traffic Impact Statement is not required in this instance as the proposed subdivision is for a boundary adjustment only. No additional Lots or new roads are proposed.
Traffic Impact Statement submitted for all subdivisions where new road required	Not applicable
Subdivision integrates with existing residential area	Yes. The boundary adjustment does not impact on the lots integration with the established residential area.
New roads must provide “through road” connections to surrounding roads and road heads where they exist in the locality	Not applicable
Where cul-de-sac treatment unavoidable, pedestrian linkages between streets provided	Not applicable
Multiple cul-de-sacs and “no through roads” discouraged	Not applicable
Maximum number of lots in cul-de-sac is 12 lots	Not applicable
Subdivision >80 lots should not require backtracking	Not applicable
Road Standards for New Development	
Urban Road Standards required	Not applicable. No new roads are proposed or required.
1 x 1.2m footpath, barrier kerbing	Not applicable
Commercial and Industrial Subdivision roads: 22m road reserve, 13m carriageway, 2 x 4.5m nature strip, 1 x 1.2m footpath, barrier / rollover kerbing	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
Cycle ways and footpaths	
Cycle ways and pedestrian networks included in new subdivisions	Not applicable. This is a boundary adjustment only.
If subdivision site identified in Council cycle way plan or pedestrian strategy, subdivision needs to respond to strategy	Not applicable
New subdivisions provide direct, convenient and safe access to major facilities	Not applicable
Cul-de-sacs may be required to include 10m wide shared overland flow/pathway	Not applicable
Developer to provide contribution to Council for installation of cycle ways and footpaths prior to release of subdivision certificate	Not applicable
Open Space	
Greenfield sites >20 lots ensure that lots are <400m from local park, playground or passive open space	Not applicable. This is a boundary adjustment only. There is no requirement for additional facilities.
Where on-site detention basins double as open space, must include raised level area which incorporates playground or fitness equipment etc and shading landscaping	Not applicable. This is a boundary adjustment only. There is no requirement for additional facilities.
Landscaping	
Landscape plan provided, detailing treatment of public domain	Not applicable. Existing landscaping within the street verges is proposed to be retained and is to be impacted by the boundary adjustment.
Land dedicated as public reserve top soiled, levelled, turfed prior to release of subdivision certificate and maintained by developer for period of two years	Not applicable.
Street Trees	
Two (2) street trees provided per lot	Street trees are existing. The proposed boundary adjustment does not require additional plantings.
Developer provides levy to Council to provide these trees after 80% of works carried out	Not applicable
Utility Services	
Servicing plan submitted showing provision of underground electricity, sewer, water, drainage and telecommunications to the development	All lots are currently connected to reticulated services. The proposed boundary adjustment does not impact upon or require augmentation of existing services. Each lot retains its

DEVELOPMENT CONTROL REQUIREMENT	COMPLIES?
	existing service arrangements.
Evidence of consultation with relevant authorities submitted with application	Not applicable
Drainage	
As per Section 5.3 Stormwater and Drainage	Not applicable. All stormwater generated by the existing dwelling and vacant lots can be managed via existing arrangements. The boundary adjustment does not impact how stormwater will be managed on each lot as a result.

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

Pursuant to Council’s Contributions Plan 2019, no contributions are necessary as the proposal will not increase the demand on local infrastructure as no additional lots are being created.

Section 64 - Water/Sewer Developer Services Charges

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), no charges have been applied as the proposed development does not increase the demand or loading upon Council’s infrastructure.

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

No Planning Agreements are applicable.

Regulations –4.15(1)(a)(iv)

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

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

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

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

(A) CONTEXT AND SETTING

The proposal is appropriate with regards to the surrounding context and setting. The subject site is located in an area which is characterised by low density residential development. The proposed development is for a boundary adjustment between three existing Lots. Following the boundary adjustment, the existing and future residential use of the land would remain the same. Therefore,

the proposal is consistent with the existing locality and streetscape and would not impact on the context or setting in the locality.

(B) ACCESS, TRANSPORT AND TRAFFIC

Access arrangements for both lots are unchanged, the proposed boundary adjustment will not affect or alter the current access arrangements. No additional traffic will be generated should the application be approved.

(C) PUBLIC DOMAIN

The development will not impact the public domain in terms of recreation opportunities, the amount, location, design, use and management of public spaces, or pedestrian linkages between public spaces.

(D) UTILITIES

The provision of all essential services is provided via existing arrangements to each proposed Lot. No new connections are required as a result of the proposed boundary adjustment.

(E) HERITAGE

Not applicable. Discussed in Clause 5.10 of MWRLEP 2012.

(F) OTHER LAND RESOURCES

No impact expected on the conserving and the use of valuable land, such as productive agricultural land, mineral or extractive resources, or water supply catchments.

(G) WATER

No physical works are required as part of the boundary adjustment, and as such there would be no impact to water.

(H) SOILS

No physical works are required as part of the boundary adjustment, and as such there would be no impact to soils.

(I) AIR AND MICROCLIMATE

No physical works are required as part of the boundary adjustment, and as such there would be no impact to air quality or microclimatic conditions.

(J) FLORA AND FAUNA

Not applicable. No vegetation is proposed to be removed.

(K) WASTE

Waste service available in this area.

(L) ENERGY

Not applicable.

(M) NOISE AND VIBRATION

Not applicable. No physical works are proposed.

(N) NATURAL HAZARDS

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

(O) TECHNOLOGICAL HAZARDS

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

(P) SAFETY, SECURITY AND CRIME PREVENTION

Not applicable. The proposal is for a boundary adjustment only. It is not expected to impact on safety and security.

(Q) SOCIAL IMPACT IN THE LOCALITY

Generally positive, the boundary adjustment retains the housing opportunities for Mudgee.

(R) ECONOMIC IMPACT IN THE LOCALITY

Generally positive.

(S) SITE DESIGN AND INTERNAL DESIGN

Adequate as discussed throughout this report.

(T) CONSTRUCTION

Not applicable. No construction is proposed.

(U) CUMULATIVE IMPACTS

Nil. There are no known impacts that have the potential to act in unison, in terms of space or time, or owing to their repetitive nature, that would produce an effect greater or different than the sum of the separate parts.

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

(A) DOES THE PROPOSAL FIT IN THE LOCALITY?

Yes. There are no hazardous land uses or activities nearby, there are no constraints posed by adjacent developments and there are adequate utilities and transport facilities in the area available for the development.

(B) ARE THE SITE ATTRIBUTES CONDUCTIVE TO DEVELOPMENT?

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

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

(A) PUBLIC SUBMISSIONS

The application was not required to be advertised and neighbour notified, in accordance with Mid-Western Regional Community Participation Plan 2019.

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

No submissions were sought or received from public authorities.

The Public Interest – 4.15(1)(e)

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

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

CONSULTATIONS

(A) HEALTH AND BUILDING

No consultation necessary.

(B) TECHNICAL SERVICES

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

(C) HERITAGE ADVISOR

No consultation necessary.

(D) ACCESS COMMITTEE

No consultation necessary.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable

Council Policies

Mid-Western Regional Development Control Plan 2013

Legislation

Mid-Western Regional Local Environmental Plan 2012

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulations 2021

Financial implications

Not applicable.

Associated Risks

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

HANNAH DRAPER
TOWN PLANNER

ALINA AZAR
DIRECTOR DEVELOPMENT

22 March 2024

- Attachments:*
1. Attachment 1 - Plans. (separately attached)
 2. Attachment 2 - Statement of Environmental Effects. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.2 Planning Proposal - 10 - 12 Burrundulla Avenue, Mudgee

REPORT BY THE MANAGER STRATEGIC PLANNING

TO 17 APRIL 2024 ORDINARY MEETING

GOV400105, LAN900189

RECOMMENDATION

That Council:

1. **receive the report by the Manager, Strategic Planning on the Planning Proposal at 10-12 Burrundulla Avenue, Mudgee, Lot 122 DP 1074283 for the part rezoning to R3 Medium Density Residential, with a 600m² minimum lot size and a 8.5 height limit;**
2. **provide initial support for the Planning Proposal to amend *Mid-Western Regional Local Environmental Plan 2012* and submit to the NSW Department of Planning, Housing and Infrastructure via the NSW Planning Portal seeking a Gateway Determination, in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*; and**
3. **undertake community consultation as outlined in any approved Gateway determination.**

Executive summary

In 2016 Council purchased Lot 122 DP1074283, a former bowling club, at 10-12 Burrundulla Ave, Mudgee. The site is 1.67ha and is bound by Burrundulla Avenue to the east, residential land zoned R3 Medium Density Residential to the north and south and an access handle to George Street to the west. The subject site is currently zoned part RE2 Private Recreation and part R3 Medium Density Residential.

The Planning Proposal seeks an amendment to *Mid-Western Regional Local Environmental Plan 2012* (LEP) to rezone part of the Lot 122 DP1074283 from RE2 Private Recreation with no maximum height limit or minimum lot size to R3 Medium Density Residential with a maximum height limit of 8.5m and a 600m² minimum lot size.

The objective of the Planning Proposal is to provide additional residential dwellings in the form of multi-dwelling housing. A concept plan has been prepared to demonstrate the type and form of development that may be achieved on site.

The Planning Proposal provided as Attachment 1 has been prepared in accordance with the structure outlined in the NSW Department Planning, Housing and Infrastructure (DPHI) *Local Environmental Plan Making Guideline* (August 2023). The report outlines the context, intended outcomes, explanation of provisions and justification for the Planning Proposal.

The staff recommendation is to provide initial support for the Planning Proposal and forward to DPHI with a request for a Gateway Determination to allow for community consultation to be undertaken. If the staff recommendation is supported, the Planning Proposal along with the Council resolution will be forwarded to the DPHI.

Disclosure of Interest

Nil

Detailed report

Planning Proposals

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

The Gateway Process

DPHI is responsible for assessing Planning Proposals through the Gateway Process. Details of the Gateway Process are outlined in the *Local Environmental Plan Making Guideline* (August 2023).

Gateway Timeline

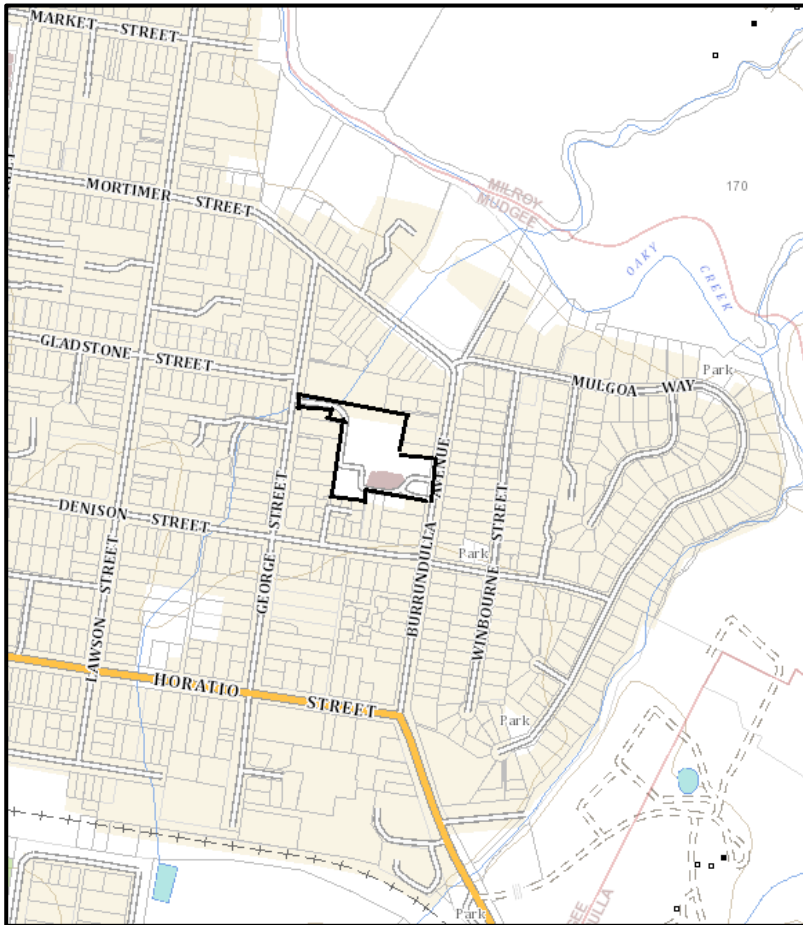
The following table summarises the key components of making an amendment to the Mid-Western Regional Local Environmental Plan (LEP) and the progress of the current Planning Proposal through the various stages. The below table demonstrates the Planning Proposal is within the initial stage of the process.

Stage	Completed	Comment
Preparation of a Planning Proposal		
Planning Proposal prepared by Council	✓	November 2023
Council Decision to Support Proposal	✓	The Planning Proposal is being reported to the April 2024 meeting
Issue of Gateway Determination		
Council Requests Gateway Determination		
DP&E Issues Gateway Determination		
Gateway Conditions Satisfied		
Consultation		
Consultation with Relevant Agencies		
Public Exhibition		
Post-Exhibition Report to Council		
Finalisation of the Planning Proposal		
Council Exercises Delegation to Prepare LEP		
Draft LEP by Parliamentary Council		
Opinion Issued and LEP Made		

PROPOSAL CONTEXT

The Planning Proposal seeks to rezone part of the site from RE2 Private Recreation to R3 Medium Density Residential (LZN_006G) and amend the Height of Buildings map from no control to 8.5m (HOB_006G) and map the site with a 600m2 minimum lot size (LSZ_006G).

The map below demonstrates the area subject to the Planning Proposal. Access to the site is gained from both George Street to the west and Burrundulla Avenue in the east. Part of the site is already zoned R3 Medium Density Residential at the entrance to George Street.

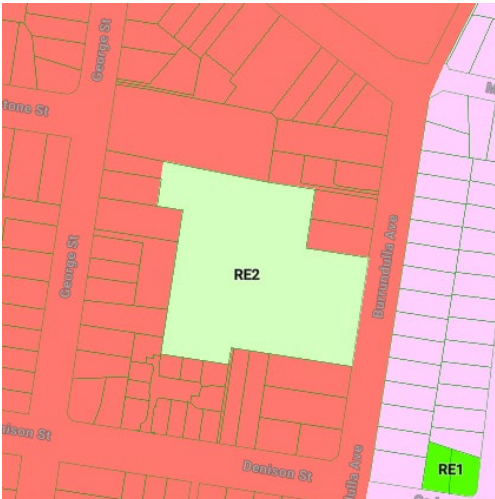


The map below demonstrates the split zoning on the site, with the green outline of the subject site.

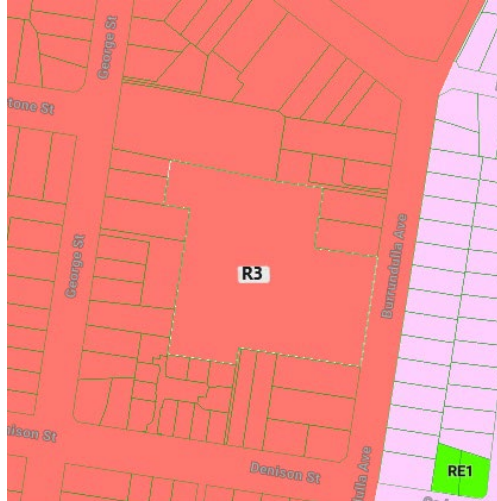


(Source: Mecone Mosaics)

The maps below highlight the current and proposed zoning and height of buildings.



Existing – Zoning (Source: Mecone Mosaics)



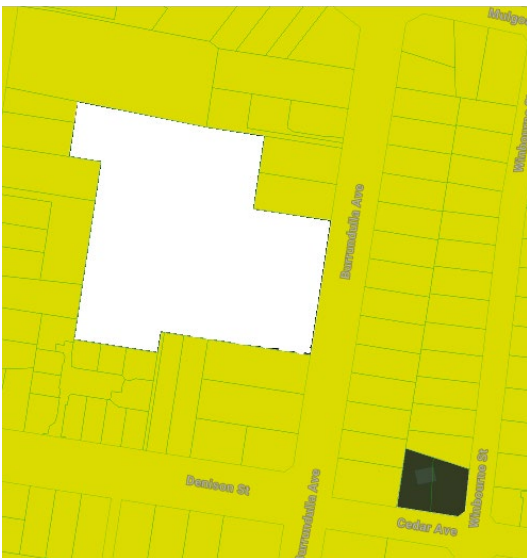
Proposed – Zoning (Source: Mecone Mosaics)



Existing – Height of building (Source: Mecone Mosaics)



Proposed – Height of building (Source: Mecone Mosaics)



Existing - Minimum Lot Size



Proposed - Minimum Lot Size

INTENDED OUTCOMES

The intended outcomes of the Planning Proposal are to:

- Permit infill multi-dwelling housing close to Mudgee CBD,
- Utilise existing social facilities and infrastructure,
- rezone part of the site from RE2 Private Recreation to R3 Medium Density Residential, and
- amend the LEP to reflect surrounding development, including zoning and height of building.

A Council development application for 49 dwellings on the subject site has been lodged for assessment and is on public exhibition. The plans utilise an access handle from George Street and another access point off Burrundulla Avenue.

EXPLANATION OF PROVISIONS

The Planning Proposal details how the objectives and intended outcomes will be achieved by:

1. Amending the zoning from RE2 Private Recreation to R3 Medium Density Residential indicated on LZN_006G, amend the Height of Building maps from no control to 8.5m on HOB_006G and amend the Minimum Lot Size Map from no minimum lot size to 600m2 on LSZ_006G.

JUSTIFICATION

The DPHI *Local Environmental Plan Making Guideline* (August 2023) outlines questions to consider when demonstrating the justification. The questions most pertinent in consideration of this Planning Proposal are discussed below.

Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Planning Proposal is supported by Council's endorsed Local Strategic Planning Statement (LSPS) and the Mudgee and Gulgong Urban Release Strategy (2023 Updates).

Our Place 2040 – Mid-Western Regional LSPS supports the planning proposal through Planning Priority 2. Planning Priority 2 Make available diverse, sustainable, adaptable and affordable housing options through effective land use planning. The planning proposal supports this priority by contributing to housing diversity which in turn, will attract new residents to the Region or ensure existing residents have a choice of housing that suits their needs as their circumstances change.

The Mudgee and Gulgong Urban Release Strategy (2023 Updates), states that Council will need to encourage and enable infill development to ensure that additional pressure is not placed on the land identified in this strategy. The strategy highlights that utilising Council or government owned land could be an opportunity to increase infill development.

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

The Planning Proposal is the best and only means of rezoning the subject site by amending the Land Zoning map within the Mid-Western LEP 2012 and achieve the intended outcomes and objectives of the Planning Proposal.

Further the Height of Building map must also be amended to reflect the surrounding development controls. This can only be achieved through a planning proposal.

Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) and SEPPs?

The Planning Proposal is generally consistent with all the Ministerial Directions and State Environmental Planning Policies (SEPPs).

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

The subject site is generally cleared of vegetation, with general regrowth on the former bowling greens. The site is overgrown and there is a stand of trees on site.

It is highly unlikely that there will be any direct adverse impacts on critical habitat or threatened species, populations or ecological communities, or their habitats. Site specific constraints will be considered during the assessment of any future development applications within the subject area.

Has the planning proposal adequately addressed any social and economic effects?

The social and economic effects of the planning proposal are positive for Mid-Western LGA and the local and future residents. The planning proposal will facilitate future development of multi dwelling housing that will contribute to the housing diversity and choice in Mudgee.

The site is close to the Mudgee town centre, being the largest town in Mid-Western LGA enjoying high amenities and services including schools, child care, medical facilities and retail and commercial services.

Positive economic effect with an increase in jobs during construction and future residents will be close to jobs in Mid-Western's largest and main township.

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

The views of authorities and government agencies will be sought post Gateway. The Gateway determination will stipulate which authorities or government agencies are required to consult with.

NEXT STEP

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

Community Plan implications

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

Strategic implications

Council Strategies

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

Council Policies

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

Legislation

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

Financial implications

Nil

Associated Risks

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

SARAH ARMSTRONG
MANAGER STRATEGIC PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

28 March 2024

Attachments: 1. Planning Proposal. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.3 Monthly Development Applications Processing and Determined - March 2024

REPORT BY THE MANAGER PLANNING
TO 17 APRIL 2024 ORDINARY MEETING
GOV400105, A0420109

RECOMMENDATION

That Council receive the report by the Manager Planning on the Monthly Development Applications Processing and Determined for March 2024.

Executive summary

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

Disclosure of Interest

Nil

Detailed report

Included in this report is an update for the month of March 2024 Development Applications determined and Development Applications processing.

The report will detail:

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

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

LINDSAY DUNSTAN
MANAGER PLANNING

ALINA AZAR
DIRECTOR DEVELOPMENT

2 April 2024

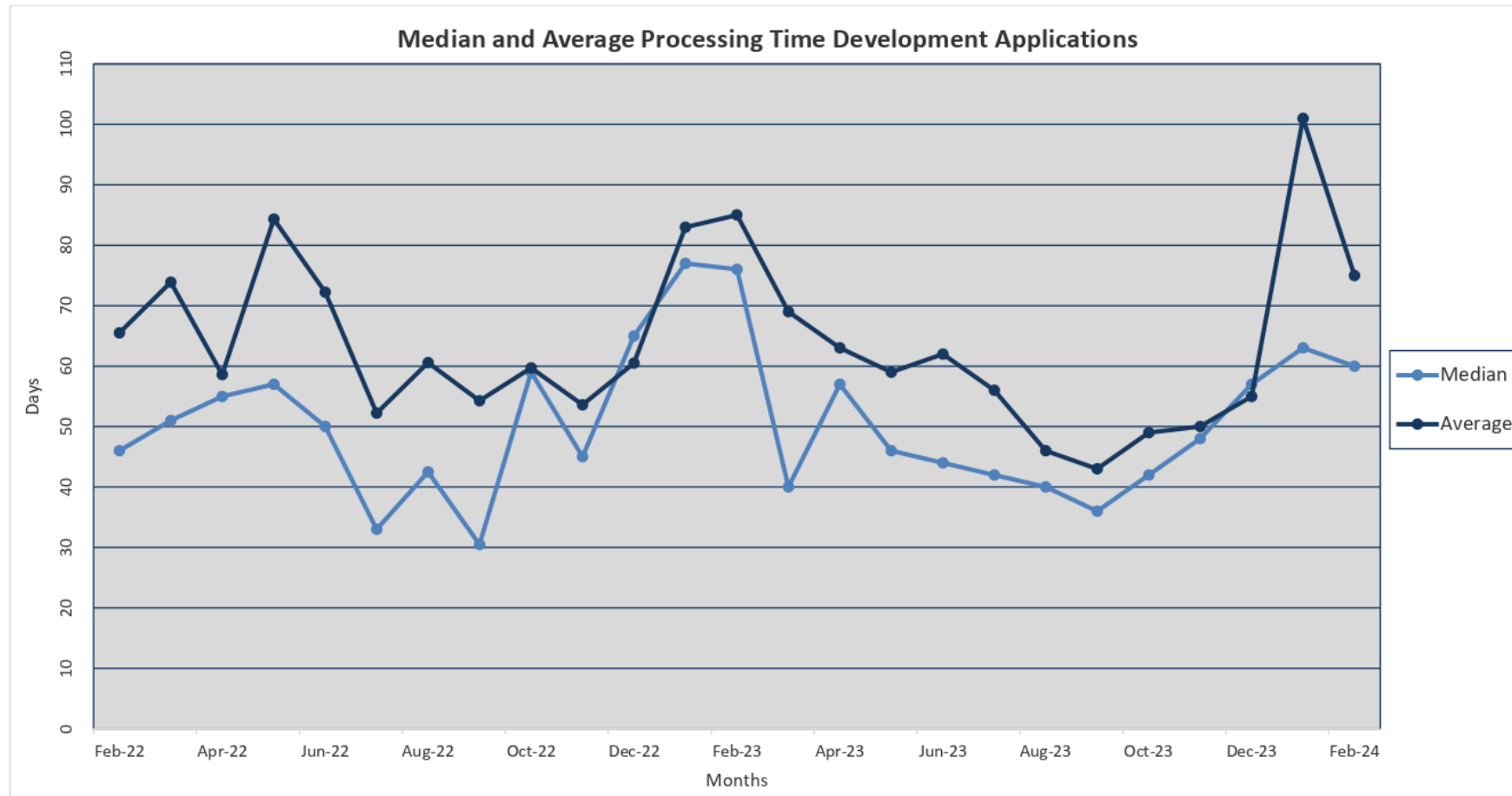
Attachments: 1. Monthly Development Applications Processing and Determined - March 2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

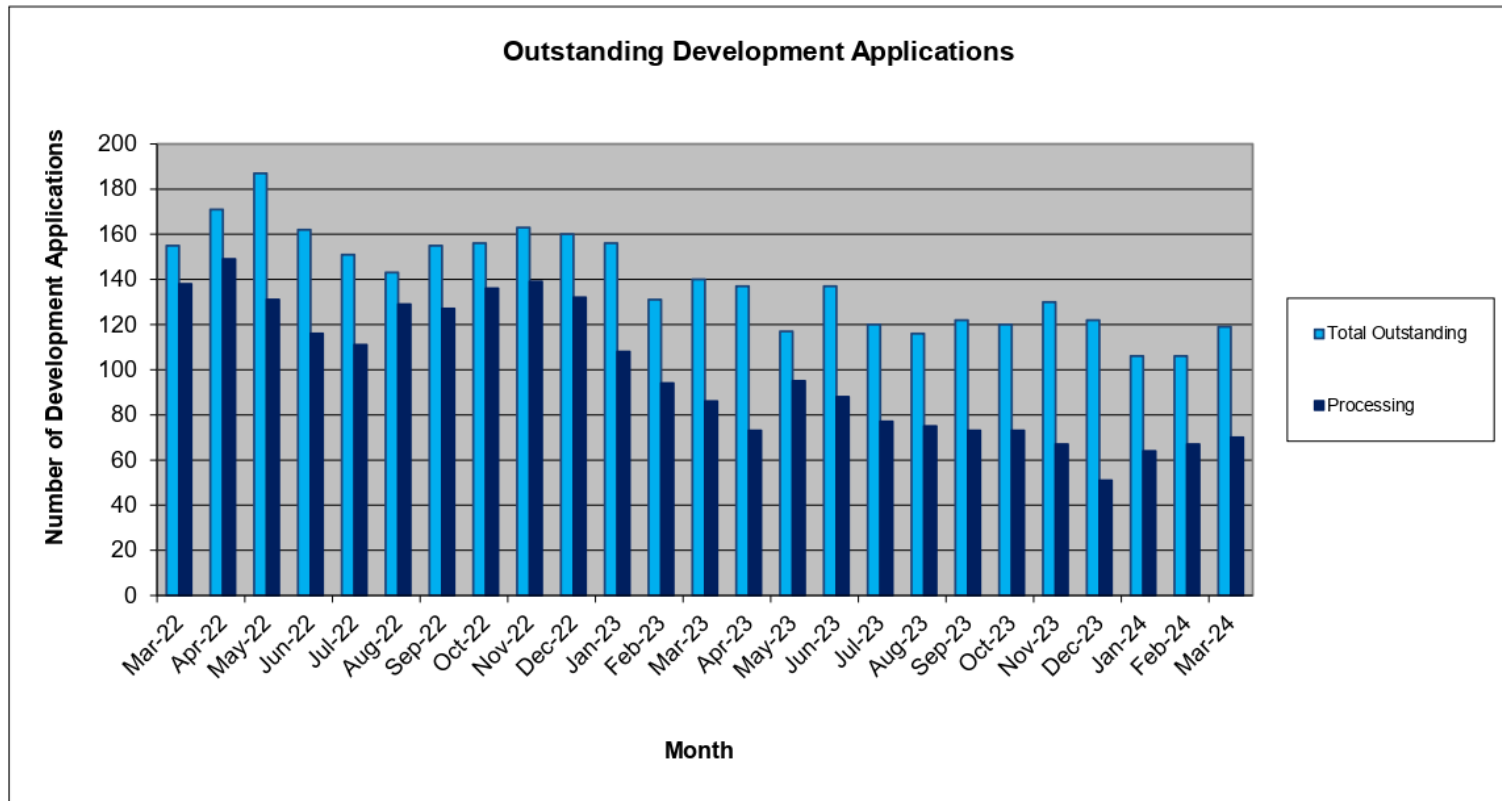
Monthly Development Application Processing Report – March 2024

This report covers the period for the month of March 2024. Graph 1 indicates the processing times up to 31 March 2024 with the month of March having an average of 75 days and a median time of 60 days.



Monthly Development Application Processing Report – March 2024

Graph 2 indicates the total number of outstanding applications; the number currently being processed is 70 and the number on “stop clock” is 48.



Monthly Development Application Processing Report – March 2024

The Planning and Development Department determined 22 Development Applications either by Council or under delegation during March 2024.

Development Applications Determined – March 2024

Appl/Proc ID	Description	House No	Street Name	Locality
DA0267/2023	Camping Ground	48	Turners Lane	GULGONG NSW 2852
DA0304/2023	Recreation Area	2358	Henry Lawson Drive	CANADIAN LEADNSW 2850
DA0052/2024	Subdivision - Torrens Title	40	Hone Creek Drive	CAERLEON NSW 2850
DA0069/2024	Alterations & Additions to Pub @ The Woolpack Hotel	67	Market Street	MUDGEE NSW 2850
DA0078/2024	Shed	13	Harvey Street	BOMBIRA NSW 2850
DA0127/2024	Subdivision - 16 into 3 lots	1585	Pyangle Road	LUE NSW 2850
DA0131/2024	Light Industrial Building	48	George Street	MUDGEE NSW 2850
DA0136/2024	Dwelling House, Garage and Swimming Pool	832	Queens Pinch Road	MULLAMUDDY NSW 2850
DA0140/2024	Alterations and Additions to Federal Hotel and Hotel/Motel Accommodation	34	Inglis Street	MUDGEE NSW 2850
DA0148/2024	Dwelling House, Shed and Greenhouse	2424	Castlereagh Hwy	GULGONG NSW 2850
DA0157/2024	Dual Occupancy (Detached) and Subdivision	20	Shearman Street	CAERLEON NSW 2850
DA0164/2024	Change Of Use - Industrial Building	35	Inglis Street	MUDGEE NSW 2850
DA0165/2024	Change of Use to Panel Beating Workshop (Vehicle Body Repair Station)	14	Industrial Avenue	MUDGEE NSW 2850
DA0171/2024	Dwelling House	140	Erudgere Lane	ERUDGERE NSW 2850
DA0173/2024	Subdivision - 1 into 2 Lots	25	Fisher Street	GULGONG NSW 2852
DA0183/2024	Shed	109	Horatio Street	MUDGEE NSW 2850
DA0184/2024	Dual Occupancy (Detached) and Subdivision	8-8A	Davis Crescent	CAERLEON NSW 2850
DA0185/2024	Alterations & Additions	1505	Merotherie Road	MEROTHERIE NSW 2852
DA0206/2024	Outdoor Patio for Preschool @ Kandos Pre-School Kindergarten	27	Fleming Street	KANDOS NSW 2848
DA0211/2024	Shed	220	Broadhead Road	SPRING FLAT NSW 2850
DA0217/2024	Shed	22	Dewhurst Drive	MUDGEE NSW 2850
DA0219/2024	Screen Enclosure	15	Lockwood Street	MUDGEE NSW 2850

Monthly Development Application Processing Report – March 2024

***NOTE – 3x Development Applications were approved with a variation to the DCP during March 2024.**

- DA0267/2023
- DA0148/2024
- DA0184/2024

Development Applications currently being processed – March 2024.

App/Proc ID	Description	House No	Street Name	Locality
DA0214/2011	Dwelling House	663	Castlereagh Highway	BURRUNDULLA NSW 2850
DA0327/2011	Shed	23	Horatio Street	MUDGEE NSW 2850
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI NSW 2850
DA0343/2016	Commercial Alterations/Additions	137	Ulan Road	PUTTABUCCA NSW 2850
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE NSW 2850
DA0089/2019	Change of use	2037	Coxs Creek Road	RYLSTONE NSW 2849
DA0263/2019	camping ground	40	Grevillea Street	GULGONG NSW 2852
DA0087/2021	Carport	63	Court Street	MUDGEE NSW 2850
DA0199/2021	Change of use - to Serviced Apartments	1	Sydney Road	MUDGEE NSW 2850
DA0164/2022	Change of use - Subdivision - STAGE 14 - Creation of 237 residential lots	9	Sydney Road	MUDGEE NSW 2850
DA0349/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON NSW 2850
DA0040/2023	Subdivision - Torrens Title	194	Hill End Road	CAERLEON NSW 2850
DA0205/2023	Dual Occupancy	11	McLachlan Street	RYLSTONE NSW 2849
DA0233/2023	Subdivision - Torrens Title	1	Sydney Road	MUDGEE NSW 2850
DA0248/2023	Ancillary Residential Development	6	Avisford Court	MUDGEE NSW 2850
DA0297/2023	Industrial Building	39	Razorback Road	RUNNING STREAM NSW 2850
DA0343/2023	Conversion of two existing cellar door buildings into serviced apartments	29	Alexander Road	ERUDGERE NSW 2850
DA0347/2023	Subdivision - Torrens Title	14	Wiradjuri Close	PUTTABUCCA NSW 2850
DA0408/2023	Subdivision - Torrens Title	17	Marshfield Lane	MUDGEE NSW 2850

Monthly Development Application Processing Report – March 2024

DA0008/2024	Recreation Area	0	Bylong Valley Way	BREAKFAST CREEK 2849
DA0013/2024	Swimming Pool	10	Bumberra Place	BOMBIRA NSW 2850
DA0016/2024	Use yard to store towed motor vehicles	8	Industrial Avenue	MUDGEE NSW 2850
DA0020/2024	Dwelling House	433	Maitland Bar Road	MAITLAND BAR NSW 2850
DA0021/2024	Dwelling House	253	Coricudgy Road	OLINDA NSW 2849
DA0026/2024	Subdivision - Torrens Title	68	Short Street	MUDGEE NSW 2850
DA0035/2024	Subdivision - Torrens Title	24	Roxburgh Street	KANDOS NSW 2848
DA0036/2024	Demolition	20	Buchanan Street	KANDOS NSW 2848
DA0048/2024	Subdivision - Torrens Title	13	Cook Place	MUDGEE NSW 2850
DA0050/2024	Signage	18	Bulga Street	GULGONG NSW 2852
DA0070/2024	Change of use - Environmental Facility	48	Old Ilford Road	ILFORD NSW 2850
DA0092/2024	Subdivision - Torrens Title	40	Hone Creek Drive	CAERLEON NSW 2850
DA0096/2024	Demolition, Alterations and Additions to Existing Dwelling	23	Mortimer Street	MUDGEE NSW 2850
DA0101/2024	Change of Use to Serviced Apartment	72	McDonalds Road	ERUDGERE NSW 2850
DA0107/2024	Group home	5	Harvey Street	BOMBIRA NSW 2850
DA0108/2024	Patio and Shed	5	White Circle	MUDGEE NSW 2850
DA0124/2024	Dual Occupancy	60	Davies Road	KANDOS NSW 2848
DA0126/2024	Transport Depot	18	Industrial Avenue	MUDGEE NSW 2850
DA0129/2024	Dual Occupancy	79	Ilford Road	KANDOS NSW 2848
DA0139/2024	Alterations to Caravan Park	8	Goolma Road	GULGONG NSW 2852
DA0143/2024	Subdivision – 1 into 3 lots	2232	Bylong Valley Way	RYLSTONE NSW 2849
DA0148/2024	Shed	2424	Castlereagh Highway	GULGONG NSW 2852
DA0149/2024	Dwelling House	341	White Rock Road	PINNACLE SWAMP NSW 2849
DA0155/2024	Dwelling House (Container Home) and Shed	1096	Bocoble Road	BOCOBLE NSW 2850
DA0156/2024	Secondary dwelling	12	Shearman Cres	CAERLEON NSW 2850
DA0161/2024	Aircraft Hanger and Dwelling	2	Staggerwing Rd	RYLSTONE NSW 2849
DA0170/2024	Secondary dwelling	87	Bellevue Road	MUDGEE NSW 2850
DA0172/2024	Secondary dwelling	761	Old Grattai Road	GRATTAI NSW 2850
DA0175/2024	Subdivision 1 into 2 lots	11	Coomber Street	RYLSTONE NSW 2849
DA0177/2024	Subdivision 1 into 2 lots	1223	Castlereagh Highway	BERYL NSW 2852
DA0178/2024	Dwelling with attached secondary dwelling	2008	Queens Pinch Road	MEROO NSW 2850
DA0180/2024	Dwelling with attached secondary dwelling	18	Shearman Street	CAERLEON NSW 2850
DA0184/2024	Dual Occupancy (Detached) and Subdivision	8	Davis Crescent	CAERLEON NSW 2850

Monthly Development Application Processing Report – March 2024

DA0189/2024	Alterations and Additions to Dwelling	637	Castlereagh Highway	BURRUNDULLA NSW 2850
DA0193/2024	Transportable Building - Dual Occupancy	66	Kaludabah Road	PIAMBONG NSW 2850
DA0194/2024	Change of Use from a Shed to a Secondary Dwelling	433	Kaludabah Road	PIAMBONG NSW 2850
DA0195/2024	Dwelling and Shed	150	Tongbong Road	RYLSTONE NSW 2849
DA0197/2024	Boundary Adjustment and Easement Creation	11	Quinn Place	MUDGEES NSW 2850
DA0198/2024	Serviced Apartments	106	School Lane	BUDGEES BUDGEES NSW 2850
DA0200/2024	Patio Cover and Deck	12	Barigan Street	MUDGEES NSW 2850
DA0201/2024	Patio Cover and Deck	14	Barigan Street	MUDGEES NSW 2850
DA0202/2024	Dwelling with Swimming Pool and Shed	27	Wurth Drive	BOMBIRA NSW 2850
DA0204/2024	Dual Occupancy	17	Davis Crescent	CAERLEON NSW 2850
DA0205/2024	Indoor Recreation Facility - Dance Studio	12	Sydney Road	MUDGEES NSW 2850
DA0207/2024	Intensive Plant Agriculture	2728	Ulan Road	COOKS GAP NSW 2850
DA0209/2024	Farm building	63	Anderson Road	GRATTAI NSW 2850
DA0210/2024	Demolition	162	Gladstone St	MUDGEES NSW 2850
DA0212/2024	Dwelling	21	McLachlan Street	KANDOS NSW 2848
DA0213/2024	Carport	1	Lewis Street	MUDGEES NSW 2850
DA0214/2024	Aircraft Hanger	10	Clubhouse Road	RYLSTONE NSW 2849
DA0218/2024	Dwelling House	88	Gibsons Lane	ERUDGERE NSW 2850
DA0220/2024	Aircraft Hanger	28	Aerodrome Road	RYLSTONE NSW 2849
DA0222/2024	Alterations and Additions	1043	Castlereagh Highway	APPLE TREE FLAT NSW 2850
DA0223/2024	Seniors Housing - 2 x 1 bed units	27	Mayne Street	GULGONG NSW 2852
DA0224/2024	Subdivision (1 into 3 lots)	295	Lower Piambong Road	MENAH NSW 2850
DA0226/2024	Dwelling	39	Hosking Street	CAERLEON NSW 2850
DA0227/2024	Educational Establishment	269	Henry Lawson Drive	EURUNDEREE NSW 2850
DA0228/2024	Light Industrial Premises	20	Sydney Road	MUDGEES NSW 2850
DA0230/2024	Alterations and Additions	1763	Lue Road	HAVILAH NSW 2850
DA0231/2024	Secondary dwelling	87	Henry Bayly Drive	MUDGEES NSW 2850
DA0233/2024	Alterations & Additions	105	Denison Street	MUDGEES NSW 2850
DA0236/2024	Residence & Garage	43	Hosking Street	CAERLEON NSW 2850
DA0237/2024	Shed	47	Webster Street	BOMBIRA NSW 2850
DA0238/2024	Boundary Adjustment (3 into 3 lots)	7	Moggs Lane	BOMBIRA NSW 2850
DA0239/2024	Subdivision (3 into 2 Lots)	68	Bergalin Road	GULGONG NSW 2852

Monthly Development Application Processing Report – March 2024

DA0240/2024	Shed	32	Knox Crescent	CAERLEON NSW 2850
DA0241/2024	Verandah and spa	36	Bywong Lane	YARRAWONGA NSW 2850
DA0242/2024	Caravan Park	313	Magpie Lane	GALAMBINE NSW 2850
DA0244/2024	Multi Dwelling Housing	4	Glenmore Street	MUDGEE NSW 2850
DA0249/2024	Subdivision - Torrens Title	264	Carramar Road	STUBBO NSW 2852
DA0245/2024	Alterations and Additions and In-ground Swimming Pool	56	Cullenbone Lane	CULLENBONE NSW 2850
DA0247/2024	Warehouse and Distribution Centre	33	Knott Place	CAERLEON NSW 2850
DA0248/2024	Alterations & Additions	13	Mulgoa Way	MUDGEE NSW 2850
DA0250/2024	Extractive Industry	2152	Goolma Road	TWO MILE FLAT NSW 2852
DA0252/2024	Swimming Pool	45	Winter Street	MUDGEE NSW 2850
DA0253/2024	Residential Shed	20	Winter Street	MUDGEE NSW 2850
DA0256/2024	Multi dwelling housing	10	Burrundulla Avenue	MUDGEE NSW 2850
DA0257/2024	Residential Shed	20	Nashs Flat Place	MUDGEE NSW 2850

Heritage Development Applications currently being processed – March 2024.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE NSW 2850
DA0198/2021	Change of use - Residential Flat Building to Serviced Apartments	110	Church Street	MUDGEE NSW 2850
DA0189/2023	Commercial Alterations & Additions	83	Mortimer Street	MUDGEE NSW 2850
DA0089/2024	Secondary dwelling	95	Inglis Street	MUDGEE NSW 2850
DA0142/2024	Shed	2	White Street	GULGONG NSW 2852
DA0146/2024	Dwelling and Shed	9	Robinson Street	GULGONG NSW 2852
DA0151/2024	Shed	47	Madeira Road	MUDGEE NSW 2850
DA0159/2024	Dual Occupancy	90	Douro Street	MUDGEE NSW 2850
DA0160/2024	Demolition	94	Horatio Street	MUDGEE NSW 2850
DA0191/2024	Shed	217	Gladstone Street	MUDGEE NSW 2850
DA0203/2024	Carport	127	Mortimer Street	MUDGEE NSW 2850
DA0216/2024	Alterations and Additions to Dwelling and Secondary dwelling	10	Lawson Street	MUDGEE NSW 2850
DA0221/2024	Alterations and Additions to Dwelling House	64	Mortimer Street	MUDGEE NSW 2850
DA0225/2024	Alterations & Additions @ Lawson Park Hotel	1	Church Street	MUDGEE NSW 2850
DA0232/2024	Shed	105	Louee Street	RYLSTONE NSW 2849

Monthly Development Application Processing Report – March 2024

DA0246/2024	Dwelling	64	Lawson Street	MUDGEES NSW 2850
DA0229/2024	Farm building	686	Queens Pinch Road	MULLAMUDDY NSW 2850
DA0243/2024	Demolition and Construction of Shed	229	Church Street	MUDGEES NSW 2850
DA0254/2024	Residential Shed	85	Lawson Street	MUDGEES NSW 2850
DA0258/2024	Subdivision - Torrens Title	24	Flirtation Hill Lane	GULGONG NSW 2852
DA0259/2024	Carport	7	Bulga Street	GULGONG NSW 2852

8.4 Policy Review - Media Policy

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 17 APRIL 2024 ORDINARY MEETING
GOV400105, ECO800001

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the Media Policy Review;**
 2. **place the revised Media Policy on public exhibition for 28 days; and**
 3. **adopt the revised Media Policy if no submissions are received during the exhibition period.**
-

Executive summary

The existing Media Policy has been reviewed, and proposed amendments are recommended to ensure the appropriate staff are delegated within the Policy.

Disclosure of Interest

Nil

Detailed report

The Media Policy ('the policy') is designed to provide a framework for Councillors, staff, delegates and advisers to:

- Ensure all communication with the media is consistent, balanced, well-informed, timely, professional and appropriate;
- Clearly indicate Council's authorised spokespersons; limiting the possibility of miscommunication by ensuring comments to the media relating to Council are made only through those authorised spokespersons; and
- Improve communication with customers and enhance Council's public image.

Changes are tracked in the attached policy and include:

- Communications Coordinator updated to revised position name of Marketing and Communications Coordinator throughout the document;
- In crisis and issues communication (page 4, point 3), amended from specifically stating the Marketing and Communications Coordinator to naming "on-call communications staff" as delegated persons. The communications on-call phone is shared between the Marketing and Communications Coordinator and the Digital Communications Officer. This enables the Digital Communications Officer to be included in the scope of delegated staff for this type of communication after hours; and
- Adding Community Engagement Strategy and Community Engagement Policy to related policies and plans.

All proposed changes to the Media Policy are shown as “track changes” on the copy of the Policy attached.

Community Plan implications

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

Strategic implications

Council Strategies

Community Engagement Strategy

Council Policies

Social Media Policy

Community Engagement Policy

Electronic Communications – Acceptable Use Policy

Mid-Western Regional Council Code of Conduct

Legislation

Local Government Act 1993

Privacy Act 1988 (Privacy Act)

Enhancing Online Safety Act 2015

Criminal Code Amendment (Sharing of Abhorrent Violent Material) Act 2019

Defamation Act 2005 (NSW)

Financial implications

No budget variations are recommended as a part of this report.

Associated Risks

If the recommendations are not endorsed there is a risk that the policy would not be able to function efficiently in emergency situations.

MICHELE MINI
MANAGER ECONOMIC DEVELOPMENT

ALINA AZAR
DIRECTOR DEVELOPMENT

2 April 2024

Attachments: 1. Media Policy.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



Media Policy

*A prosperous
and progressive
community*

ADOPTED		VERSION NO	3.1
COUNCIL MEETING MIN	28/20	REVIEW DATE	MARCH 2024
DATE:	20 MARCH 2020	FILE NUMBER	GOV400047

Objective

To provide a framework for Councillors, staff, delegates and advisers to:

- Ensure all communication with the media is consistent, balanced, well-informed, timely, professional and appropriate
- Clearly indicate Council's authorised spokespersons; limiting the possibility of miscommunication by ensuring comments to the media relating to Council are made only through those authorised spokespersons
- Improve communication with customers and enhance Council's public image

Introduction

Mid-Western Regional Council recognises that a well-run, competent, ethical and reputable organisation is the best way to promote a favourable image and that any public relations program is only as good as the organisation behind it.

Council will take advantage of interest from the media to further its reputation and inform the public about Council's activities. Council will also proactively distribute information to the media to communicate information about Council's activities and decisions. In dealing with the media, Councillors and Council officers must be careful to communicate accurate information.

Council welcomes enquiries from the media. All media representatives are to be treated in the same manner as any other customer of Council. That is, Council will attend to media requests promptly and with courtesy, honesty and respect. Council believes that a good relationship based on trust, familiarity and confidence is important between Council and the media.

Related policies and plans

- Mid-Western Regional Council Social Media Policy
- Mid-Western Regional Council Code of Conduct
- [Mid-Western Regional Council Electronic Telecommunications – Acceptable Use](#)
- [Mid-Western Regional Council Community Engagement Strategy](#)
- [Mid-Western Regional Council Community Engagement Policy](#)

Policy

Dealing with media enquiries

POLICY: ~~MEDIA POLICY~~ | VERSION 3.1, ~~REFERENCE SOURCE NOT FOUND~~

1. The Mayor, General Manager, Director Operations, Director Development, Director Community, Manager Economic Development and the [Corporate Marketing & Communications Officer Coordinator](#) are Council's official spokespersons on all matters. Only the General Manager or his nominee may nominate other staff to act as spokespeople for the Council.
2. Council's [Corporate Marketing & Communications Officer Coordinator](#) is responsible for coordinating media liaison and has been delegated authority to respond to media enquiries on behalf of Council.
3. No staff member, other than Council's authorised spokespeople listed in paragraph 1 above are to handle an enquiry from the media without prior approval from the General Manager.
4. Information given to the media requires the approval of the General Manager.
5. The [Corporate Marketing & Communications Officer Coordinator](#) is responsible for issuing media releases about Council's activities, decisions and plans subject to the General Manager's approval.
6. All staff are required to pass on important information to the [Corporate Marketing & Communications Officer Coordinator](#) which could be used as the basis for a media release or internal communication. The [Corporate Marketing & Communications Officer Coordinator](#) in consultation with other staff members will decide if the information warrants a media release and/or photo or other treatment.
7. Information that Council officers wish to communicate to the media is to be distributed by the [Corporate Marketing & Communications Officer Coordinator](#) only.
8. All staff are required to advise the [Corporate Marketing & Communications Officer Coordinator](#) of any issues that may create interest for media in a timely manner, including but not limited to media attending events, information [in regards to regarding](#) topical issues and other potential areas of interest for the community. If the [Corporate Marketing & Communications Officer Coordinator](#) is unavailable the issue should be escalated to the Manager Economic Development, and in their absence to the Director Development.

Councillors and the media

1. In their role as elected representatives, Councillors may talk to the media and utilise social media at any time on any issue of interest in accordance with the Code of Conduct.
2. Every Councillor has a right to express a private opinion on any issue, whether or not that opinion reflects Council's official position but Councillors must carefully identify the role in which they speak.
3. Whenever Councillors publicly express their own opinions they must make it clear they are speaking for themselves, and not for Council, unless they are supporting a Council position.
4. When Councillors speak on behalf of Council they must express and support Council's entire policy on the issue at hand.
5. Any Councillor who feels unable to speak enthusiastically in support of a Council policy while formally representing Council faces a dilemma and must treat it in a similar fashion to a conflict of interest issue.
6. The [Corporate Marketing & Communications Officer Coordinator](#) will make him or herself available for consultation with the [M](#)Mayor and [C](#)councillors if and when required.

Speaking to the media

1. Councillors and Council staff are encouraged to co-operate at all times with media outlets subject to the guidelines provided in this policy and to be proactive, as opposed to reactive, in their use of the media.
2. All media enquiries to staff should be directed to the Council's [Corporate Marketing & Communications Officer-Coordinator](#) who will then contact the relevant Director or the General Manager.
3. Council staff must not speak to the media or use social media to communicate about matters related to Council unless authorised to do so by the General Manager, a Director, the Manager Economic Development or the [Corporate Marketing & Communications Officer-Coordinator](#).
4. Council employees and Councillors may not provide any comment or information to the media or use social media with the intention of contesting or undermining Council policy or casting Council, Councillors or Council staff in a negative light.
5. Council employees may speak to the media, use social media or write Letters to the Editor as private individuals with the following restrictions:
 - They do not comment on Council business or policy;
 - They are not identified as Council employees;
 - Their comments are not perceived as representing official Council position or policy.
6. In the event of an industrial dispute (or an incident likely to lead to an industrial dispute), statements on behalf of Council employees should be issued via the relevant union.
7. Councillors and Council staff should not provide information off the record. Everything said to any media representative and anything communicated by social media may appear in a news story.
8. Contractors, volunteers or service providers employed by Council must refer all media enquiries relating to Council to the [Corporate Marketing & Communications Officer-Coordinator](#).

Media releases

1. Under no circumstances should a media release be issued quoting a Councillor or member of staff without that person's approval.
2. All Media releases and Alerts are to be issued to the Customer Service Team for their information.
3. Written media releases must be distributed to Councillors and Executive Team at least 2 hours prior to being released to the media.
4. Councillors must not forward media releases to media outlets or publish on social media until after the original media release is [publically-publicly](#) issued by the [Corporate Marketing & Communications Officer-Coordinator](#).

Responding to criticism

Criticism about media content or the use of social media should be forwarded to the [Corporate Marketing & Communications Officer-Coordinator](#). Formal complaints about media content on

POLICY: ~~MEDIA POLICY~~ | VERSION 3.1, ~~ERROR! REFERENCE SOURCE NOT FOUND.~~

behalf of Council staff should only be made by the General Manager in consultation with the ~~Corporate Marketing & Communications Officer~~ Coordinator.

Crisis and issues communication

In the event of an emergency or infrastructure failure in the Council area, the following procedures will apply:

1. ~~Corporate The Marketing & Communications Officer~~ Coordinator and Manager Economic Development must be notified immediately of details of the incident by telephone and/or SMS message.
2. Details of the incident must not be discussed with any media representatives by any staff unless approved in advance by the General Manager.
3. ~~Corporate The Marketing & Communications Officer~~ Coordinator or Manager Economic Development will issue a media alert (in business hours) directly to media outlining key impacts and directions for residents. Councillors and Executive Team will be sent a copy of this alert simultaneously. Out of business hours, media are notified of critical incidents through social media posts published by the ~~Corporate Marketing & Communications Officer~~ Coordinator call communications staff – or Manager Economic Development to Council's Facebook page. Local Media notified by SMS or email.
4. Requests by media to film, photograph or interview Council staff or Council assets involved in the emergency situation must be referred to the General Manager or the ~~Corporate Marketing & Communications Officer~~ Coordinator for approval.

Community newsletter

While editorial coverage in independent media plays an important role, such reporting will always be limited due to limits on space, distribution quality and competition of news. Final decisions about stories published or broadcast by independent media are made by those media outlets, not Council. As such, Council needs a regularly published and widely distributed newsletter to communicate effectively to residents.

This communication is primarily undertaken via Council's newsletter and official news publication, the *Mid-Western Regional Council Community News*, a free printed newsletter and digital content publication distributed as directed by Council.

The core objectives of the production of a community newsletter are for Council to:

- Engage effectively with local residents, keep them informed and obtain their views with ongoing consultation.
- Provide a framework for Council advertising to assure widest possible distribution.
- Promote a range of services and activities for the benefit of the Council and the Mid-Western Region community.

Community News will inform the public about policies, services, activities, events and other matters in an attractive, balanced, objective and accessible format. Specific editorial goals are:

1. To raise the profile of and seek feedback on key issues of Council, promote the Council's services and encourage greater involvement by residents in local democracy.

POLICY: [MEDIA POLICY](#) | VERSION 3.1, [_ERROR! REFERENCE SOURCE NOT FOUND.](#)

2. To inform the public about the work of Council, its policies, services, activities and events in an attractive, balanced and accessible format.
3. To explain how rate payers' money is spent by reporting on achievements and measuring them against the goals of the Delivery Program and Operational Plan.
4. To improve consultation and encourage participation in the democratic process by seeking the views of local residents on Council services, plans, proposals and priorities.
5. To provide a civic vehicle through which other non-profit community service agencies and government bodies can distribute information to the Mid-Western community.

Editorial direction for Community News will be determined by the [Corporate Marketing & Communications Officer/Coordinator](#) in consultation with the General Manager. Elected Councillors will exercise oversight of the content of the newsletter as part of the General Manager's performance review meeting or at more regular meetings if Council becomes concerned that the direction of Community News is not neutral and not meeting the goals of this policy.

Community News and other newsletters will not be used to promote the achievements or plans of a Councillor or group of Councillors or as a political platform by any Councillor or member of staff.

Community News will be produced in-house by Council staff. The [Corporate Marketing & Communications Officer/Coordinator](#) and General Manager have the final decision on content.

Delegations

In the absence of the [Corporate Marketing & Communications Officer/Coordinator](#), all responsibilities will be performed by the Manager Economic Development and/or Director Development.

Item 9: Corporate Services

9.1 Policy Review - Land Acquisition and Disposal

REPORT BY THE ACTING MANAGER - PROPERTY AND REVENUE
TO 17 APRIL 2024 ORDINARY MEETING
GOV400105, GOV400047

RECOMMENDATION

That Council:

1. **receive the report by the Acting Manager - Property and Revenue on the Policy Review - Land Acquisition and Disposal;**
 2. **place on public exhibition for 28 days the revised *Land Acquisition and Disposal Policy*; and**
 3. **adopt the revised *Land Acquisition and Disposal Policy* if no submissions are received during the exhibition period.**
-

Executive summary

The existing *Land Acquisition and Disposal Policy* (the Policy) has been reviewed and proposed amendments are suggested as part of Council's ongoing policy review program.

Disclosure of Interest

Nil

Detailed report

The Policy has been reviewed with proposed changes as highlighted in the attached document.

The objective of this Policy is to:-

- ensure Council has open and accountable processes to consider the acquisition and disposal of all land assets;
- establish the criteria under which Council will consider acquisition and disposal of land;
- ensure best value is achieved in all Council land dealings;
- ensure impartiality by addressing perceived or actual conflicts of interest.

The proposed changes to the Policy are:-

- Update of references to guidelines issued by the Independent Commission Against Corruption and the Office of Local Government;
- Update to Section 8A(1)(F) of the Local Government Act – Guiding principles for Councils;
- Adding ability to negotiate non-monetary compensation in acquisitions by agreement; and
- Adding the ability to dispose of low value land without a valuation in limited circumstances.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

By adopting the recommendation, Council is endorsing the changes to the Policy to be placed out on public exhibition for comment. Should any submissions be received, a further report will be presented back to Council for consideration. If no submissions are received at the end of the exhibition period, the revised Policy will be adopted and apply from that date.

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

The review of this Policy ensures suitable governance arrangements and guidance exists for the implementation of Council's functions. Amending this Policy reduces the risk of it becoming out of date, not meeting best practice or referencing out of date or incorrect legislation.

IAN CLAYTON
ACTING MANAGER - PROPERTY AND
REVENUE

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

19 January 2024

Attachments: 1. POLICY - DRAFT - Land acquisition and disposal - 2024.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY Land Acquisition and Disposal

*A prosperous
and progressive
community*

ADOPTED		VERSION NO	1.12
COUNCIL MEETING MIN NO	58/18	REVIEW DATE	MARCH 2022/2026
DATE	21 MARCH 2018	FILE NUMBER	A0010006

Objective

Land owned by Mid-Western Regional Council (MWRC) on behalf of its ratepayers and local community is a valuable public asset. Council has the responsibility to maintain its land asset portfolio in the best interests of its ratepayers and local community, and to act consistently, fairly and transparently in accordance with its Community Plan objectives.

MWRC will from time to time acquire and dispose of its land assets, including interests in land such as an easement, right, charge, power or privilege over, or in connection with, the land.

The Policy aims to:

- ensure MWRC has open and accountable processes to consider the acquisition and disposal of all land assets; and
- establish the criteria under which Council will consider acquisition and disposal of land; and
- ensure best value is achieved in all Council land dealings; and
- ensure impartiality by addressing perceived or actual conflicts of interest.

Legislative requirements

- Local Government Act 1993
- Valuation of Land Act 1916
- Real Property Act 1900
- Land Acquisition (Just Terms Compensation) Act 1991
- Roads Act 1993
- Environmental Planning and Assessment Act 1979
- Independent Commission Against Corruption, [*Guidelines for managing risks in direct negotiation*](#), May 2006 [*Direct Negotiations: Guidelines for Managing Risks*](#), August 2018
- Office Local Government, [*Land Acquisition Information Guide*](#), December 2014 [*Guidelines for the Compulsory Acquisition of Land by Councils*](#), June 2006

Scope

This policy applies to all acquisition and disposal of Council lands, including interests in land.

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ | 1.11.2. ERROR! REFERENCE SOURCE NOT FOUND.

Formatted: Font: 9 pt, Font color: Accent 1, English (Australia)

Formatted: Font: 9 pt, Not Bold, English (Australia)

Policy

Applicable provisions of the Local Government Act 1993 (the Act)

Formatted: Font: Bold

Section 8(1)8A(1)(F) of the Act dictates Council's charter in that Council is the custodian and trustee of public assets and is required to effectively plan for, account for and manage the assets for which it is responsible. Guiding principles for councils, including that Councils should manage lands and other assets so that current and future local community needs can be met in an affordable way.

Formatted: Font: (Default) +Body (Arial), 11 pt

Section 22(1)(d) of the Act vests authority in Council to enable it to exercise its functions, purchase, exchange, take on lease, hold, dispose of and otherwise deal with property.

Section 186 of the Act prescribes the purposes for which Council can acquire land.

Section 377(1)(h) of the Act dictates that the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property must be made by resolution of Council as these decisions cannot be delegated.

Section 45 of the Act prevents Council from selling, exchanging or otherwise disposing of Community Land other than to become or be added to a Crown Reserve or National Park.

Land acquisition

Formatted: Font: Bold

PURPOSES AND ASSESSMENT CRITERIA

Land is to be identified for acquisition having due regard to the acquisition considerations as outlined, but not limited to circumstances described in the Table at Appendix 1.

Council may acquire land or interests in land for the purpose of carrying out its functions under the Local Government Act. Refer s186.

METHODS OF ACQUISITION

Acquisition by Agreement and Value

Council may acquire land that is available for public sale under the same terms as any other prospective purchaser without having to satisfy the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

Where land is listed for sale on the open market, the General Manager shall negotiate the terms of purchase with either the vendor or the vendor's agent.

If Council identifies land or interests in land that is required to facilitate functions of Council, but the land is not available for public sale, Council may approach the landowner and negotiate the purchase of the required land or interest in land. In this case, the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 apply irrespective of whether the acquisition is by agreement or by compulsory process. This Act requires Council to pay a fair compensation for the land or interest in land that is being acquired.

Where Council has identified land for acquisition which achieves specific strategic and policy goals and objectives of Council, consideration may be given to any land swap opportunities and/or in-kind works in lieu of monetary consideration (e.g. fencing, access earthworks etc.).

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ LAND ACQUISITION AND DISPOSAL | 121.1. ERROR! REFERENCE SOURCE NOT FOUND.

Formatted: Font: 9 pt, Font color: Accent 1, English (Australia)

Formatted: Font: 9 pt, Not Bold, English (Australia)

Where land or interests in land are not listed on the open market, the General Manager is to obtain at least one valuation of the land or interests in land to be provided by a Registered Valuer as the basis for negotiation and the valuation report shall be attached to the report submitted to Council.

In some cases there will be justified basis for Council acquiring land or interests in land at a price above the valuation benchmark in order to guarantee the successful securing of the property to achieve defined goals and objectives of Council; or to acquire the land with a view to adding value, or reducing risk to a larger scheme or development, future or current.

Any special value should be determined and quantified within the initial decision of Council and referenced to the achievement of specific goals and objectives of Council.

Acquisition by Compulsory Process

If agreement of the acquisition of land or an interest in land cannot be made with the landowner, Council has the right to compulsorily acquire land or an interest in land. A compulsory acquisition can only be pursued under the requirements of the Roads Act 1993 or the Local Government Act 1993, and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.

The compulsory process cannot be used to acquire land for the purposes of resale.

The process to be followed for compulsory acquisition is as set out in the ~~Land Acquisition Information Guide (December 2014)~~ [Guidelines for the Compulsory Acquisition of Land by Councils, June 2006](#), as issued by Office of Local Government. It will be necessary for Council to satisfy the Office of Local Government that the acquisition is required for a public purpose.

Approval of the Minister for Local Government, and the Governor, is required to finalise the compulsory process.

Compensation for Acquisitions (other than land available for public sale)

In determining the amount of compensation to which a person is entitled, Part 3 Division 4 of the Land Acquisition (Just Terms Compensation) Act 1991 requires that regard must be given to the following matters only:

- a) the market value of the land on the date of its acquisition;
- b) any special value of the land to the person on the date of its acquisition;
- c) any loss attributable to severance;
- d) any loss attributable to disturbance;
- e) solatium (that is, compensation for non-financial disadvantage arising the need to relocate as a result of the acquisition); and
- f) any increase or decrease in the value of any other land of the person at the date Of acquisition which adjoins or is severed from the acquired land by reason of the carrying-out of, or the proposal to carry out, the public purpose for which the land was acquired.

Classification of Acquired Land

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ | 1.11.2. ERROR! REFERENCE SOURCE NOT FOUND.

Formatted: Font: 9 pt, Font color: Accent 1, English (Australia)

Formatted: Font: 9 pt, Not Bold, English (Australia)

At the time of acquisition, Council must resolve the classification of the land to be either Operational or Community land in accordance with Sections 25-27 of the Act.

Land disposal

Formatted: Font: Bold

PURPOSES AND ASSESSMENT CRITERIA

Land is to be identified for disposal having due regard to the disposal considerations as outlined, but not limited to circumstances described in the Table at Appendix 1.

Should a proposed disposal be detrimentally impacted by any circumstance identified in the Table at Appendix 1, or any other circumstance, unless it can be demonstrated that there is an overriding public and/or economic benefit in relation to the disposal, the proposed disposal should be reviewed.

METHODS OF DISPOSAL AND VALUE

Competitive Process and Value

Where land is capable of being disposed of on the open market and is able to be developed independently of any other property, the disposal shall be by competitive process involving public auction, private treaty, tender or expression of interest unless circumstances warrant disposal by direct negotiation.

The General Manager is to obtain at least one valuation of the land or interests in land to be provided by a Registered Valuer to establish the disposal value. The valuation/s shall be based on the valuation methodology most advantageous to Council. The General Manager is to then negotiate with Council's selling agent to ascertain an appropriate disposal value.

It is recognised that valuation advice is not an exact science and it is not unreasonable that a disposal value of up to 10% variation from that valuation may be achieved. Where the negotiated outcome results in a sale price more than 10% less than the assessed disposal value, it shall be acknowledged in the report to Council giving reason why that variation may be adopted.

Direct Negotiation and Value

Disposal of land by direct negotiation will have regard to, but will not be limited to, the following considerations::

- Where the total cost of the public disposal process will exceed the expected community benefit (for example, where the disposal value of land is \$1,000 and the cost to market the land is \$5,000);
- Where there is only one identifiable purchaser (for example, an adjoining owner; or where a site is not large enough for development in its own right);
- Where Council is bound by a contractual **or legal** obligation;
- Disposal of land to a government or utility authority for the purpose of infrastructure provision;
- Where a public marketing process which has been undertaken within the last 12 months in accordance with this Policy has failed to achieve the desired outcome;
- In response to a proposal which achieves specific strategic and policy goals and objectives of Council; for example, a land swap opportunity.

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ ~~LAND ACQUISITION AND DISPOSAL~~ | 121.1. ERROR! REFERENCE SOURCE NOT FOUND.

Formatted: Font: 9 pt, Font color: Accent 1, English (Australia)

Formatted: Font: 9 pt, Not Bold, English (Australia)

The report to Council will identify the reasons why the direct negotiation disposal process was chosen.

The General Manager is to obtain at least one valuation of the land or interests in land, based on the valuation methodology most advantageous to Council, to be provided by a Registered Valuer to establish the disposal value. A valuation is not required where the General Manager has clear evidence that the cost in obtaining a valuation is likely to exceed the lands value. The General Manager is to then negotiate with Council's selling agent (if applicable) or the prospective purchaser to ascertain/establish an appropriate disposal value.

The report to Council will identify the method used to establish the appropriate disposal value.

~~Where land is to be disposed to an adjoining owner, the necessary valuation/s shall be based on the valuation methodology which is most advantageous to Council.~~

Purchaser-Initiated Divestments

For purchaser-initiated divestments, all costs associated with the disposal of the land, including Council's reasonable legal costs, will be borne by the purchaser.

Classification of Land to be Disposed

Section 45 of the Act provides that only Operational Land can be sold, exchanged or otherwise disposed of.

Land classified as Community must be reclassified, in accordance with procedures prescribed by the Environmental Planning and Assessment Act 1979, as Operational prior to disposal proceeding.

Permanent Council Road Closures

A Council Public Road reserve (a Reserve) must be closed under the Roads Act 1993. The closure process is managed by Council and NSW Trade and Investment NSW Department of Industry – Crown Lands Division.

A resolution of Council is required to close a Reserve and where applicable, a further resolution is required to dispose of the land vested in Council upon the closure of a Reserve.

An application for the closure of a Reserve and where applicable, disposal of a Reserve, may be initiated by Council or by an individual.

An application from an individual must be accompanied with the Investigation Fee - Road Closure fee as set out in Council's adopted Fees and Charges.

Consideration of an application will take into account, but will not be limited to:

- The likelihood of a Reserve being required as a through road; and
- Legal requirements of a Reserve to provide access to properties; and
- Access to public infrastructure or public waterway; and
- Whether the land upon closure of a Reserve will vest in Council (Section 38(2)(b) & (c) Roads Act 1993); and
- Disposal considerations as outlined in the Table at Appendix 1.

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ | 1.11.2. ERROR! REFERENCE SOURCE NOT FOUND.

Formatted: Font: 9 pt, Font color: Accent 1, English (Australia)

Formatted: Font: 9 pt, Not Bold, English (Australia)

For land which vests in Council upon closure of a Reserve with the intent for its disposal, ~~the General Manager is obtain at least one valuation of the land to be provided by a Registered Valuer to establish the disposal value.~~ the General Manager is to obtain at least one valuation of the land, based on the valuation methodology most advantageous to Council, to be provided by a Registered Valuer to establish the disposal value. A valuation is not required where the General Manager has clear evidence that the cost in obtaining a valuation is likely to exceed the lands value. The General Manager is to then negotiate with Council's selling agent (if applicable) or the prospective purchaser to establish an appropriate disposal value.

The report to Council will identify the method used to establish the appropriate disposal value.

~~Where land is to be disposed to an adjoining owner, the necessary valuation/s shall be based on the methodology which is most advantageous to Council.~~

For individual-initiated Reserve closures and disposals, all costs associated with the disposal of the land, including Council's reasonable legal costs, will be borne by the purchaser.

▲ Variation

Formatted: Font: Bold

MWRC reserves the right to vary the terms and conditions of this policy, subject to a report to Council.

POLICY: ~~LAND ACQUISITION AND DISPOSAL~~ | 121.1. ERROR! REFERENCE SOURCE NOT FOUND.

Formatted: Font: 9 pt, Font color: Accent 1, English (Australia)

Formatted: Font: 9 pt, Not Bold, English (Australia)

Appendix 1

SUMMARY OF LAND ACQUISITION AND DISPOSAL CONSIDERATIONS

ACQUISITION	ACQUISITION
<p>Purposes</p> <ul style="list-style-type: none"> • Statutory For public purposes by other public authorities such as RMS, etc. • Conversion from unused or underused properties to cash for acquisition or development of more useful community facilities • Investment For accumulation of property development and investment funds and subsequent acquisitions and/or investments for recurrent cash flows 	<p>Purposes</p> <ul style="list-style-type: none"> • Statutory For public purposes by other public authorities such as RMS, etc. • Conversion from unused or underused properties to cash for acquisition or development of more useful community facilities • Investment For accumulation of property development and investment funds and subsequent acquisitions and/or investments for recurrent cash flows
<p>Value</p> <ul style="list-style-type: none"> • Fair market value • Provisions under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> • Value to Council versus Value to the owner • Valuation – at least one by Registered Valuer 	<p>Value</p> <ul style="list-style-type: none"> • Fair market value • Provisions under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> • Value to Council versus Value to the owner • Valuation - at least one by Registered Valuer
<p>Assessment Criteria</p> <ul style="list-style-type: none"> • Identification in Council's Community Strategic Plan, Delivery Program, or Operational Plan • Identification in any other Council strategy • Land classification upon acquisition • Any land swap opportunities • Prospect for capital gain • Any redevelopment opportunity • Acquisition and ongoing management costs • Availability of funds or funding arrangements • Whole of life costing assessment • Current and future market conditions 	<p>Assessment Criteria</p> <ul style="list-style-type: none"> • Identification in Council's Community Strategic Plan, Delivery Program, or Operational Plan • Identification in any other Council strategy • Land classification upon acquisition • Any land swap opportunities • Whole life costing assessment including any likely maintenance/capital works required • Any value added activities such as rezoning, DA approval to eliminate any uncertainties as possible • Current and future market conditions • Methods of sale having regard to current market conditions and consideration of sale versus long-term lease

9.2 Naming of new streets in a subdivision off Hone Creek Drive, Caerleon

REPORT BY THE PROPERTY SUPPORT OFFICER
TO 17 APRIL 2024 ORDINARY MEETING
GOV400105, P27362 R0790141

RECOMMENDATION

That Council:

1. receive the report by the Property Support Officer on the Naming of new streets in a subdivision off Hone Creek Drive, Caerleon;
2. name road 1 Barclay Street and name road 2 Price Road;
3. add to Council's Pre-Approved names list the additional submissions for Astill, Shipley, Longton, Salinger, Randall, Thompson and Hamilton Lowe for future use; and
4. advertise the proposed names and receive a further report at the end of the exhibition period to formalise the name of these streets.

Executive summary

A new subdivision off Hone Creek Drive in the locality of Caerleon includes two new streets. Addressing requirements for the new subdivision will necessitate the naming of these new streets.

Disclosure of Interest

Nil.

Detailed report

Council, being the Roads Authority, is required to name new and unnamed streets and roads. The purpose of this report is to provide a list of names submitted by the public from which Council can choose a name for these new streets.

Following the approval of a new subdivision off Hone Creek Drive in the locality of Caerleon, Council wrote to the property owner and neighbours of the subdivision on 22 February 2024 requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 30 February 2024 issue of the Mudgee Guardian and on Council's website. Submissions closed on 22 of March and during this period 3 submissions were received with the following names suggested:

Barclay	Astill	Shipley
Longton	Salinger	Randall
Thompson	Hamilton Lowe	

The recommended names of Barclay and Price relate to Dr David Barclay who came to Mudgee with his wife in 1976. They raised their family in Mudgee and Dr Barclay was the principal partner of the Mudgee Medical Centre until 2001. And to John Alexander Horatio Price, surveyor and

builder, in the mid 1860s, of the adjacent homestead now called Carleon Park. It seems that the Price family coined the name Caerleon for their property which has now lent its name to the Caerleon locality and this development estate.

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

In accordance with Council’s Road, Bridge and Place Naming Policy, the name that Council endorses for these roads will be:

1. Advertised in the Mudgee Guardian and on Council’s website inviting submissions in writing from the public for a period of 21 days.
2. Concurrently, notice of the new name will be sent to Australia Post, the Registrar General, the Surveyor General, the NSW Ambulance Service, NSW Fire & Rescue, NSW Rural Fire Brigades, NSW Police Force, NSW State Emergency Service and NSW Volunteer Rescue Association, and, in the case of a classified road – Transport for NSW, inviting submissions in writing for a period of 14 days.

At the expiration time for lodgement of submissions, a further report will be prepared for Council addressing any submissions received and recommending the formal adoption of the proposed road names, and Gazettal of the new road names.

Community Plan implications

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

Strategic implications

Council Strategies

Not applicable.

Council Policies

Road, Bridge and Place Name Policy.

Legislation

Roads Act 1993.

Road Regulation 2008.

Geographical Names Act, 1996.

Geographical Names Board of NSW Address Policy and User Manual, May 2021.

Financial implications

The cost and installation of 4 street signs, located at the intersection of Road 1 with Hone Creek Drive, Road 2 and Davis Crescent, and at the intersection of Road 2 with Road 1 and Davis Crescent. The costs of which will be met by the developer.

Associated Risks

Nil.

CAROLYN ATKINS
PROPERTY SUPPORT OFFICER

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

29 February 2024

Attachments:

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

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

From: Vanessa Armstrong
Sent: Thursday, February 15, 2024 4:51 PM
To: Council <Council@midwestern.nsw.gov.au>
Subject: Attn: Property Section

Dear Madam/Sir,

I'm writing to see if we could possibly organise a street in Mudgee to be named after our Dad, Dr David Barclay.

Our parents David & Jennifer Barclay were part of the Mudgee community for over 35years. My parents were both born in Scotland but arrived in Mudgee in 1975. My Dad applied for the job as a General Practitioner at the Mudgee Medical Centre.

They were only going to stay for 2 years but they never left and myself, Vanessa and my 2 siblings, Jamie & Joanna Barclay were all raised in Mudgee.

My Dad served the Mudgee community as a much loved doctor at the Mudgee Medical Centre and Mudgee Hospital for over 30 years. He worked with Dr Peter Roberts, Dr Geoffrey Bennett, Dr Peter Leal and Dr Tony Egan. They would all be happy for you to contact them regarding our Dad.

He was also President of the Mudgee Race Club for many years and on the committee for many more years.

I'd love to hear if this is something we can organise and your thought of where might be appropriate. Many thanks.

I look forward to hearing from you.

Kind regards,

Vanessa Armstrong

From: Vanessa Armstrong
Sent: Tuesday, 20 February 2024 2:45 PM
To: Carolyn Atkins
Subject: Re: Attn: Property Section

Hi Carolyn,

I've listed a few extra things for you about Dads life and his time in Mudgee. Please let me know if you need anything else.

Dad's full name was actually David John Chalmers Barclay.
Born 23rd April 1944 in Aberdeen Royal Infirmary, Aberdeen Scotland.
Death - 19th March 2005, Sydney.

Graduated from Medicine in 1969 at Aberdeen University, Scotland.

Mum & Dad were married 5th July, 1969, St Giles Cathedral, Edinburgh Scotland.

Dad then worked for 2 years in a Durban hospital, South Africa.

David & Jennifer returned to Scotland after SA and Dad worked as a doctor in Aviemore, Scotland for 2 years in the Scottish Highlands.

David & Jennifer Barclay arrived in Mudgee in December 1976 from Scotland. They chose Mudgee as they thought they could ski there due to the high altitude!

Dad was a doctor at Mudgee Medical Centre from 1976 until 2001.

He became the Principal of Mudgee Medical Centre with 7 partners and 3 part time doctors.

Dad served on many Rural committees and was a delegate in Sydney on an enquiry committee into maternity deaths. He was a Clinical Associate with the Department of General Practice at the University of Sydney. His teachings on Medical students who came to train in Mudgee was something he loved and was highly valued by the University.

He had Post-Graduate diplomas in Obstetrics & Gynaecology, Dermatology and Spinal Manipulation, all of which made him a most valuable country GP.

I hope all this helps. Thank you so much for taking the time to consider our Dad for a memorial street sign in Mudgee. Please let me know if there's anything else you need.

Warm regards,
Vanessa Armstrong

From: Nathan Davis
Sent: Tuesday, 5 March 2024 10:58 AM
To: Carolyn Atkins
Subject: RE: Road naming for Stage 13 Caerleon Estate

Hi Carolyn,

Following my interaction with John where we have used most of the names he has proposed, I would like to put forward the name **Astill** for Road 1.

The Astill name has a history through the west including from the Blue Mountains through to Orange and beyond.

Furthermore, with the adoption of Astill for Road 1, we also request **Shipley** for Road 2 based on the descendants of Astill being a part of the original settlers of Shipley.

Other names to consider for Roads within Caerleon Estate include **Longton** and **Salinger**.

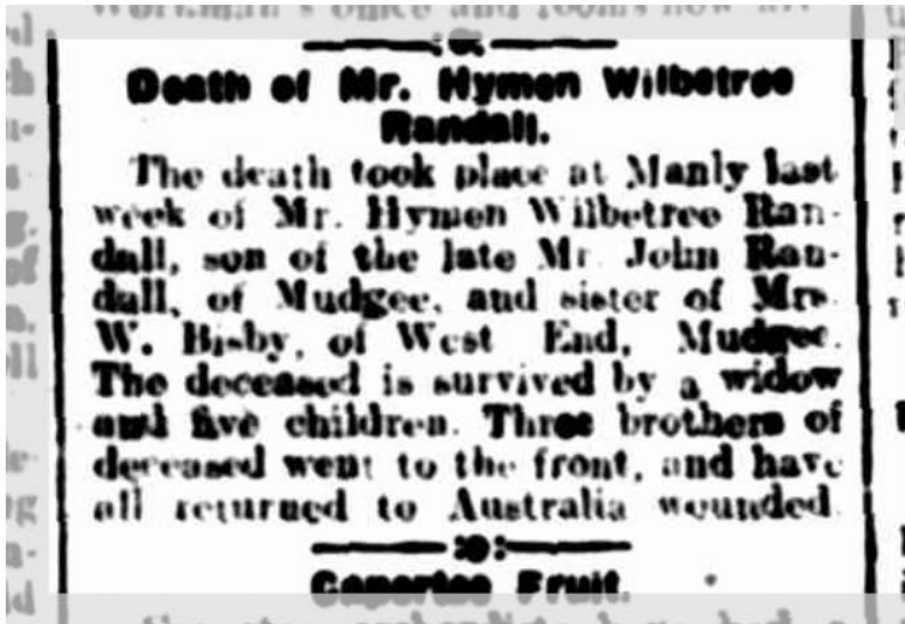
While my search has been limited of late, these names all keep popping up.

Another name I would like to add is **Randall**... Randall is the maiden name of my mother-in-law whose father was a triplet born and raised in Mudgee. The Randall name is synonymous in Mudgee as this article will confirm:

<https://trove.nla.gov.au/newspaper/article/157142823>

The final name is **Thompson**. The Thompson name is another highly respected surname around the Mid-West region that keeps popping up in my readings.

Kind regards,
Nathan



\$
22 MAR 2024
R/N:

21st March, 2024

The General Manager
Mid-Western Regional Council
PO Box 156
MUDGEE NSW 2850

Dear Sir,

Re: Proposed Street Names - Caerleon

Submission for HAMILTON LOWE DRIVE



In response to Mid-Western Regional Council's invitation for submissions from the public for street names for two new streets in a subdivision off Hone Creek Drive in the locality of Caerleon, attached is a submission for the name of **HAMILTON LOWE**, for Council's consideration.

As there are other branches of the Lowe family in the Mudgee area, the name **HAMILTON LOWE DRIVE** is submitted for Council's consideration, in recognition of the contribution to the progress of the Mudgee area by the Crudine pioneering settler farming family since 1842 to the present day, now spanning 6 generations. Hamilton Lowe and his wife Eliza also spent their retirement years residing at "Little Caerleon", adjacent to the Caerleon area subdivision.

More extensive information is set out in the attached submission.

It is respectfully requested that Council give favourable consideration to a road in the Caerleon subdivision being named HAMILTON LOWE DRIVE.

Yours faithfully,

Encl.

The General Manager,
Mid-Western Regional Council,
PO Box 156
MUDGEE NSW 2850

Re: Proposed Street Names - Caerleon

Submission for HAMILTON LOWE DRIVE

In response to Mid-Western Regional Council's invitation for submissions from the public for street names in the subdivision off Hone Creek Drive in the locality of Caerleon; I wish to submit the name of **HAMILTON LOWE** for Council's consideration.

Hamilton Lowe, born in 1862 at Lower Turon in the Sofala area, was from a well-respected pioneering settler farming family which carried on grazing in the Crudine area and contributed to the progress of the district from 1842 to the present day (now spanning 6 generations). His father, James, before him also farmed land in Crudine.

Hamilton Lowe, like his father, James, before him was well respected in the district and both contributed to the progress of the Mudgee district. Both were keen sportsman and skilled horsemen. Hamilton's father, James was also one of the first Cobb & Co coach drivers in the district.

On 4th August, 1885, Hamilton Lowe married Eliza Jane Elkin.

In 1918, tragedy struck the household of Hamilton and Eliza Lowe when their beloved eldest son, **William James Hamilton Lowe** was killed in action during WWI in Jericho, Palestine on 28th August, 1918 at 24 years of age. He had enlisted at 21 years of age on 14th August, 1915 and served his country in the 12th Light Horse Regiment, 7th Reinforcement.

~~~~~

Hamilton was well-known in cricket circles in the Mudgee district.

**Mudgee Guardian and North-Western Representative (NSW : 1890 - 1954), Monday 8 January 1923, page 8**

**A VISITOR FROM CRUDINE**

*"Among the visitors to Mudgee last week were Mr. Hamilton Lowe, of Crudine, and his son. Mr. Lowe's visit was occasioned by an injury to his knee brought about by playing cricket. Our veteran friend has been a stalwart wielder of the willow for a great many years. Years ago he was a member of the district team selected by the 'Guardian' to play the best of Mudgee. Mr. Lowe is still able to hit up a good score and keep wickets for the Crudine team....."*

In early 1923, Hamilton and his wife, Eliza retired from the property at Crudine and moved to Mudgee, after purchasing the property on the edge of town known as "Little Caerleon", which is adjacent to the Caerleon subdivision. Hamilton and Eliza resided at "Little Caerleon" for the remainder of their lives.

**Mudgee Guardian and North-Western Representative (NSW : 1890 - 1954), Monday 26 March 1923, page 14**

**TO RESIDE IN MUDGEE**

*"Mr. Morgan O'Brien, who recently sold his property at Little Caerleon to Mr. Hamilton Lowe, has purchased Mr. E. J. Cafe's residence in Lewis Street, Mudgee....."*

Mudgee Guardian and North-Western Representative (NSW : 1890 - 1954), Thursday 29 January 1925, page 19

HALF CROWN

*A half-crown dated 1835 was found in the ground the other day by Mr. Hamilton Lowe of "Little Caerleon", Mudgee. The relic of the convict days is in excellent condition, and was apparently not long in use. It is the oldest coin of the realm that has come to light in this district. Mr. Lowe handed the relic to Mr. G. H. Cohen, of the Mudgee "Guardian", and the 'Old Boy' prizes it very much."*

Hamilton Lowe's father, James Lowe was one of the first Cobb and Co. coach drivers in this district. Hamilton, in honour of his late father, was asked to drive a Cobb and Co. coach across the Sydney Harbour Bridge at the official opening pageant on 19th March, 1932. Sadly, this was not to be, as Hamilton died at the age of 73, on 7th February, 1932 (just 6 weeks prior to the opening of the Sydney Harbour Bridge).

The Mudgee Guardian and North-Western Representative – Monday 8 February 1932.

*"MR HAMILTON LOWE By the death on Sunday after-noon of Mr. Hamilton Lowe, at the age of 73, the district is the poorer for the loss of one of the grand old men who have figured in the progress of the district, and one who has kept well the sporting traditions of his family. Mr. Lowe died at Braeholme and his remains were interred in the Church of England portion of the Mudgee cemetery this afternoon. Like his father before him, who carried on grazing at Crudine, Mr. Hamilton Lowe, was a keen lover of horses. It was his father who has been mentioned recently as one of the first drivers in this district of Cobb and Co.'s stage coaches, and he was a loyal supporter of all sports where the horse is concerned. Besides being a cricketer of his day. In fact, the family has now for two generations been well known in cricket circles in the Mudgee district, and a member of the third generation, Mr. Hector Lowe, is a player in one of the teams of to-day. The true sporting instinct was inherited in Mr. Hamilton Lowe, and he was, like his father before him, much respected in the district where he spent his life. It has only recently been suggested that Mr. Lowe might drive the Cobb and Co.'s coach across the Harbour Bridge at the coming pageant, as being the next of kin to the early coach driver. This project, however, was not destined to be fulfilled. Mr. Lowe some few years ago retired from active pursuits at Crudine, and has since resided at Little Caerleon. He leaves a wife and four sons and three daughters. Messrs. Hector (Mudgee), Jack and Fred (Carwell) and Sydney (Sydney), Mrs. Murchison (Hurstville), Mrs. Charles Cox, Mrs. Herb. Rayner (Gulgamree). A son, William, was killed at the war."*

Hamilton Lowe, who was well respected, contributed greatly to the progress of the Mudgee district as a member of an early pioneering settler farming family; and he also had a close connection to the Caerleon area, having lived at "Little Caerleon" in his retirement years.

It is therefore respectfully requested that Council give favourable consideration to naming a street in the Caerleon subdivision in recognition of **HAMILTON LOWE** and his family's pioneering contribution to the progress of the Mudgee district since 1842 to the present day. It is also respectfully requested, should Council give favourable consideration to this submission, that the name of the street be called **HAMILTON LOWE DRIVE**.

## STREET NAMES FOR CAERLEON DEVELOPMENT, MUDGEES

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

### Association:

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

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

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

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

~~**MOORE:** after the Moore family, long time owners of the grazing property Carleon/Meramie. Approved 15/6/22 Council Meeting~~

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

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

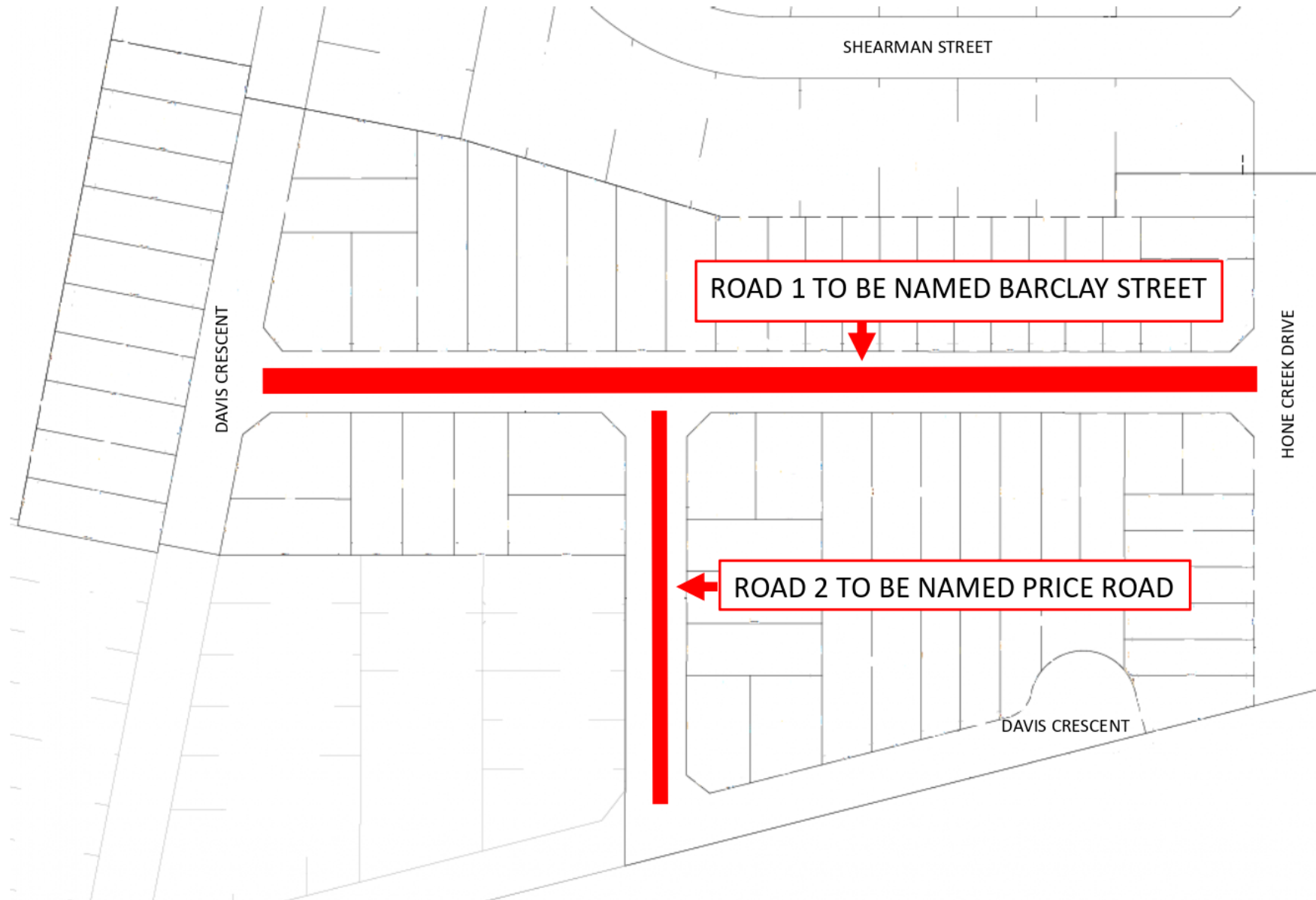
~~**SHEARMAN:** after Christy and Helen Shearman from neighbouring Darthula. However, they are both still living, so perhaps not appropriate. Approved 2/2/22 Council Meeting.~~

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

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

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

John Broadley, Mudgee Historical Society





## 9.3 Naming of a new street in a subdivision off Rifle Range Road, Mudgee

REPORT BY THE PROPERTY SUPPORT OFFICER  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, P11969 R0790141

### RECOMMENDATION

#### That Council:

1. **receive the report by the Property Support Officer on the naming of a new street in a subdivision off Rifle Range Road, Mudgee;**
2. **formally approve the name of Wilton Grove;**
3. **publish formal declaration of the approved name in the NSW Government Gazette, and notify the naming in accordance with Council's Road, Bridge and Place Naming Policy.**

---

### Executive summary

Formal approval is requested to name the new street in a subdivision off Rifle Range Road in the town of Mudgee Wilton Grove.

### Disclosure of Interest

Nil.

### Detailed report

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

Following the approval of a new subdivision off Rifle Range Road in the town of Mudgee, Council wrote to the neighbours of the subdivision on 25 October 2023 requesting their naming suggestions. Public consultation was also invited in an advertisement placed in the 3 November 2023 Mudgee Guardian and on Council's website.

From submissions received, Council provisionally approved the name of Wilton Grove at their 13 December 2023 meeting.

Wilton Grove relates to William Wilton who migrated to Australia with his wife Elizabeth in 1841. He purchased 4000 acres at McDonalds Creek, calling the property Wiltonville where he grew sheep and cattle. William contributed to the local community as a businessman, committee member of the Mechanic's Institute, a Magistrate, and one of the first Trustees of the Mudgee Showground. He was also a keen local cricketer and is buried in Mudgee Cemetery with his descendants.

The Geographical Names Board has been advised of this street name and has no objection. The new street name was advertised in the 8 March 2024 issue of the Mudgee Guardian and on Council's website with no additional submissions or objections received.

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

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

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

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

## Community Plan implications

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

## Strategic implications

### **Council Strategies**

Not applicable.

### **Council Policies**

Road, Bridge and Place Naming Policy.

### **Legislation**

Roads Act 1993.

Road Regulation 2008.

Geographical Names Act, 1996.

Geographical Names Board of NSW Address Policy and User Manual, May 2021.

## Financial implications

The cost and installation of 2 street signs at the intersection of Rifle Range Road and the street being named. The costs of which will be met by the developer.

## Associated Risks

Nil.

CAROLYN ATKINS  
PROPERTY SUPPORT OFFICER

LEONIE VAN OOSTERUM  
DIRECTOR CORPORATE SERVICES

27 March 2024

*Attachments:* 1. Submission.  
2. Map.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## Sarah Pringle

---

**From:**  
**Sent:** Sunday, 5 November 2023 1:12 PM  
**To:** Council  
**Subject:** Road Naming Submission D/A0295/2022 Rifle Range Road  
**Attachments:** 25 Rifle Range Road Name Submission.pdf

Dear Sir

Please find attached our Road Naming Submission for new road created by subdivision off Rifle Range Road Mudgee D/A0295/2022.

I will deliver a hard copy to customer service.

Kind Regards

Symond Carr  
Director  
S.A. CARR & CO. PTY .LTD

S.A. CARR & CO. PTY .LTD

'This e-mail (including any attachments) is confidential and copyright. S.A CARR & CO. PTY. LTD and the sender makes no warranty about the content of this e-mail. Unless expressly stated, this e-mail does not bind anyone and does not necessarily constitute the opinion of the sender of S.A CARR & CO. PTY. LTD. If this e-mail has been received in error, then please notify the sender immediately and delete the message. The sender checks e-mails and attachments for viruses, however we cannot guarantee that either are virus free. We accept no liability for any damage sustained as a result of viruses.'

1/11/2023  
S.A.Carr and Company Pty Ltd.

The General Manager  
Mid-Western Regional Council.  
P.O.Box 156  
Mudgee NSW 2850.

RE: Road Naming DA0295/2022 Rifle Range Road Lot 69 DP 756864.

Dear Sir,

I am writing on behalf of the Hooper family that are the current owners and developers of the above-mentioned land.

We would like to put forward a submission to name the new road off Rifle Range Road created by subdivision, recognising William and Elizabeth Wilton, their family, and their descendants.

**“WILTON AVENUE”**

Our submission is based on local history, early settlers, and eminent persons.

William and Elizabeth arrived in Australia from Wiltshire England on 23/12/1841 and purchased land in the Mudgee district, “Wiltonville”, 4,000 acres freehold at McDonalds Creek. Over time they worked the land into the largest wool growing property and woolshed of the time in the district producing a wool clip of 100 bales whilst grazing 250 head of cattle.

William was a local businessman, a committee member of the Mechanic’s Institute, a Magistrate, an Alderman and Mayor of the Cudgegong Borough Council in the late 1800’s (see attached), one of the first trustee’s of the Mudgee Showground in 1881 (see attached) as well as a keen cricketer participating in many a thrilling game between Mudgee & West End teams, and between the various families, the Wiltons, the Honeysett’s and the Rayners.

Unfortunately, both the homestead and Wiltonville woolshed were destroyed by fire on separate occasions as well as Kellet’s Store in Market Street where there was once a lane named Wilton Lane, this no longer exists.

William and Elizabeth are buried in the Mudgee Cemetery along with members of their direct family in the Wilton Cryp.

We trust you look favourably upon our submission recognising the Wilton family history and the large contribution that has been made to the Mudgee area and community, as a whole over the past 182 years.

Yours faithfully

Director  
S.A.Carr and Company Pty Ltd.



After a period of political lobbying during the 1870s regarding the construction of the Mudgee Railway, its route was finally determined to locate close to the Burrundulla site, which therefore compromised the potential to continue to conduct shows there<sup>9</sup>. The search then began for a larger, permanent site for the Showground. This initiated a history of legislative dedications and trustee appointments.

The establishment and growth of the Showground precinct as it is seen today, at its current site commenced in the late 19<sup>th</sup> century.

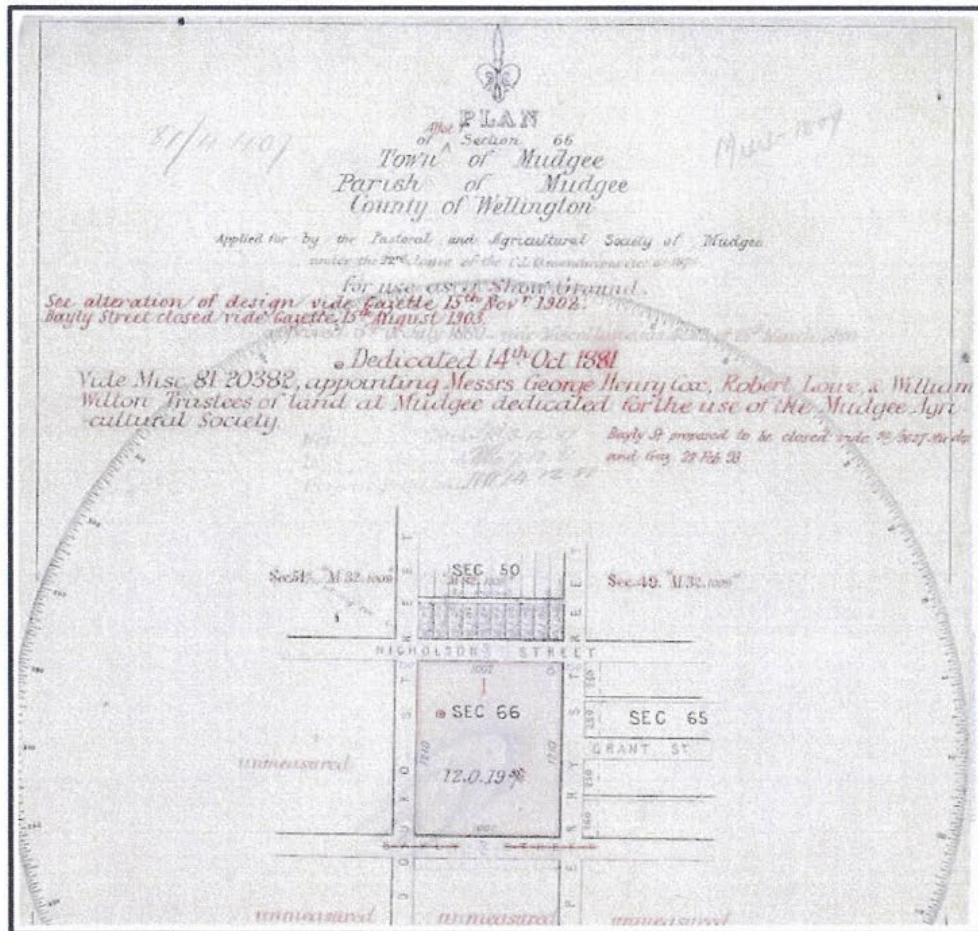


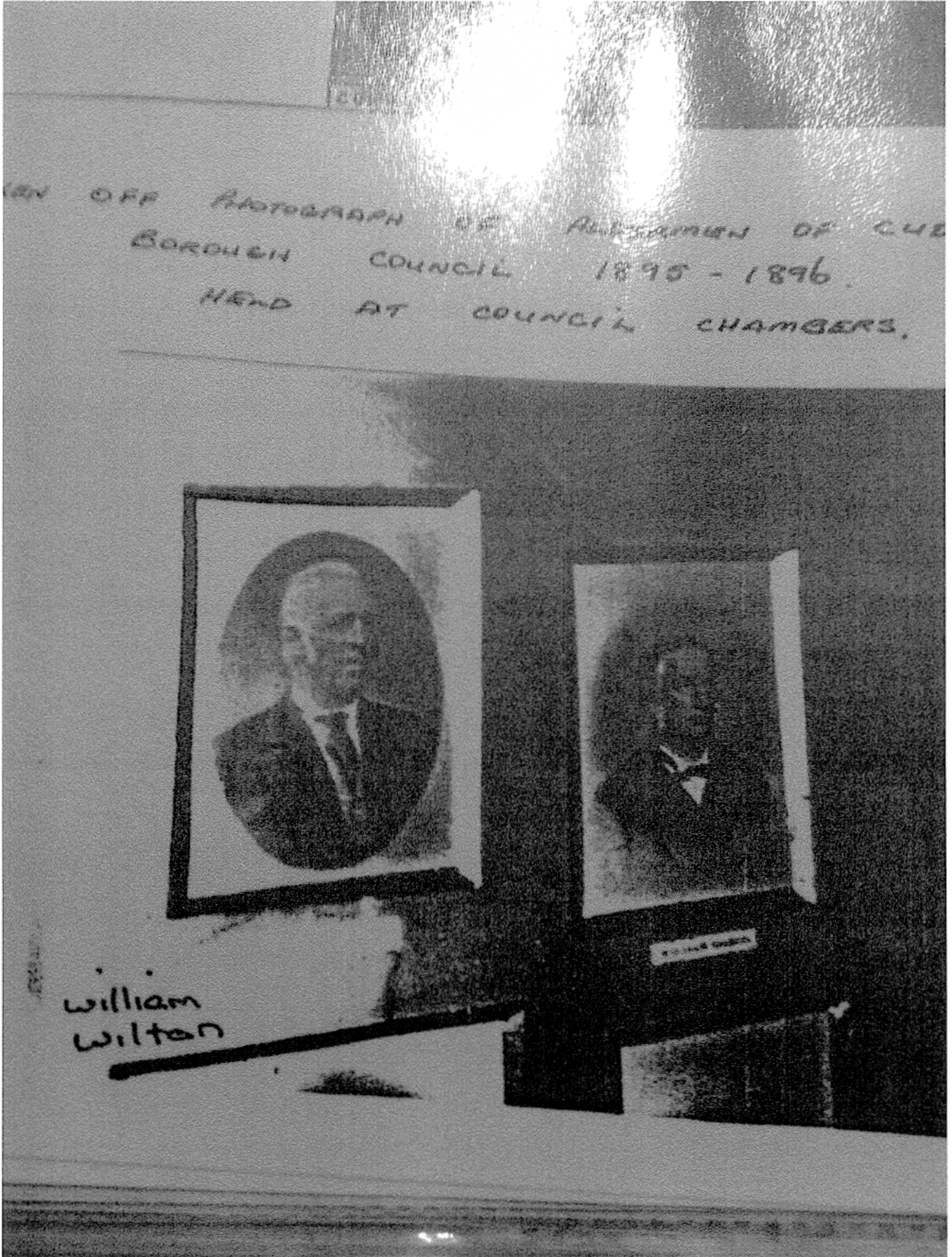
Figure 2 – Plan showing first dedication for Mudgee Showground in 1881

Lot 1 of Section 66 was dedicated for the purpose of Mudgee Agricultural Society on 14 October 1881 (see Figure 2). Although shows had been held in Mudgee since the 1840s, this era commenced the staging of the first Mudgee Show at the current locality. On 11 November 1881, the first Trustees were appointed to the Showground. These were: George Cox, Henry Cox, Robert Lowe and William Wilton.

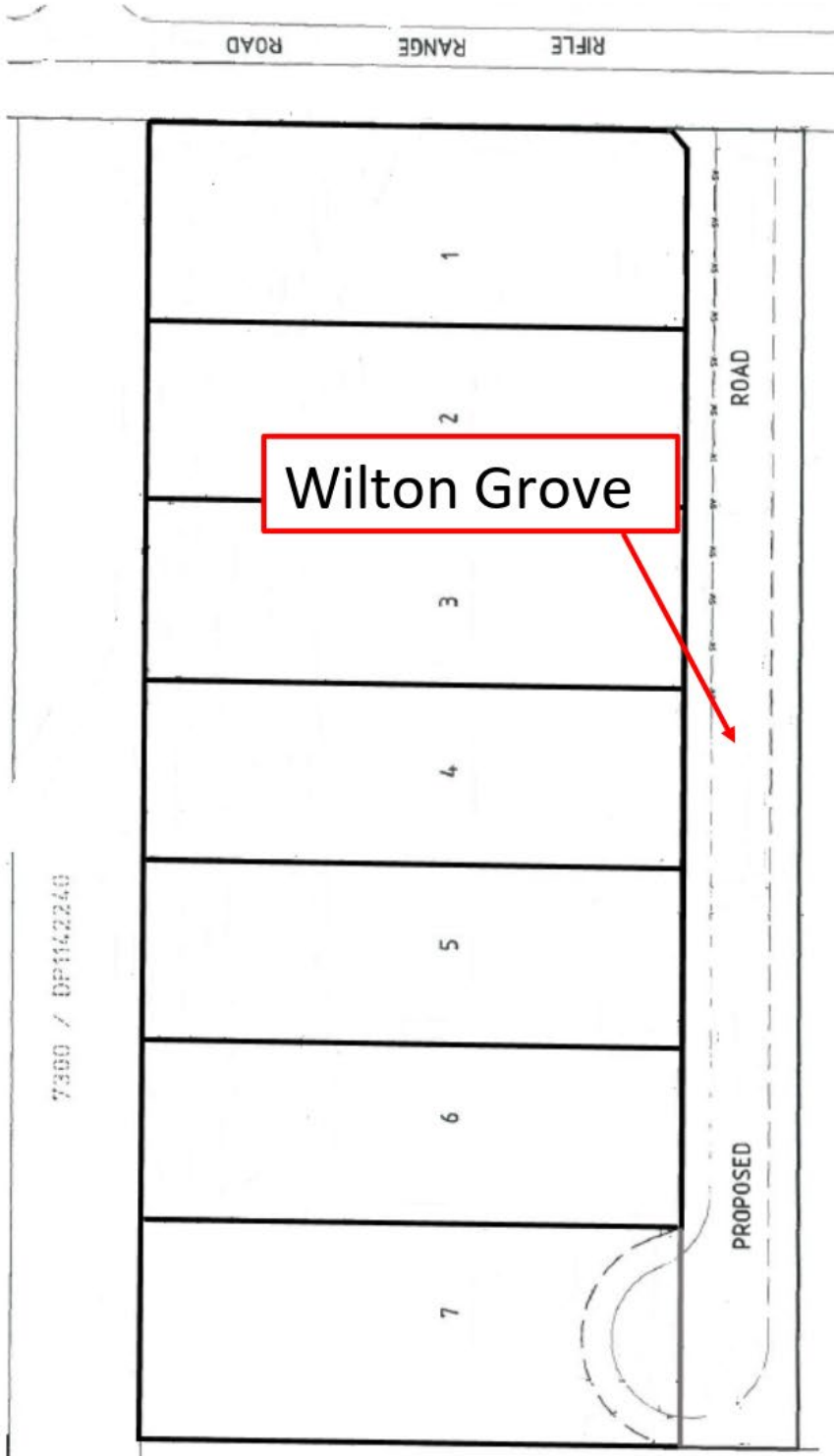
On 14 November 1893, Lot 2 was dedicated and added to the existing Showground (see Figure 3).

<sup>9</sup> The railway officially opened 11 September 1884: Ref [www.mudgeeguardian.com.au/story/local-history-sir-john-robertson-the-premier/](http://www.mudgeeguardian.com.au/story/local-history-sir-john-robertson-the-premier/)









## 9.4 Monthly Statement of Investments as at 31 March 2024

REPORT BY THE FINANCIAL PLANNING COORDINATOR  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, FIN300053

### RECOMMENDATION

#### That Council:

1. receive the report by the Financial Planning Coordinator on the Monthly Statement of Investments as at 31 March 2024; and
2. note the certification of the Responsible Accounting Officer.

---

### Executive summary

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

### Disclosure of Interest

Nil

### Detailed report

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 31 March 2024.

### Community Plan implications

| Theme | Good Government |
|-------|-----------------|
|-------|-----------------|

|      |                                         |
|------|-----------------------------------------|
| Goal | An effective and efficient organisation |
|------|-----------------------------------------|

|          |                                                               |
|----------|---------------------------------------------------------------|
| Strategy | Prudently manage risks associated with all Council activities |
|----------|---------------------------------------------------------------|

---

### Strategic implications

#### Council Strategies

Not Applicable

#### Council Policies

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

#### Legislation

As per Clause 212 of the Local Government (General) Regulation 2021 the Responsible Accounting Officer certifies that:

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

## Financial implications

Not Applicable

## Associated Risks

Not Applicable

AMANDA AVNELL  
FINANCIAL PLANNING COORDINATOR

LEONIE VAN OOSTERUM  
DIRECTOR CORPORATE SERVICES

3 April 2024

*Attachments:* 1. Investment Report - March 2024.

### APPROVED FOR SUBMISSION:

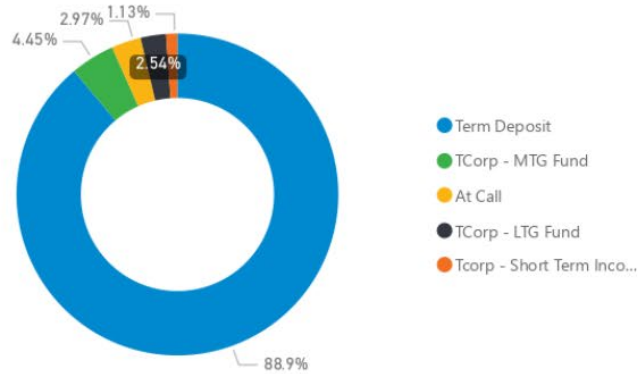
BRAD CAM  
GENERAL MANAGER

### Mid-Western Regional Council Cash and Investments as at 31 March 2024

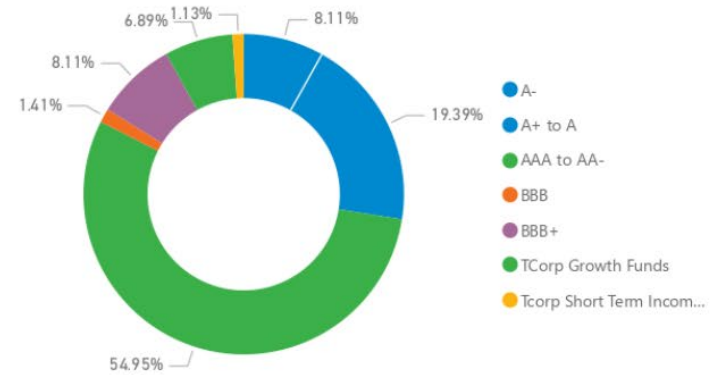
Total Investment Portfolio (\$)

**141.95M**

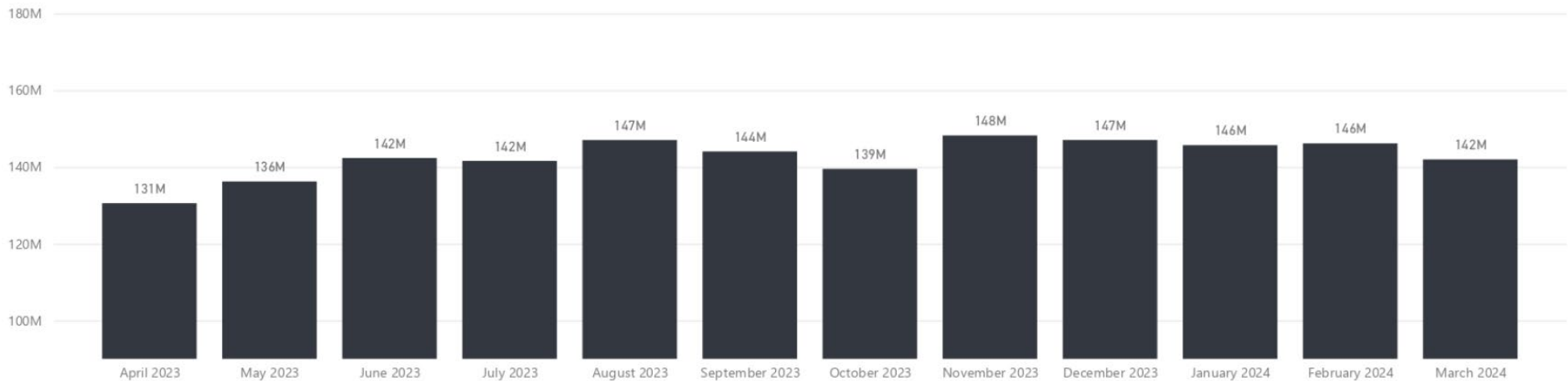
Investments by Type

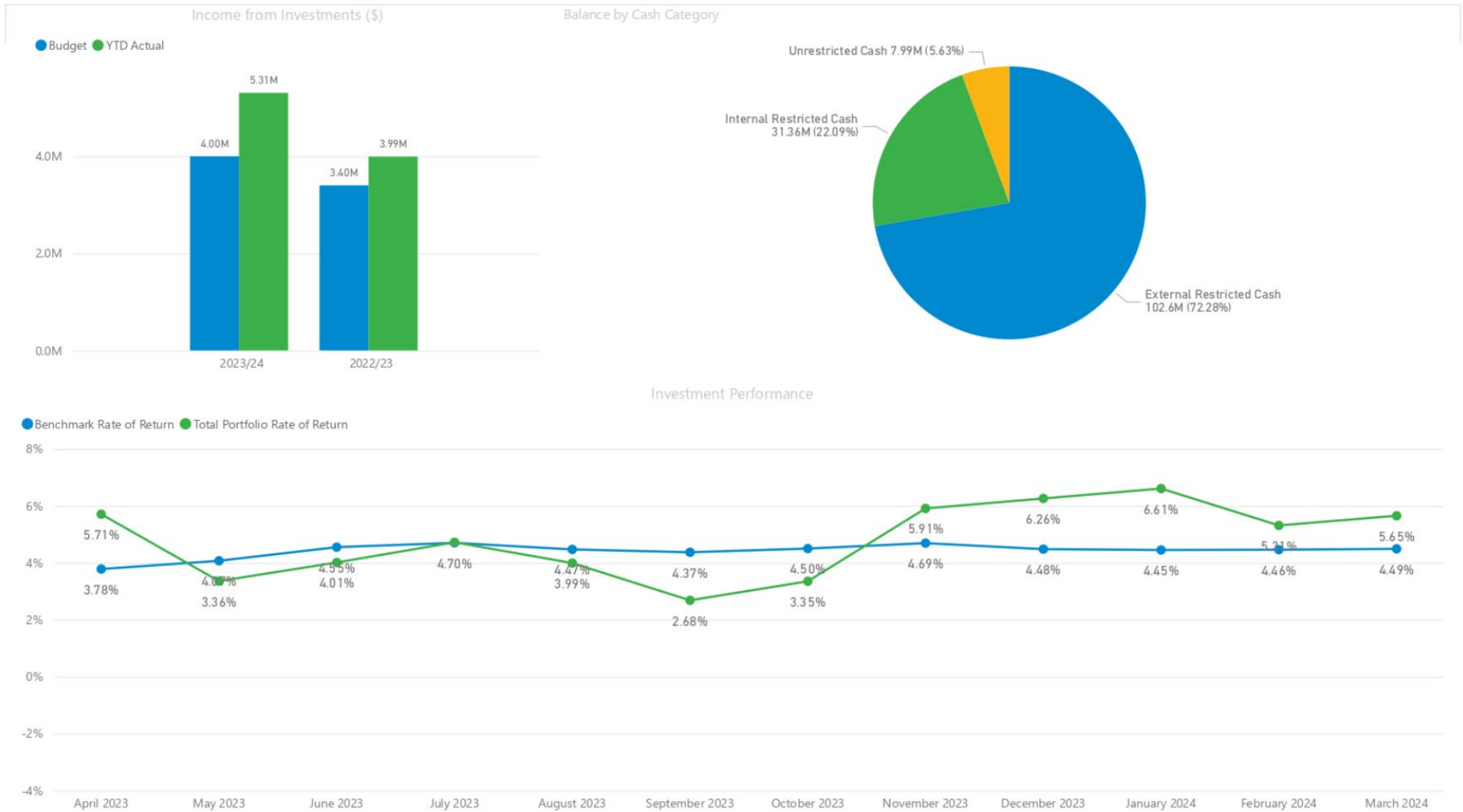


Investments by Long Term Rating



Portfolio Balance at End of Month (\$)





**At Call Fund and Managed Funds**

| Institution                     | Yield | Principal Amount     | Term to Maturity |
|---------------------------------|-------|----------------------|------------------|
| NAB                             | 4.50% | \$ 4,219,491         | 0                |
| TCorp - Long Term Growth Fund   | 3.00% | \$ 3,610,122         | 5                |
| TCorp - Medium Term Growth Fund | 3.00% | \$ 6,312,514         | 5                |
| Tcorp - Short Term Income Fund  | 3.00% | \$ 1,609,858         | 5                |
| <b>Total</b>                    |       | <b>\$ 15,751,986</b> |                  |

**Current Term Deposits**

| Institution              | Yield | Principal Amount | Term to Maturity |
|--------------------------|-------|------------------|------------------|
| Australian Military Bank | 5.10% | \$ 1,000,000     | 115              |
| Australian Unity         | 4.50% | \$ 2,000,000     | 10               |
| Australian Unity         | 5.60% | \$ 1,000,000     | 129              |
| Australian Unity         | 5.50% | \$ 2,000,000     | 248              |
| Australian Unity         | 5.10% | \$ 3,500,000     | 374              |
| Bank Of Queensland       | 5.52% | \$ 1,500,000     | 143              |
| Bank Of Queensland       | 5.62% | \$ 1,500,000     | 157              |
| Bank Of Queensland       | 5.62% | \$ 2,000,000     | 171              |
| Bank Of Queensland       | 5.28% | \$ 2,500,000     | 220              |
| Bank Of Queensland       | 5.40% | \$ 2,000,000     | 241              |
| Bendigo & Adelaide Bank  | 5.30% | \$ 2,000,000     | 136              |
| CBA                      | 0.72% | \$ 2,000,000     | 66               |
| CBA                      | 0.77% | \$ 1,000,000     | 164              |
| CBA                      | 0.85% | \$ 2,500,000     | 206              |
| CBA                      | 3.05% | \$ 2,000,000     | 24               |
| CBA                      | 4.15% | \$ 2,000,000     | 87               |
| CBA                      | 4.52% | \$ 1,000,000     | 59               |
| CBA                      | 4.63% | \$ 4,000,000     | 80               |
| CBA                      | 5.36% | \$ 2,400,000     | 199              |
| Great Southern Bank      | 5.16% | \$ 2,000,000     | 318              |
| ING                      | 4.90% | \$ 4,000,000     | 59               |
| ING                      | 4.62% | \$ 1,500,000     | 94               |
| ING                      | 5.65% | \$ 3,000,000     | 101              |
| ING                      | 5.05% | \$ 2,000,000     | 108              |
| ING                      | 4.57% | \$ 2,500,000     | 192              |
| ING                      | 5.22% | \$ 2,000,000     | 290              |
| ING                      | 5.10% | \$ 3,500,000     | 346              |
| ING                      | 5.28% | \$ 3,000,000     | 619              |
| ING                      | 5.40% | \$ 3,000,000     | 822              |
| ING                      | 5.18% | \$ 3,000,000     | 990              |
| MyState Bank             | 4.90% | \$ 2,000,000     | 45               |
| NAB                      | 0.80% | \$ 1,500,000     | 150              |
| NAB                      | 4.49% | \$ 2,500,000     | 262              |
| NAB                      | 4.45% | \$ 2,000,000     | 178              |
| NAB                      | 5.30% | \$ 2,000,000     | 122              |
| NAB                      | 5.22% | \$ 1,800,000     | 185              |
| NAB                      | 5.15% | \$ 1,000,000     | 31               |
| NAB                      | 5.22% | \$ 2,500,000     | 213              |
| NAB                      | 5.15% | \$ 1,500,000     | 73               |
| NAB                      | 5.15% | \$ 2,000,000     | 227              |
| NAB                      | 5.20% | \$ 3,000,000     | 255              |
| NAB                      | 5.05% | \$ 2,500,000     | 17               |
| NAB                      | 5.20% | \$ 1,000,000     | 311              |

| Institution  | Yield | Principal Amount      | Term to Maturity |
|--------------|-------|-----------------------|------------------|
| NAB          | 5.13% | \$ 2,000,000          | 150              |
| NAB          | 5.11% | \$ 3,000,000          | 164              |
| Westpac      | 3.70% | \$ 2,000,000          | 122              |
| Westpac      | 4.35% | \$ 1,500,000          | 108              |
| Westpac      | 4.78% | \$ 2,500,000          | 52               |
| Westpac      | 4.89% | \$ 2,500,000          | 304              |
| Westpac      | 4.46% | \$ 1,500,000          | 38               |
| Westpac      | 5.05% | \$ 1,000,000          | 136              |
| Westpac      | 4.88% | \$ 4,000,000          | 878              |
| Westpac      | 5.28% | \$ 1,000,000          | 206              |
| Westpac      | 5.44% | \$ 1,500,000          | 234              |
| Westpac      | 5.34% | \$ 2,000,000          | 465              |
| Westpac      | 5.10% | \$ 2,500,000          | 283              |
| Westpac      | 4.98% | \$ 2,000,000          | 451              |
| Westpac      | 5.19% | \$ 2,000,000          | 332              |
| Westpac      | 5.16% | \$ 2,500,000          | 360              |
| <b>Total</b> |       | <b>\$ 126,200,000</b> |                  |

Investment Portfolio Summary

| Term to Maturity            | Amount                | Actual | Cumulative Actual | Cumulative Minimum | Policy Compliance |
|-----------------------------|-----------------------|--------|-------------------|--------------------|-------------------|
| Less than 3 months          | \$ 43,591,010         | 31%    | 31%               | 20%                | OK                |
| Between 3 months and 1 year | \$ 77,700,000         | 55%    | 86%               | 40%                | OK                |
| Between 1 year and 2 years  | \$ 10,500,000         | 7%     | 93%               | 50%                | OK                |
| Between 2 years and 4 years | \$ 10,000,000         | 7%     | 100%              | 85%                | OK                |
| More than 5 years           | \$ -                  | 0%     | 100%              | 0%                 | OK                |
| <b>Total</b>                | <b>\$ 141,791,010</b> |        |                   |                    |                   |

| Long Term Rating   | Institution                     | Policy Limit | Policy Compliance (Institution) | % of Portfolio | Amount                |
|--------------------|---------------------------------|--------------|---------------------------------|----------------|-----------------------|
| AA-                | CBA                             | 40%          | OK                              | 13%            | \$ 16,900,000         |
|                    | NAB                             | 40%          | OK                              | 22%            | \$ 28,300,000         |
|                    | Westpac                         | 40%          | OK                              | 23%            | \$ 28,500,000         |
| A                  | ING                             | 20%          | Over Limit                      | 22%            | \$ 27,500,000         |
|                    | Australian Military Bank        | 10%          | OK                              | 1%             | \$ 1,000,000          |
| BBB+               | Australian Unity                | 10%          | OK                              | 7%             | \$ 8,500,000          |
|                    | MyState Bank                    | 10%          | OK                              | 2%             | \$ 2,000,000          |
| BBB                | Great Southern                  | 5%           | OK                              | 2%             | \$ 2,000,000          |
| A-                 | Bank Of Bendigo & Adelaide Bank | 20%          | OK                              | 8%             | \$ 9,500,000          |
|                    | Adelaide Bank                   | 20%          | OK                              | 2%             | \$ 2,000,000          |
| <b>Grand Total</b> |                                 |              |                                 | <b>100%</b>    | <b>\$ 126,200,000</b> |

| Long Term Rating Group | Credit Policy Limit | Policy Compliance (SP Group) | % of Portfolio | Amount                |
|------------------------|---------------------|------------------------------|----------------|-----------------------|
| AAA to AA-             | 100%                | OK                           | 58%            | \$ 73,700,000         |
| BBB+                   | 20%                 | OK                           | 9%             | \$ 11,500,000         |
| BBB                    | 5%                  | OK                           | 2%             | \$ 2,000,000          |
| A+ to A                | 50%                 | OK                           | 22%            | \$ 27,500,000         |
| A-                     | 40%                 | OK                           | 9%             | \$ 11,500,000         |
| <b>Grand Total</b>     |                     |                              | <b>100%</b>    | <b>\$ 126,200,000</b> |



**Monthly Investment Portfolio Activity**

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

| Bank Accounts                   | Opening Balance   | Movement             | Closing Balance   |
|---------------------------------|-------------------|----------------------|-------------------|
| NAB (At call account)           | 7,066,882         | -2,847,390.76        | 4,219,491         |
| TCorp - Cash Fund               | -                 | -                    | -                 |
| TCorp - Long Term Growth Fund   | 3,535,153         | 74,968.59            | 3,610,122         |
| TCorp - Medium Term Growth Fund | 6,235,333         | 77,181.33            | 6,312,514         |
| Tcorp - Short Term Income Fund  | 1,603,032         | 6,826.06             | 1,609,858         |
| <b>Total</b>                    | <b>18,440,401</b> | <b>-2,688,414.78</b> | <b>15,751,986</b> |

The below table shows matured term deposits

| Institution        | Yield | Maturity Date | Principal Amount  | Total Interest Amount |
|--------------------|-------|---------------|-------------------|-----------------------|
| Westpac            | 2.28% | 13/03/2024    | 1,500,000         | 67,557                |
| Bank Of Queensland | 3.92% | 27/03/2024    | 1,000,000         | 64,653                |
| Bank Of Queensland | 4.55% | 27/03/2024    | 1,500,000         | 90,314                |
| CBA                | 5.05% | 6/03/2024     | 3,500,000         | 179,655               |
| AMP                | 4.90% | 20/03/2024    | 2,500,000         | 119,815               |
| <b>Total</b>       |       |               | <b>10,000,000</b> | <b>521,995</b>        |

The below table shows new term deposits

| Institution         | Yield | Maturity Date | Principal Amount | Total Interest Amount |
|---------------------|-------|---------------|------------------|-----------------------|
| NAB                 | 5.11% | 11/09/2024    | 3,000,000        | 79,380                |
| Australian Unity    | 5.10% | 9/04/2025     | 3,500,000        | 195,127               |
| Great Southern Bank | 5.16% | 12/02/2025    | 2,000,000        | 90,759                |
| <b>Total</b>        |       |               | <b>8,500,000</b> | <b>365,267</b>        |

## 9.5 Monthly Budget Review - March 2024

REPORT BY THE ACCOUNTANT REPORTING & ANALYSIS  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, FIN300315

### RECOMMENDATION

#### That Council:

1. receive the report by the Accountant Reporting & Analysis on the Monthly Budget Review - March 2024; and
2. amend the 2023/24 and 2024/25 budget in accordance with the variations as listed in the Monthly Budget Review attachment to this report.

---

### Executive summary

This report provides Council with information on the progress of the 2023/24 Capital Works Program at 31 March 2024.

### Disclosure of Interest

Nil

### Detailed report

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

### Community Plan implications

|              |                                                               |
|--------------|---------------------------------------------------------------|
| <b>Theme</b> | <b>Good Government</b>                                        |
| Goal         | An effective and efficient organisation                       |
| Strategy     | Prudently manage risks associated with all Council activities |

### Strategic implications

#### Council Strategies

Not Applicable

#### Council Policies

Not Applicable

#### Legislation

Clause 202 of the Local Government (General) Regulation 2021, states that the responsible accounting officer of a Council must:

- a) establish and maintain a system of budgetary control that will enable the council's actual income and expenditure to be monitored each month and to be compared with the estimate of Council's income and expenditure; and
- b) if any instance arises where the actual income or expenditure of the council is materially different from its estimated income or expenditure, report the instance to the next meeting of Council.

### Financial implications

The budget variations proposed will impact the below financial ratios.

| Budget Year  | Operating Performance Ratio | Own Source Revenue | Building & Infrastructure Renewal |
|--------------|-----------------------------|--------------------|-----------------------------------|
| 2023/24      | ✘                           | ✘                  | ✘                                 |
| Future Years | -                           | -                  | ✔                                 |

### Associated Risks

Not Applicable

SUMEDHA UPRETI  
ACCOUNTANT REPORTING & ANALYSIS

LEONIE VAN OOSTERUM  
DIRECTOR CORPORATE SERVICES

3 April 2024

*Attachments:* 1. Monthly budget review - March 2024 Attachment. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.6 Draft Delivery Program 2022/25 and Draft Operational Plan 2024/25

REPORT BY THE FINANCIAL PLANNING COORDINATOR  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, FIN300417

### RECOMMENDATION

#### That Council:

1. **receive the report by the Financial Planning Coordinator on the Draft Delivery Program 2022/25 and Draft Operational Plan 2024/25;**
2. **endorse the Draft Delivery Program 2022/25 and Draft Operational Plan 2024/25 to go on public exhibition for a period of 28 days commencing Thursday 18 April; and**
3. **request a further report be presented following the exhibition period including a review of any submissions made on the Draft Delivery Program 2022/25 and Draft Operational Plan 2024/25.**

---

### Executive summary

Following extensive community consultation and in line with Council's Integrated Planning and Reporting requirements, the draft Delivery Program 2022/25 (the Delivery Program) and draft Operational Plan 2024/25 (the Operational Plan) are presented to Council and the community. This report seeks a Council resolution to place the Delivery Program/Operational Plan on exhibition, with a subsequent report to be presented to Council in May considering any submissions made, and a further report to the ordinary meeting in June recommending adoption of the final Operational Plan and Delivery Program.

### Disclosure of Interest

Nil

### Detailed report

Under the Local Government Act (1993), Council must have an annual Operational Plan, adopted before the beginning of each financial year, outlining the activities to be undertaken in that year, as part of the Delivery Program.

The Delivery Program details all of the principal activities Council will undertake to achieve the goals established in Council's Community Plan *Towards 2040*. The draft Operational Plan for 2024/25 has been integrated into the Delivery Program and sets out the annual projects and activities to which Council are committed and includes detailed budgets for the projects and services identified under each theme, together with appropriate measures and timeframes for completion. The document includes budgets for the four years from 2024/25 to 2027/28. If endorsed by Council, the draft documents will be published on Council's website from Thursday 18 April 2024 for a period of 28 days.

**Draft Operational Plan 2024/25**

Residents were encouraged to make Community Plan Proposals to be considered in the Draft Operational Plan 2024/25 from 29 November 2023 to 12 January 2024. The draft Operational Plan has been prepared following a series of budget workshops with budget managers, executive, and Elected Members over the past 3 months. The draft Operational Plan sets out Council’s proposed budget for next financial year, and the three years thereafter. The budgets are presented in the form of consolidated statements and schedules, together with a more detailed breakdown at a functional level.

Operating revenue is forecast at \$104.5 million for 2024/25, plus an estimated \$7.5 million in Capital Grants & Contributions, taking total anticipated income to a budget of \$112 million.

Operating expenditure is budgeted at \$103 million.

The draft Operational Plan includes additional borrowings of:

| Project                              | Fund    | 2024/25     | 2025/26     | 2026/27 | 2027/28     |
|--------------------------------------|---------|-------------|-------------|---------|-------------|
| Mudgee Valley Park Expansion         | General | \$5,000,000 | -           | -       | -           |
| Rylstone & Kandos Sewer Augmentation | Sewer   | -           | \$4,000,000 | -       | -           |
| Mudgee Headworks Water Augmentation  | Water   | -           | -           | -       | \$2,000,000 |
| Total                                |         | \$5,000,000 | \$4,000,000 | \$0     | \$2,000,000 |

**Statement of Revenue Policy**

The Rates Model proposed as part of the Operational Plan includes an increase to all rating categories at the IPART capped rate of 4.5%, distributed evenly. Land rating categories are:

- Farmland
- Residential
- Business; and
- Mining

Rate assessments are based upon property valuations (ad valorem), with minimum amounts applied where appropriate. No base amounts apply to the proposed 2024/25 rate structure.

Community Plan implications

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

Strategic implications

**Council Strategies**

Relevant Integrated Planning and Reporting Strategies are taken into account during the process of developing the revised Delivery Program 2022/25 and draft Operational Plan 2024/25, including the Community Strategic Plan, and Resourcing Strategies.

**Council Policies**

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

**Legislation**

| <b>Due Dates / Frequency</b>                                                                                                          | <b>Plan/Strategy</b> | <b>Legislative Reference</b>                                        |
|---------------------------------------------------------------------------------------------------------------------------------------|----------------------|---------------------------------------------------------------------|
| From 2012, adopt by 30 June in year following election. Exhibit for at least 28 days.                                                 | Delivery Program     | s404(1)– (5) (Act)                                                  |
| Adopt prior to beginning of financial year. Exhibit for at least 28 days. Post copy on website within 28 days of council endorsement. | Operational Plan     | s405(1) – (6)<br>s532<br>s610B – s610F<br>s706(2) (Act)<br>cl201(1) |

**Financial implications**

The draft Operational Plan 2024/25 as attached to this report recommends to Council the proposed budget for the next four years.

The table below shows whether the proposed ratios meet benchmarks:

| <b>Budget Year</b>  | <b>Operating Performance Ratio</b> | <b>Own Source Revenue</b> | <b>Building &amp; Infrastructure Renewal</b> |
|---------------------|------------------------------------|---------------------------|----------------------------------------------|
| <b>2023/24</b>      | ✓                                  | ✓                         | ✗                                            |
| <b>Future Years</b> | ✓                                  | ✓                         | ✓                                            |

**Associated Risks**

Not Applicable

AMANDA AVNELL  
FINANCIAL PLANNING COORDINATOR

LEONIE VAN OOSTERUM  
DIRECTOR CORPORATE SERVICES

3 April 2024

*Attachments:* 1. MWRC Operational Plan 24-25 (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 9.7 MWRC Distributed Battery Energy Storage System

REPORT BY THE DIRECTOR CORPORATE SERVICES  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, A000000

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director Corporate Services on the MWRC Distributed Battery Energy Storage System;**
2. **endorse the preliminary concept to establish a distributed battery energy storage system (battery initiative);**
3. **requires staff to seek grant funding to support the battery initiative;**
4. **require a report be brought back to Council with a Capital Expenditure Review based on the attached commercial plan; and**
5. **amend the budget as follows, if grant funding is successful:**
  - 5.1 **2024/25: \$3,645,000, funded from \$3,645,000 grant; and**
  - 5.2 **2025/26: \$2,159,000, funded \$1,305,000 grant funding and \$854,000 from unrestricted cash.**

---

### Executive summary

Mid-Western Regional Council ('Council') have invested in a 5MW solar generator located adjacent to the Sewerage Treatment Plant at the Mudgee (Blain Road) Waste Treatment Precinct. The powerplant will be used to provide renewable electricity to all council sites via an Energy Retailer in a Power Pass Through model.

The solar generator has been designed to incorporate a large-scale 'Mother' battery so that it is possible to supply energy outside of solar hours and also to better adapt to energy market conditions. Wholesale energy costs vary greatly throughout the day and the central solar array battery is an important tool in de-risking market participation and optimising project performance.

Battery storage is also proposed to be distributed across 4 load sites to provide the multiple benefits as set out in the attached commercial plan. This report seeks to obtain endorsement to progress with this battery initiative, and seek grant funding to support this important next step in Councils sustainable energy solution.

### Disclosure of Interest

Nil

## Detailed report

### Project Proposal

Council has invested in a 5MW solar generator/array (located adjacent to Mudgee's Sewerage Treatment Plant at the Blain Road Mudgee Waste Treatment precinct). Council's Community Batteries Project proposes to leverage the investment Council is already directing toward energy self-sufficiency.

The powerplant will be used to provide renewable electricity to all council sites via an Energy Retailer in a Power Pass Through model. The solar generator has been designed to incorporate a large-scale battery so that it is possible to supply energy outside of solar hours and also to better adapt to energy market conditions. Wholesale energy costs vary greatly throughout the day and the central solar array battery is an important tool in de-risking market participation and optimising project performance.

Battery storage can also be distributed across several smaller sites and provide a similar role in 'playing the market'. That is, charging when energy is least cost and running site loads to avoid buying electricity when it is expensive – usually in Peak periods from 7 – 9am and 5 – 8pm. Batteries installed at sites can also have other benefits including improving power quality, reducing peak demand charges, better site energy monitoring, associated load control, redundancy/resilience if capable of off-grid or back-up mode, and the capacity to earn retail rebates for demand control and network services.

Through the community batteries project, Council will test the ability of a central battery paired with distributed batteries to provide the multiple benefits described above. The project purpose is to test the hypothesis that Councils with distributed assets (loads) can operate Central and Distributed Energy Resources to deliver:

- Internal benefits including cost control, decarbonisation, site/asset optimisation, resilience.
- External benefits including Energy Network services, regional decarbonisation, reputational advantage.

A larger "mother" DC-connect battery will be placed at Council's solar array to support smarter energy supply to Council and community loads, meeting peak periods to reduce consumption costs and network demand. 4 smaller "child" batteries will be installed Behind the Meter at critical potable water infrastructure including the Mudgee, Gulgong and Rylstone Water Treatment Plants (WTPs), and the Kandos Water Pumping Station. These batteries will deliver energy security/resilience to key Council facilities and communities whilst improving the region's environmental and financial sustainability.

The batteries located at the pumping station and WTPs will be key to providing resilience by being a backup energy source at the pumping station and WTPs which provide essential potable water supply to the region's towns and villages. The batteries will help keep the community safe if there are power outages.

There are alternate/back-up sites in the region that have been investigated and are ready to replace one or more of the indicated sites (for child batteries) if needed. Grant funding will enable Council to deploy and install batteries in strategic locations so climate emergency resilience is delivered to key facilities and infrastructure.



## Community Plan implications

|              |                                                      |
|--------------|------------------------------------------------------|
| <b>Theme</b> | <b>Good Government</b>                               |
| Goal         | An effective and efficient organisation              |
| Strategy     | Pursue efficiencies and ongoing business improvement |

## Strategic implications

### Council Strategies

Not Applicable

### Council Policies

Not Applicable

### Legislation

*Local Government Act 1993 section 23A*

*Local Government Capital Expenditure Guidelines*

## Financial implications

The total budget required for the battery initiative is \$5,804,000. It is proposed to seek grant funding, up to \$4,950,000. A budget adjustment is required in order to accept the grant funding, if successful.

If Council is unsuccessful at obtaining grant funding, the commercial plan will be further reviewed and a report brought back to Council to consider the cost impact and feasibility under a loan funded scenario. This work will be included in a full Capital Expenditure Review.

Once the battery initiative is progressed, a budget adjustment to impact revenue, energy costs, operational and maintenance costs and depreciation will be required. Until it is known if the project will proceed (grant funding obtained), these entries are not proposed for inclusion.

| Budget Year  | Operating Performance Ratio | Own Source Revenue | Building & Infrastructure Renewal |
|--------------|-----------------------------|--------------------|-----------------------------------|
| 2024/25      | -                           | ✘                  | -                                 |
| Future Years | ✓                           | ✓                  | ✘                                 |

## Associated Risks

A Risk Register and Risk Management Plan have been developed for this proposal. The highest risk items are:

The environmental risk of fire from external hazards and natural disasters, including severe storms, floods and bushfire, build up of gases or battery malfunction. The controls for this include meeting Australian Standards for exposure, locating the batteries close to managed facilities, ensuring emergency plans are in place, implementation of monitoring programs and bushfire management protocols in the nearby vicinity.

Battery malfunction causing damage to network/public infrastructure. The controls for this include ensuring batteries are installed and commissioned as per supplier and DNSP requirements. Ensuring regular maintenance and compliance checks. Ensuring offsite monitoring of usage and generation occurs to pick up any minor issues before they compound/worsen.

The WHS risk of workers, contractors, and the community. Cybersecurity threats and vulnerabilities. Controls for this include adequate security and monitoring and protection of the devices.

With appropriate controls, all high rated risks are reduced to moderate or below risk.

LEONIE VAN OOSTERUM  
DIRECTOR CORPORATE SERVICES

4 April 2024

*Attachments:* 1. MWRC Battery Integration Strategy and Commercial Plan (the commercial plan). (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## Item 10: Operations

---

Nil

## Item 11: Community

---

### 11.1 Robertson Park Mudgee Master Plan - Post Exhibition Report

REPORT BY THE MANAGER RECREATION SERVICES  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, GOV400103

#### RECOMMENDATION

##### That Council:

- 1. receive the report by the Manager Recreation Services on the Robertson Park Mudgee Master Plan - Post Exhibition Report;**
- 2. note that five public submission were received;**
- 3. note the minor amendments made to the draft Master Plan following public submissions received;**
- 4. adopt the Robertson Park Master Plan; and**
- 5. investigate financing options and grant opportunities for staged implementation of Master Plan components.**

---

#### Executive summary

At Council's July 2023 meeting, Council resolved to place the draft Robertson Park Mudgee Master Plan on public exhibition for a period of 28 days. The purpose of this report is to provide Council with a post exhibition report and seek Council's approval to adopt the amended Master Plan.

The draft Master Plan has been amended to acknowledge feedback received with respects to reducing the extensive paving and to maintain the authentic format around the Rotunda area. The amended draft Master Plan is attached to this report.

#### Disclosure of Interest

Nil.

#### Detailed report

The purpose of the Robertson Park Master Plan is to direct Council on future developments of the park over the next 10 to 20 year period. The Master Plan is to consider the existing setting and infrastructure within the park, restoring and improving park elements to better reflect contemporary demands and usage.

The draft Master Plan was presented to Council in July 2023 and was permitted to be placed on public exhibition for a period of 28 days. This report details the public submissions and presents the final plan for adoption.

Council received five submissions to which a copy of the submissions are provided as Attachment 2. In summary:

- two submissions supported the proposal
- two submissions partially supported the proposal, requesting reconsideration of the amount of hardscaping and plantings around the rotunda
- one submission did not support the masterplan

The exhibition period and subsequent time provided Council officers another opportunity to review the Master Plan contents and future layout of the park with the engaged landscape architects. Amendments made to the Master Plan post public exhibition include:

- Retain traditional circular lines around the Rotunda, reduce paving in the central area and re-establish plantings close to the Rotunda.
- The paved area around the Rotunda highlighted to be either stone or brick in the middle section, granite ring around the outside and a new ring of shade trees.
- Retain a backdrop of large trees parallel to Lovejoy Street to assist with creating a backdrop of the Rotunda when viewing from Market Street.
- Removal of feature paving bands that ran parallel to Lovejoy Street and connect axis directly to central meeting area (mirror path on northern side of Market Street).
- Increase amount of existing forested area around the old bowling green section

As part of the Mudgee Community Preschool submission, a request was put forward to increase the existing portion of land currently made available for the Preschool by 200–250m<sup>2</sup>. Council Officers propose that consideration to an amended MOU be given once a detailed design is undertaken for that section of park and not the proposed conceptual masterplan.

The recommendation of staff is to adopt the amended draft Master Plan and commence investigating financing options and grant opportunities to commence implementing the Master Plan.

## Community Plan implications

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

## Strategic implications

### **Council Strategies**

Community Strategic Plan  
Recreation Strategy

### **Council Policies**

Not Applicable

### **Legislation**

Not Applicable

## Financial implications

This resolution does not commit Council to any new expenditure. The Master Plan is conceptual only. It is recommended that Council commence investigating financing options and grant opportunities, noting that a stage implementation approach is highly likely required.

## Associated Risks

Not Applicable

PETER RAINES  
MANAGER RECREATION SERVICES

SIMON JONES  
DIRECTOR COMMUNITY

7 March 2024

*Attachments:*

1. Roberston Park Draft Masterplan- Post Exhibition Amendments. (separately attached)
2. Roberston Park Draft Masterplan- Exhibition Submissions. (separately attached)

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 11.2 Community and Cultural Services Quarterly Report

### REPORT BY THE DIRECTOR COMMUNITY

TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, COS300010

### RECOMMENDATION

#### That Council:

1. **receive the report by the Director Community on the Community and Cultural Services Quarterly Report; and**
2. **note the recent services provided and activities coordinated by Council's Community & Cultural Services Team.**

---

### Executive summary

This report aims to familiarise Council with services and activities provided by its Community & Cultural Services Department, and to inform it of issues and events of note that arose during the period January to March 2024 (inclusive).

### Disclosure of Interest

Nil

### Detailed report

Details of Community & Cultural Services quarterly activities, events, milestones, and points of note are contained in the attachment to this report. Of particular interest:

- The 2024 Seniors Festival was a great success with over 500 participants attending 30 activities across the region.
- Youth Services delivered a comprehensive summer school holiday program, with the highlight being a fishing competition attended by 74 participants.
- Club Mudgee has commenced providing a hot meal service for Meals on Wheels.
- Family Day Care was the subject of a three-day compliance spot check from the Department of Education, with initial feedback being very positive.
- The Mudgee Arts Precinct hosted the successful Wynne Prize touring exhibition from the Art Gallery of New South Wales between December and January with over 4,100 visits to the exhibition and held school holiday workshops to coincide with the exhibition. The Julian Meagher Triple Rainbow exhibition opened on 2 February and runs until 28 April, during February and March there have been over 3,000 visitors to the exhibition. The Culture Dose for Kids program for children with mild anxiety commenced in January and will finish in April and the Triple Rainbow exhibition was used as an introductory tour for the participating children and their parents. A Waste2Art professional development day was held in March as well as a workshop for students from Mudgee High School Learning Support Unit, and the NSW Seniors Festival took place in March with over 280 visitors.

## Community Plan implications

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

## Strategic implications

### **Council Strategies**

Cultural Plan

### **Council Policies**

Not Applicable

### **Legislation**

Not Applicable

## Financial implications

Not Applicable

## Associated Risks

Not Applicable

SIMON JONES  
DIRECTOR COMMUNITY

2 April 2024

*Attachments:* 1. Community Services Quarterly Report to Council Q1 2024.  
2. Mudgee Arts Precinct Quarterly Report January - March 2024.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



Community Services Quarterly Report January - March 2024

## Community Transport

| Transport figures                          |             |
|--------------------------------------------|-------------|
| Commonwealth Home Support Program trips    | 850         |
| Community Transport Program trips          | 144         |
| National Disability Insurance Scheme trips | 94          |
| Department of Veterans Affairs trips       | 20          |
| Health related transport trips             | 105         |
| Full cost recovery trips                   | 149         |
| Non reportable trips                       | 13          |
| <b>TOTAL</b>                               | <b>1375</b> |

| Unmet requests for transport                           |           |
|--------------------------------------------------------|-----------|
| Requests made when service was already fully booked    | 6         |
| Cancellations by clients and/or medical service        | 23        |
| No drivers available for Sydney or long-distance trips | 3         |
| <b>TOTAL</b>                                           | <b>32</b> |

| Volunteers – 20 registered                                                                                                                                              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>Two new drivers have commenced as volunteers.</li> <li>One has registered but will commence at the end of April 2024.</li> </ul> |

| Vehicles - 6                                                                                                          |
|-----------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>2 x Kia Carnivals</li> <li>1 x Subaru 4WD</li> <li>3 x Camry sedans</li> </ul> |

Community Transport ran two social outings for the Seniors Festival in March. Clients enjoyed a tour of Mudgee and a morning tea at Community Services. Due to the uptake and enjoyment of these outings more will be undertaken in the future.

## Youth Services

| Programs                                                                                                                                                                                                                                                                        | 18 activities | 291 participants |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|------------------|
| The Summer school holiday program included mega games, coloured water battles, origami workshops, an excursion to Bathurst Aqua Park, VR Gaming van, animation and photography workshops and competitions. A fishing competition held at Lawson Park attracted 74 participants. |               |                  |

The Youth Services Van, funded through ClubGrants and Council, was utilised for the first time during the holidays. A vehicle wrap is currently being designed in consultation with the Youth Council.

## Meals on Wheels

|              | Main Meals (including, hot, frozen meals, chilled desserts, sandwiches & soups) |
|--------------|---------------------------------------------------------------------------------|
| January      | 765                                                                             |
| February     | 709                                                                             |
| March        | 891                                                                             |
| <b>TOTAL</b> | <b>2365</b>                                                                     |

| Current number of clients for Meals on Wheels |    |
|-----------------------------------------------|----|
| Active                                        | 51 |
| New                                           | 8  |
| Exited                                        | 5  |

| Volunteers     |
|----------------|
| 110 Volunteers |

A new supplier (Club Mudgee) commenced provision of hot meals. Meals on Wheels are working together with Club Mudgee to ensure the meals meet the requirements of the clients and service.

## Family Day Care

| Family Day Care Educators |                          |
|---------------------------|--------------------------|
| Mudgee                    | 3                        |
| Gulgong                   | 3 (1 on maternity leave) |
| Kandos                    | 1                        |
| Wellington                | 3                        |
| <b>TOTAL</b>              | <b>10</b>                |

The waiting list has increased to 102 children requiring care and we continue to take calls and emails from families seeking care within the region.

The Department of Education has approached Family Day Care to investigate the possibility of offering Before and After School care at Gulgong Public School under the Family Day Care banner of in-venue care. This is currently being considered.

Family Day Care had a three-day compliance spot check from the Department of Education, where they visited six Educators and the Coordination Unit. The feedback given on the day was that we have a Scheme to be proud of, the children were all settled and the Educators' interactions and partnerships with families are wonderful.

## Community Development

### Mudgee & Gulgong Interagency

Monthly meetings for Mudgee & Gulgong Interagency members have continued to be consistently attended over the past quarter. Meetings have been held mostly via MS-teams with a hybrid meeting

held in March giving the attendees the opportunity to meet face-to-face and network after the meeting. Homelessness and the housing shortage in the region has been an issue discussed at the most recent meetings. There have been several initiatives suggested and discussed to support those in the community facing homelessness and cost of living stressors (such as the ‘Bring Your Bills’ Day run by the Energy & Water Ombudsman), for implementation in the coming year.

| Attendance |            |
|------------|------------|
| January    | No meeting |
| February   | 20         |
| March      | 21         |

| Some types of services attending meetings                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Health NSW, Transport NSW, Services NSW (Centrelink), Housing and Homelessness (Housing Plus), Mental Health (Marathon Health, TAFE NSW, Disability, Family Support) etc.<br>Plus lobbying members to complete the Registration of their organisations to Interagency and complete relevant surveys. |

### Kandos & Rylstone Interagency

| Attendance |            |
|------------|------------|
| January    | No meeting |
| February   | 7          |
| March      | 2          |

| Topics of discussion                                                                               |
|----------------------------------------------------------------------------------------------------|
| Youth mental health services in Kandos/Rylstone, transport for education, training and employment. |

### Groups & Activities

The Wollemi Singers met weekly during the school term and has grown so much that a bigger venue has been sourced. The group sang at the recent Kandos Garden Fair.

In partnership with Lifeline, a Men’s Growth Room has been established in Rylstone where men can talk with other men about issues important to them.

The Wirimbili-yanhi Wirimbili walan Indigenous plants community garden is working with Kandos High on a weeding works program.

### 2024 Seniors Festival

Around 500 Seniors enjoyed attending 30 events held across the region from the 11-24 March. Events included exercise classes, story writing workshops, online scam information and 1:1 tech help sessions, a bus trip to Taronga Western Plains Zoo, Community Transport drive around the Mudgee region, and lunches and morning teas to celebrate the contribution of seniors to our community. There were also 87 art, craft, photography, poetry, and prose entries in the Seniors Festival Competition, with all entries exhibited at the Arts Precinct for the duration of the Festival.



### **Quarterly Report: Mudgee Arts Precinct January - March 2024**

#### **Mudgee Arts Precinct January – March 2024 Visitation:**

Main Gallery: 7,864

Upstairs: 1,403.5

TOTAL VISITATION TO MAP: 9,267.5 instances of visitation to MAP over 91 days.

Average of 101.84 instances of visitation per day.

#### **Program m i n g :**

##### ***Wynne Prize* 1 December 2023 – 28 January 2024**

Mudgee Arts Precinct exhibited The Wynne Prize 2023 exhibition which was touring from the Art Gallery of New South Wales for the first time since it began over 125 years ago, giving our local community the chance to see the best of Australian contemporary landscape painting and sculpture closer to home.

The \$50,000 Wynne Prize is an open competition judged by the trustees of the Art Gallery of New South Wales and awarded annually to the best landscape painting of Australian scenery or figure sculpture, alongside the Archibald and Sulman Prizes.

The Wynne Prize is Australia's oldest art prize and was established following a bequest by Richard Wynne who died in 1895. It was first awarded in 1897 to mark the official opening of the Art Gallery at its present site.

The Wynne Prize regional tours are proudly supported by the NSW Government through the Create NSW Blockbusters Funding initiative.

TOTAL 4,182 instances of visitation to the exhibition. Average of 73 Instances of visitation per day (over 57 days – gallery was closed 25 and 26 December).

##### ***Julian Meagher Triple Rainbow* 2 February – 28 April 2024**

Julian Meagher's exhibition *Triple Rainbow* is a series of hyper-romantic artworks by Australian painter Julian Meagher, focusing specifically on landscapes from around Mudgee. During his recent visit to the region, the artist became fascinated with the subliminal transition from the night cycle into day. As a result, the paintings emerge almost as 'dreamscapes', blurring the line between what is real and what is imagined. As the exhibition title suggests, Julian continues to use the rainbow as a symbol of extreme hope and unconditional love.

Julian's figurative works depict his children adrift in their own dreamscapes. All titled *Rapid Eye Movement*, these paintings also reflect on the subliminal space between day and night, waking reality and the deep subconscious journey between sleep cycles. They are deeply personal but also universal – existing as a loving record of a moment in time. Without any interaction from the subject matter, the paintings immerse us into a voyeuristic escape with the representation of peacefulness, compelling us to momentarily forget our daily mundanities.

A masterful manipulator of oil paint, Julian applies thin, translucent layers that are intensely blended and also removed with rags. He subsequently veils and gently drips over the initial layers, reacting to what is underneath, thereby creating fleeting opportunities to achieve his trademark pared-back effect. The final artworks breathe with a meditative quality and stillness.

The landscapes around Mudgee, particularly *Triple Rainbow over Mount Frome* will be instantly recognisable to local residents, capturing the ephemeral moment one's eyes adjust to the colour of the new morning light. The fleeting, fractured rainbow is mirrored throughout the series, breaking down the everyday into moments of divine poetry.

Julian Meagher: Triple Rainbow visitation numbers:

- 3,064 instances of visitation across the 59 days of February and March, making the average visitation 51 people per day, down from the average of 73 visitors per day for the Wynne Prize.

#### **Education:**

##### **Wynne Prize Tours and workshops**

The Wynne Prize exhibition occurred primarily within the school holidays. As a result, there were limited opportunities to schedule tours for school groups.

A number of school holiday workshops were held. A 'Sculpt your Australian Hero' workshop gave participants a chance to create a sculpture in the style of the style of Matthew Clarke's *King of the Ghost Wallabies*. In another school holiday workshop, participants looked at the patchwork elements present in a number of the works including Guido Maestri's *Wombarra*. These works served as guide and inspiration in the creation of mixed media landscapes.

Both workshops included tours of the exhibition and were well attended.

##### **Culture Dose for Kids**

An eight-week art appreciation and making program for children with mild anxiety commenced in January and will finish in April. The program is run in association with the Black Dog Institute and the Art Gallery of New South Wales.

15 children and their parents participated in the two-hour sessions looking at artworks from the gallery, as well as that of local artists. They have participated in a range of art making practices including printing, painting, mixed media and sculpture. Participants have expressed an interest in presenting some of their work in an exhibition in the community gallery.

##### **Julian Meagher Triple Rainbow tours and workshops**

The *Triple Rainbow* exhibition was used as an introductory tour for children and adults participating in the Culture Dose for Kids program.

A class from Mudgee High School's Leaner Support Unit toured the exhibition in order to explore the idea of 'livability'. The group then completed a workshop with MAP staff in which they created artworks that their vision for 'A more livable Mudgee'.

##### **Waste2Art**

A professional development day for 25 teachers, art educators, youth workers and support workers was held in March. The day was funded primarily by NetWaste and was designed to give participants inspiration and skills for the upcoming Waste2Art exhibition. Presenters included artists Aleshia Lonsdale, Shani Nottingham as well as Bill Tink from Netwaste and council's waste education officer Hamish Campbell.

In order to further encourage and support participation in the completion, MAP have worked with the Mudgee Waste Facility to create a bank of materials. Schools, community groups and individuals can make use of these materials.

MAP held a Waste2Art workshop with students from Mudgee High School Learning Support Unit. Other workshops have been scheduled for April. The exhibition will take place in June.

**Seniors Festival: Conference/Seminar Room and Community Gallery 1–27 February 2024**

The NSW Seniors Festival took place in the upstairs Conference/Seminar Room and Community Gallery space. It comprised entries in the categories of art, craft, photography, poetry and prose.

We had 288 instances of visitation to the Senior's Art Exhibition over 13 days. An average of 22 instances of visitation per day.

**Mudgee Arts Precinct Bookings January – March 2024**

During the period between 1 January 2024 and 31 March 2024 the Mudgee Arts Precinct including the Cultural Workshops had a total of 121 bookings. 16 external bookings and 105 internal bookings. The actual income taken from the external bookings was \$1,454. The total value of the 121 bookings including internal bookings during this period was \$25,890.

## 11.3 Solar Array Progress Report

### REPORT BY THE DIRECTOR COMMUNITY

TO 17 APRIL 2024 ORDINARY MEETING  
GOV400103, ENE100032

### RECOMMENDATION

**That Council receive and note the report by the Director Community on the Solar Array Progress Report.**

### Executive summary

At the 19 April 2023 Ordinary Council Meeting, Council provided endorsement of Stage 3 of a 5MW (battery ready) Solar Array. Stage 3 includes onsite the construction, commissioning, and energisation of the solar array. The attached report sets out the progress of the Solar Array Project.

### Disclosure of Interest

Nil

### Detailed report

The Solar Array project continues to progress. Works continue to take place, cut and fill has been completed, fencing is almost complete, and conduit for the main electrical have been run to the point of connection.

At time of writing this report, the Solar Array design has been completed. The components required for the solar array (transformer, panels and tracking mechanisms) have been ordered and we are awaiting delivery so that construction of the solar array can take place.

Progress has been made with the retail aspect of the project as well as arrangements with Essential Energy for the agreements required to operate the solar array and feed back to the grid. We are hoping to have these contracts in place over the next month to allow further work to progress with the augmentation of the existing Essential Energy infrastructure.

At this stage, we are expecting finalisation of the construction phase between July and September with commissioning of the array shortly after this. The project timeline remains focused on an end date in October 2024. However, there are still potential delays relating to works related to the Essential Energy infrastructure upgrades.

### Community Plan implications

| Theme | Good Government |
|-------|-----------------|
|-------|-----------------|

|      |                                         |
|------|-----------------------------------------|
| Goal | An effective and efficient organisation |
|------|-----------------------------------------|

|          |                                                      |
|----------|------------------------------------------------------|
| Strategy | Pursue efficiencies and ongoing business improvement |
|----------|------------------------------------------------------|

## Strategic implications

### **Council Strategies**

Community Plan  
Operational Plan and Development Plan

### **Council Policies**

Not Applicable

### **Legislation**

Not Applicable

## Financial implications

Council has provided a budget of \$8.4 million for the Stage 3 works. While a potential request for additional budget is foreshadowed, this is dependent on further discussions with contractors as we move through the project.

## Associated Risks

There are numerous contracts to manage with this project which is exposing Council to potential issues and cost overruns. These contracts are being carefully managed to ensure minimal impact on the budget and on the project timeline. Ultimately, each delay in the project has potential cost impacts contractually as well as the ongoing requirement of Council to continue its existing electricity arrangements.

Regular reporting to Council provides an opportunity to communicate and manage any ongoing or unexpected risks that emerge with this project.

SIMON JONES  
DIRECTOR COMMUNITY

3 April 2024

*Attachments:* 1. Solar Array Project Progress Update - April 2024.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER





## SOLAR ARRAY PROGRESS REPORT

3 APRIL 2024

MID-WESTERN REGIONAL COUNCIL  
COMMUNITY

■ ■ ■ ■ ■ TOWARDS 2030



COMMUNITY | SOLAR ARRAY PROGRESS REPORT

## Project Update

As of 3 April 2024, the overall project progress of the Solar Array Project was approximately 20%.

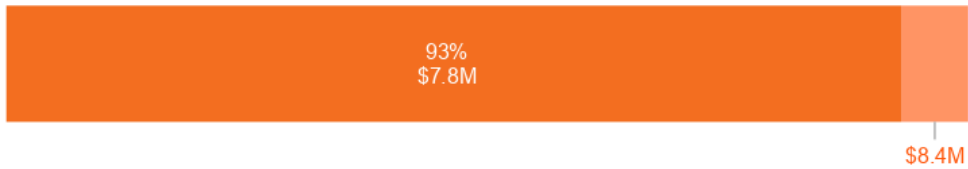
### OVERALL PROJECT PROGRESS



### PROJECT EXPENDITURE



### PROJECT EXPENDITURE COMMITTED



## Achievements and Highlights

- Cut and fill for the Solar Farm has been completed.
- The Solar ray design has been completed.
- Fencing is almost completed.
- Conduit for the mains electrical have been run to the point of connection.

## Works still to be completed

- Design elements for the Essential grid are yet to be completed.
- Construction of Solar Array
- Network Upgrades

COMMUNITY | SOLAR ARRAY PROGRESS UPDATE



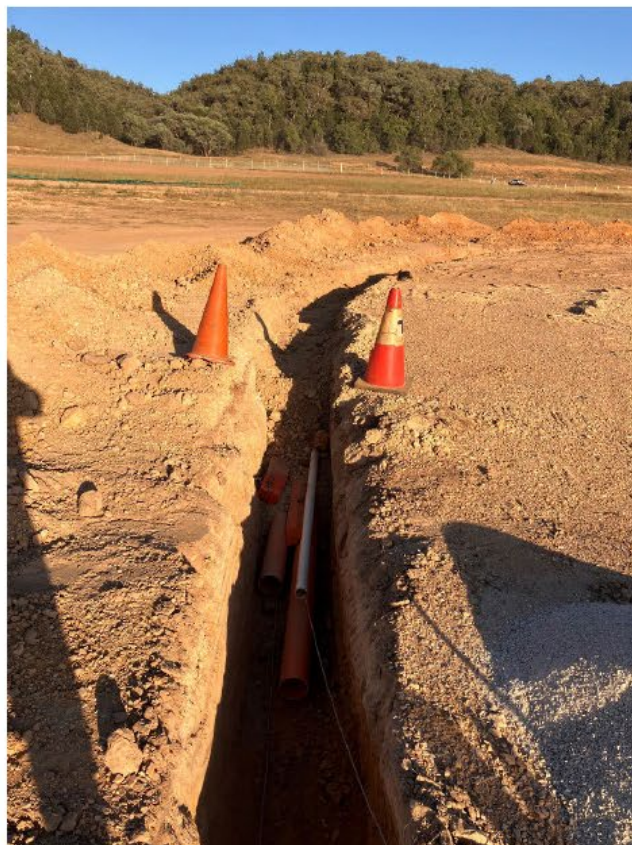
COMMUNITY | SOLAR ARRAY PROGRESS REPORT



COMMUNITY | SOLAR ARRAY PROGRESS UPDATE



COMMUNITY | SOLAR ARRAY PROGRESS REPORT



## 11.4 Review of Mudgee Library Opening Hours

REPORT BY THE MANAGER LIBRARY SERVICES  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, F0620008

### RECOMMENDATION

#### That Council:

1. **receive the report by the Manager Library Services on the Review of Mudgee Library Opening Hours;**
2. **note the submission received from the community during the exhibition period; and**
3. **endorse the following opening hours for the Mudgee Library to begin from 1 July 2024:**
  - **Monday, Tuesday, Wednesday, Friday: 9:00am – 5:30pm**
  - **Thursday: 9:00am – 7:30pm**
  - **Saturday: 9:30am – 1:30pm**

---

### Executive summary

This report seeks endorsement from Council to proceed with changing the opening hours of the Mudgee Library. The proposal: to open the library an hour earlier at 9.00am and close 30 minutes earlier at 5.30pm, with extended opening hours on Thursday evenings and Saturdays.

No changes are proposed to the smaller branch libraries in Gulgong, Kandos and Rylstone.

### Disclosure of Interest

Nil

### Detailed report

The State Library of New South Wales previously determined that the Mudgee Library branch is currently open for 43 hours per week, falling below the recommended 48 hours for a tier one (main) library.

During the recent strategic planning process, consultation with the community and staff, and audit of visitation statistics, the demand for modified opening hours was evident. This proposed change would better align the Library to be able to meet the needs of the community, as well as ensure the actions outlined in strategic and community plans are achievable. The change would also mean that total opening hours are amended to 48.5 hours a week, meeting the State Library recommendation.

Throughout the exhibition period, a single submission was received supporting the proposed change to operating hours:



*"I definitely think library hours should be extended, as they are we lag behind most other libraries of similar size in NSW regards"* - Raul Mazariegos  
There were no submissions against the change.

## Community Plan implications

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

## Strategic implications

### **Council Strategies**

Delivery Program 2022/23–2025/26  
Operational Plan 2023/24  
Community Plan – Towards 2040  
2023-2033 Cultural Plan  
2022 Community Engagement Strategy

### **Council Policies**

2023 Collection Development Policy

### **Legislation**

*Library Act 1939*

## Financial implications

The proposed changes can be accommodated without change to the overall existing library budget allocation.

## Associated Risks

Changes to agreed service levels require appropriate consultation with Council and the community. Risk to adverse community sentiment about the proposed changes can be mitigated by providing the opportunity for feedback from the public through placing the proposed changes on exhibition.

RACHEL GILL  
MANAGER LIBRARY SERVICES

SIMON JONES  
DIRECTOR COMMUNITY

26 March 2024

*Attachments:* Nil

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER

## 11.5 Rescission of Policy - Access to Information

REPORT BY THE GOVERNANCE CO-ORDINATOR  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400105, GOV40047

### RECOMMENDATION

#### That Council:

1. **receive the report by the Governance Co-ordinator on the Rescission of Policy - Access to Information;**
2. **acknowledge that the content of the Access to Information Policy is included in Council's Agency Information Guide;**
3. **endorse the rescission of the Access to Information Policy;**
4. **place the proposal for the rescission of the Access to Information Policy on public exhibition for 28 days; and**
5. **rescind the Access to Information Policy if no submissions are received following the public exhibition period.**

---

### Executive summary

Council currently has an Access to Information Policy which was most recently adopted by Council in June 2022 as part of Council's Agency Information guide. Following review of the policy, it is recommended that it be rescinded to eliminate repetition with Council's Agency Information Guide.

### Disclosure of Interest

Nil

### Detailed report

Council's Access to Information Policy was previously incorporated into Council's Agency Information Guide (AIG) and was separated at the most recent review of the AIG in September 2023.

The AIG is a document that Council is required to have under the *Government Information (Public Access) Act 2009* (GIPA Act) and is reviewed annually. The policy was separated from the AIG at the most recent review due to the two documents referencing one another despite being presented as a single document.

On recent review of the Access to Information Policy it has been made clear that the policy merely states Council's commitment to disclosure of information and the requirements Council has to provide access to information under the GIPA Act. This information is duplicated in Council's AIG, which is referred to in the policy.

It has been ascertained that the policy does not provide any additional information or guidance and there is no requirement under legislation for Council to have a separate policy.

## Community Plan implications

|              |                                                                                                                       |
|--------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>Theme</b> | <b>Good Government</b>                                                                                                |
| Goal         | Good communications and engagement                                                                                    |
| Strategy     | Improve communications between Council and the community and create awareness of Council's roles and responsibilities |

## Strategic implications

### Council Strategies

Not applicable

### Council Policies

Agency Information Guide

### Legislation

Government Information (Public Access) Act 2009

## Financial implications

Not applicable

ASHLEIGH MARSHALL  
GOVERNANCE CO-ORDINATOR

SIMON JONES  
DIRECTOR COMMUNITY

2 April 2024

*Attachments:* 1. Access to Information Policy.  
2. Agency Information Guide.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



## POLICY Access to Information

*A prosperous  
and progressive  
community.*

|                                |                              |
|--------------------------------|------------------------------|
| <b>ADOPTED</b>                 | <b>VERSION NO</b> 2.2        |
| COUNCIL MEETING MIN NO: 188/22 | <b>REVIEW DATE</b> JUNE 2023 |
| DATE: 15 JUNE 2022             | <b>FILE NUMBER</b> INM700014 |

### Objective

To state the Council's commitment to being open and accountable in the exercise of its functions.

To acknowledge the lawful rights of citizen's access to information held by the Council.

To provide easy to understand information about the Council, its structure and functions, and how members of the public can make representations and participate in decisions.

To provide information on how to access council information.

To comply with legislation regarding disclosure of information, in particular the Government Information (Public Access) Act (GIPA), the Local Government Act (LGA), and the Environmental Planning and Assessment Act.

Council is also subject to the NSW Privacy and Personal Information Protection Act and Health Records Information Privacy Act that establish standards for information handling practices for personal and health information.

### Legislative requirements

- Local Government Act 1993
- Government Information Public Access Act 2009
- Environmental Planning and Assessment Act 1979
- NSW Privacy and Personal Information Protection Act 1998
- Health Records Information Privacy Act 2002

### Policy

#### Policy statement

Council is committed to:

- Openness, transparency and being held accountable in the exercise of its functions.
- Proactive disclosure and dissemination of information about operations, plans and decisions of Council.
- Providing opportunities for representations and personal participation in council decision making and functions.
- The provision of access to Council documents unless disclosure in a particular case would be contrary to the public interest.

**POLICY: ACCESS TO INFORMATION** | V 2.2, 15 JUNE 2022

## Commitments

Council will promote disclosure and dissemination of information about operations, plans and decisions, and information that promotes community advancement on its website wherever practicable, and will actively facilitate public access to information held by the council.

Documents required by law to be available for public inspection will be posted on the website, unless internet access poses an unacceptable risk of interference with privacy through potential data gathering and matching techniques or unless to do so would impose unreasonable additional costs on Council.

Any person is entitled to have information about their place of residence suppressed from documents available for inspection where disclosure would endanger personal safety, or removed from any register available for public inspection in accordance with the NSW Privacy and Personal Information Protection Act.

Other Council documents not posted on the website will be available for inspection unless disclosure on balance is contrary to the public interest.

Formal applications under the GIPA Act will not be required where documents are otherwise available under other legislation. Any member of the public may lodge a formal GIPA application, where information is not made available by other means, which will be dealt with in accordance with the Act's provisions.

Any individual has a lawful right to know what personal or health information Council holds about him or her, to access that information in accordance with the provisions of the NSW Privacy and Personal Information Protection Act and the NSW Health Records and Information Privacy Act, and to amend that information in certain circumstances.

## Limitations

Broad requests for access to a large number of unspecified documents which, if processed, would divert substantial Council resources from dealing with other requests, or from performing other Council functions may be refused on the grounds that such a diversion of resources is contrary to the public interest (Clause 60 GIPA Act).

## Agency Information Guide

Council has published an Agency Information Guide to assist members of the public in understanding the types of information that is available from the council and how that information is made available.

The Agency Information Guide is available at Councils Administration Centre's and from the council's website.

The Agency Information Guide also lists the categories of documents not available because of legislative restrictions or because disclosure is likely to be contrary to the public interest. Documents of this kind include those that contain information about the personal affairs of other ratepayers, commercially sensitive information, or information which if disclosed would have an adverse effect on Council's law enforcement or other functions, such as the identifying particulars of complainants.



*Good  
Government*

AGENCY  
INFORMATION  
GUIDE

SEPTEMBER 2023

Prepared in accordance with provisions of Section 20 of the Government Information (Public Access) Act 2009.



# Table of Contents

|                                                                  |    |
|------------------------------------------------------------------|----|
| Preface.....                                                     | 3  |
| 1. Structure and functions of Council.....                       | 4  |
| 1.1 Introduction.....                                            | 4  |
| 1.2 Role of the Governing Body.....                              | 4  |
| 1.3 Role of a Councillor.....                                    | 5  |
| 1.4 Role of the Mayor.....                                       | 5  |
| 1.5 Role of the General Manager.....                             | 6  |
| 1.6 Senior staff.....                                            | 6  |
| 1.7 Organisational structure.....                                | 7  |
| 1.8 Council functions.....                                       | 7  |
| 2. Impact of Council functions on the public.....                | 9  |
| 3. Public participation in Local Government.....                 | 10 |
| 3.1 Representation.....                                          | 10 |
| 3.2 Personal participation.....                                  | 11 |
| 4. Access to Government information.....                         | 12 |
| 4.1 Government information held by Council.....                  | 12 |
| 4.2 Open access information.....                                 | 12 |
| 4.3 Council's strategies and plans.....                          | 13 |
| 4.4 Council policy information.....                              | 13 |
| 4.5 Files – both physical and electronic.....                    | 13 |
| 4.6 Charges.....                                                 | 14 |
| 4.7 Public access to Government information held by Council..... | 17 |
| 4.8 Public Officer – Right to Information Officer.....           | 18 |
| 5. Further information.....                                      | 19 |

## Preface

This Agency Information Guide has been produced by Mid-Western Regional Council in accordance with s.20 of the Government Information (Public Access) Act 2009. The guide is to be reviewed annually.

The purpose of the document is to provide members of the community, Council staff, and the public with information concerning:

- The structure and functions of Mid-Western Regional Council;
- The way in which the functions of Mid-Western Regional Council affect members of the public;
- The means by which members of the public can participate in policy development and the exercise of Council's functions;
- The type of information that is available from Mid-Western Regional Council and how this information is made available.

The Agency Information Guide is available on Council's website

<http://www.midwestern.nsw.gov.au/>;

BRAD CAM  
GENERAL MANAGER





# 1. Structure and functions of Council

## 1.1 Introduction

Mid-Western Regional Council is constituted under the Local Government Act 1993 and was proclaimed on 26 May 2004. The Council is an undivided area, with nine (9) Councillors elected each 4 year term. The next Council elections will be held in September 2024. The Mayor is elected every two years by the Councillors from among their numbers.

## 1.2 Role of the Governing Body

The role of the Councillors, as members of the body corporate are:

- to direct and control the affairs of the Council in accordance with the Local Government Act 1993 (the Act)
- to provide effective civic leadership to the local community
- to ensure as far as possible the financial sustainability of the Council
- to ensure as far as possible that the Council acts in accordance with the principles set out in Chapter 3 of the Act and the plans, programs, strategies and policies of the Council
- to develop and endorse the community strategic plan, delivery program and other strategic plans, programs, strategies and policies of Council
- to determine and adopt a rating and revenue policy and operational plans that support the optimal allocation of council resources to implement the strategic plans (including the community strategic plan) of Council and for the benefit of the local area
- to keep under review the performance of Council, including service delivery
- to make decisions necessary for the proper exercising of Council's regulatory functions
- to determine the process for appointment of the General Manger by Council and to monitor the General Manager's performance
- to determine the senior staff positions within the organisation structure of the Council
- to consult regularly with community organisations and key stakeholders and keep them informed of the Council's decisions and activities
- to be responsible for ensuring that the Council acts honestly, efficiently and appropriately, and
- the governing body is to consult with the General Manager in directing and controlling the Council

### 1.3 Role of a Councillor

The role of a Councillor is as follows:

- to be an active and contributing member of the governing body'
- to make considered and well informed decisions as a member of the governing body
- to participate in the development of the integrated planning and reporting framework
- to represent the collective interests of residents, ratepayers and the local community
- to facilitate communication between the local community and the governing body
- to uphold and represent accurately the policies and decisions of the governing body
- to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor, and
- a Councillor is accountable to the local community for the performance of the Council

### 1.4 Role of the Mayor

The role of the Mayor is as follows:

- to be the leader of the Council and a leader in the local community
- to advance community cohesion and promote civic awareness
- to be the principal member and spokesperson of the governing body, including representing the views of the Council as to its local priorities
- to exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council
- to preside at meetings of the Council
- to ensure that meetings of the Council are conducted efficiently, effectively and in accordance with the Act
- to ensure the timely development and adoption of the strategic plans, programs and policies of the Council
- to promote the effective and consistent implementation of the strategic plans, programs and policies of the Council
- to promote partnerships between the Council and key stakeholders,
- to advise, consult with and provide strategic direction to the General Manager in relation to the implementation of the strategic plans and policies of the Council,
- in conjunction with the General Manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community
- to carry out the civic and ceremonial functions of the Mayoral office
- to represent the Council on regional organisations and at inter-Governmental forums at regional, State and Commonwealth level
- in consultation with the Councillors, to lead performance appraisals of the General Manager, and
- to exercise any other functions of the Council that the Council determines

## 1.5 Role of the General Manager

The General Manager of a Council has the following functions:

- to conduct the day-to-day management of the Council in accordance with the strategic plans, programs, strategies and policies of the Council
- to implement, without undue delay, lawful decisions of the Council
- to advise the Mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the Council
- to advise the Mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the Council and other matters related to the Council
- to prepare, in consultation with the Mayor and the governing body, the Council's community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report
- to ensure that the Mayor and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions
- to exercise any of the functions of the Council that are delegated by the Council to the General Manager
- to appoint staff in accordance with the organisation structure determined under this chapter and the resources approved by the Council
- to direct and dismiss staff
- to implement the Council's workforce management strategy
- any other functions that are conferred or imposed on the General Manager by or under this or any other act

## 1.6 Senior staff

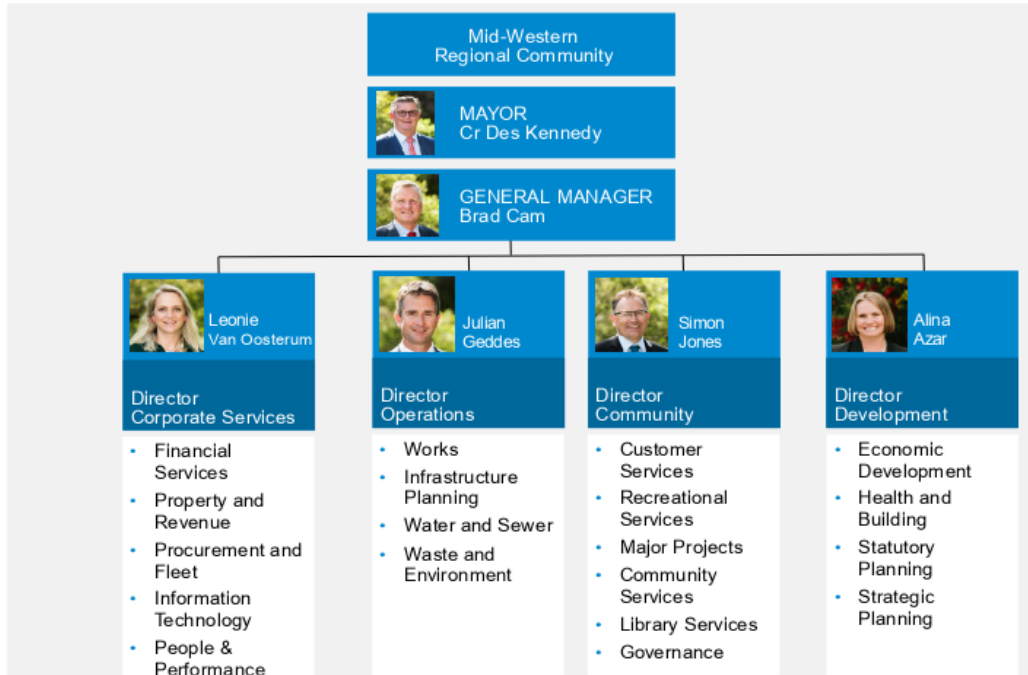
To assist the General Manager in the exercising of these functions, the General Manager in consultation with the Council has established four Directorates:

- Community
- Operations
- Development
- Corporate Services

Each Directorate is headed by a Director reporting to the General Manager. These positions and the General Manager are referred to as Council's senior staff.

The Council's Executive Team consists of the General Manager and the four directors.

## 1.7 Organisational structure



## 1.8 Council functions

Council has functions conferred or imposed on it by the Local Government Act, 1993 (the LGA). These functions are:

| Service                                                                                                                                                                                                                                                                                                                                                                                    | Regulatory                                                                                                                          | Ancillary                                                                                                        | Revenue                                                                                                                                                     | Administrative                                                                                                                                                                       | Enforcement                                                                                                                                                                                                                             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Provision of community – health, recreation, education &amp; information services</li> <li>• Environmental protection</li> <li>• Waste removal &amp; disposal</li> <li>• Land &amp; property, industry &amp; tourism development &amp; assistance</li> <li>• Civil - Infrastructure</li> <li>• Planning Maintenance &amp; Construction</li> </ul> | <ul style="list-style-type: none"> <li>• Approvals</li> <li>• Orders</li> <li>• Building Certificates</li> <li>• Appeals</li> </ul> | <ul style="list-style-type: none"> <li>• Resumption of land</li> <li>• Powers of entry and inspection</li> </ul> | <ul style="list-style-type: none"> <li>• Rates</li> <li>• Charges</li> <li>• Fees</li> <li>• Borrowings</li> <li>• Investments</li> <li>• Grants</li> </ul> | <ul style="list-style-type: none"> <li>• Employment of staff</li> <li>• Community Strategic and Management plans</li> <li>• Financial reporting</li> <li>• Annual reports</li> </ul> | <ul style="list-style-type: none"> <li>• Proceedings for breaches of the Local Government Act &amp; Regulations and other Acts &amp; Regulations</li> <li>• Prosecution of offences</li> <li>• Recovery of rates and charges</li> </ul> |

As well as the Local Government Act 1993 (LGA), Council has powers under other Acts and Regulations including:

MID-WESTERN REGIONAL COUNCIL - AGENCY INFORMATION GUIDE

|              |                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A<br>to<br>C | <ul style="list-style-type: none"> <li>Boarding Houses Act 2012</li> <li>Biodiversity Conservation Act 2016</li> <li>Biosecurity Act 2015</li> <li>Building and Development Certifiers Act 2018</li> <li>Children (Protection and Parental responsibility) Act 1997</li> </ul>                                                                                                                    | <ul style="list-style-type: none"> <li>Commons Management Act 1989</li> <li>Community Land Development Act 1989</li> <li>Community Land Management Act 2021</li> <li>Companion Animals Act 1998</li> <li>Companion Animals Regulation 2018</li> </ul>                                                                                              | <ul style="list-style-type: none"> <li>Contaminated Land Management Act 1997</li> <li>Cemeteries and Crematoria Act 2013</li> <li>Conveyancing Act 1919</li> <li>Crown Land Management Act 2016</li> <li>Crown Land Management Regulation 2018</li> </ul>                                                                                                                                            |
| C<br>to<br>G | <ul style="list-style-type: none"> <li>Crown Lands (General Reserves) By- Laws 2006</li> <li>Dams Safety Act 2015</li> <li>Electricity Infrastructure Investment Act 2020</li> <li>Electricity Supply Act 1995</li> <li>Environmental Planning and Assessment Act 1979</li> </ul>                                                                                                                 | <ul style="list-style-type: none"> <li>Environmental Planning and Assessment Regulation 2021</li> <li>Fines Act 1996</li> <li>Fire and Rescue NSW Act 1989</li> <li>Fluoridation of Public Water Supplies Act 1957</li> <li>Food Act 2003</li> </ul>                                                                                               | <ul style="list-style-type: none"> <li>Game and Feral Animal Control Act 2002</li> <li>Geographical Names Act 1966.</li> <li>Government Information (Public Access) Act 2009</li> <li>Government Information (Public Access) Regulation 2018</li> <li>Graffiti Control Act 2008</li> </ul>                                                                                                           |
| H<br>to<br>L | <ul style="list-style-type: none"> <li>Heritage Act 1977</li> <li>Holiday Parks (Long-term Casual Occupation) Act 2002</li> <li>Housing Act 2001</li> <li>Inclosed Lands Protection Act 1901</li> <li>Independent Pricing and Regulatory Tribunal Act 1992</li> </ul>                                                                                                                             | <ul style="list-style-type: none"> <li>Land Acquisition (Just Terms Compensation) Act 1991</li> <li>Land and Environment Court Act 1979</li> <li>Library Act 1939</li> <li>Library Regulation 2018</li> <li>Liquor Act 2007 and Liquor Regulation 2018</li> </ul>                                                                                  | <ul style="list-style-type: none"> <li>Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2021</li> <li>Local Government and Other Authorities. (Superannuation) Act 1927</li> </ul>                                                                                                                                                     |
| L<br>to<br>R | <ul style="list-style-type: none"> <li>Local Land Services Act 2013</li> <li>Major Events Act 2009</li> <li>Mining Act 1992</li> <li>Motor vehicle Sports (Public safety Act) 1985</li> <li>Ombudsman Act 1974</li> <li>Pesticides Act 1999</li> <li>Pipelines Act 1967</li> </ul>                                                                                                                | <ul style="list-style-type: none"> <li>Privacy &amp; Personal Information Protection Act 1998</li> <li>Protection of the Environment Operations Act 1997</li> <li>Protection of the Environment Operations (Waste) Regulation 2014</li> <li>Public Health Act 2010</li> <li>Public Health Regulation 2012</li> </ul>                               | <ul style="list-style-type: none"> <li>Public Interest Disclosures Act 1994</li> <li>Public Spaces (Unattended Property) Act 2021</li> <li>Public Works and Procurement Act 1912</li> <li>Real Property Act 1900</li> <li>Recreation Vehicles Act 1983</li> <li>Restricted Premises Act 1943</li> </ul>                                                                                              |
| R<br>to<br>W | <ul style="list-style-type: none"> <li>Roads Act 1993</li> <li>Road Transport (General) Regulation 2021</li> <li>Road Transport Act 2013</li> <li>Rural Fires Act 1997</li> <li>Rural Fires Regulation 2013</li> <li>Service NSW (One-stop Access to Government Services) Act 2013</li> <li>State Emergency &amp; Rescue Management Act 1989</li> <li>State Emergency Service Act 1989</li> </ul> | <ul style="list-style-type: none"> <li>State Records Act 1998</li> <li>Strata Schemes Development Act 2015</li> <li>Strata Schemes Development Regulation 2016</li> <li>Strata Schemes Management Act 2015</li> <li>Surveying and Spatial Information Act 2002</li> <li>Swimming Pools Act 1992</li> <li>Swimming Pools Regulation 2018</li> </ul> | <ul style="list-style-type: none"> <li>Tattoo Parlours Act 2012</li> <li>Transport Administration Act 1988</li> <li>Trees (Disputes Between Neighbours) Act 2006</li> <li>Unclaimed Money Act 1995</li> <li>Valuation of Land Act 1916</li> <li>Water Management Act 2000</li> <li>Wilderness Act 1987</li> <li>Work Health Safety Act 2011</li> <li>Workers Compensation Regulation 2016</li> </ul> |

## 2. Impact of Council functions on the public

As a service organisation, the majority of the activities of Mid-Western Regional Council have an impact on the public. The following is an outline of how the broad functions of Council affect the public.

| FUNCTION                           | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Service                            | Service functions affect the public as Council provides services and facilities to the public. These include provision of human services such as Meals on Wheels, Family Day Care services and libraries, halls and community centres, recreation facilities, infrastructure and the removal of waste and recyclable materials.                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Regulatory                         | Regulatory functions place restrictions on developments and buildings to ensure that they meet certain requirements affecting the amenity of the community and do not endanger the lives and safety of any persons. Members of the public must be aware of, and comply with, such regulations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Ancillary                          | Ancillary functions affect only some members of the public. These functions include, for example, the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Revenue                            | Revenue functions affect the public directly, in that revenue from rates and other charges paid by the public, is used to fund services and facilities provided to the community.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Administrative                     | Administrative functions do not necessarily affect the public directly, but have an indirect impact on the community through the efficiency and effectiveness of the service provided.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Enforcement                        | <p>Enforcement functions only affect those members of the public who are in breach of certain legislation. Council has enforcement powers in relation to the following functions:</p> <ul style="list-style-type: none"> <li>■ Development and building control</li> <li>■ Pollution control</li> <li>■ Water, sewer and septic systems</li> <li>■ Biodiversity conservation</li> <li>■ Biosecurity weeds</li> <li>■ Environmental health</li> <li>■ Public health and safety</li> <li>■ Companion animals</li> <li>■ Fire safety</li> <li>■ Food safety</li> </ul>                                                                                                                                                                                                                           |
| Community planning and development | <p>Community planning and development functions affect areas such as cultural development, social planning and community profile and involves:</p> <ul style="list-style-type: none"> <li>■ Advocating and planning for the needs of our community. This includes initiating partnerships; participating on regional, State or Commonwealth working parties; and preparation and implementation of the Community Plan.</li> <li>■ Providing support to community and sporting organisations through provision of grants, training and information.</li> </ul> <p>Facilitating opportunities for people to participate in the life of the community through the conduct of a range of community events such as NAIDOC Week, Youth Week, Children's Week, as well as promoting other events</p> |

## 3. Public participation in Local Government

Mid-Western Regional Council supports the principles of open Government and encourages community involvement in policy development and general activities of Council.

Council live streams its monthly meetings, which can be viewed online here:

<http://webcast.midwestern.nsw.gov.au/>

There are two broad ways in which the public may participate in policy development and the general activities of the Council. These are through representation and personal participation.

### 3.1 Representation

Councils in New South Wales are elected every four years. The next elections are to be held in September 2024.

At each election, voters elect nine Councillors for a four year term. All residents of the area who are on the electoral roll are eligible to vote. Property owners who live outside of the area and rate paying lessees can also vote, but must register their intention to vote on the non-residential roll. Voting is compulsory.

#### Councillors elected in December 2021

|                                                                                                                                                                                                        |                                                                                                                                                                                                          |                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  <p><b>MAYOR</b><br/>Des Kennedy</p>                                                                                |  <p><b>DEPUTY MAYOR</b><br/>Sam Paine</p>                                                                             |  <p><b>COUNCILLOR</b><br/>Paul Cavalier</p>                                                                      |
| <p>c/- Mid-Western Regional Council<br/>PO Box 156<br/>Mudgee NSW 2850<br/>02 6378 2850<br/><a href="mailto:councillor.kennedy@midwestern.nsw.gov.au">councillor.kennedy@midwestern.nsw.gov.au</a></p> | <p>c/- Mid-Western Regional Council<br/>PO Box 156<br/>Mudgee NSW 2850<br/>0407 225 285<br/><a href="mailto:councillor.paine@midwestern.nsw.gov.au">councillor.paine@midwestern.nsw.gov.au</a></p>       | <p>PO Box 1213<br/>Mudgee NSW 2850<br/><br/>0403 995 533<br/><a href="mailto:councillor.cavalier@midwestern.nsw.gov.au">councillor.cavalier@midwestern.nsw.gov.au</a></p>                            |
|  <p><b>COUNCILLOR</b><br/>Katie Dicker</p>                                                                          |  <p><b>COUNCILLOR</b><br/>Alex Karavas</p>                                                                            |  <p><b>COUNCILLOR</b><br/>Robbie Palmer</p>                                                                      |
| <p>c/- Mid-Western Regional Council<br/>PO Box 156<br/>Mudgee NSW 2850<br/>0407 234 849<br/><a href="mailto:councillor.dicker@midwestern.nsw.gov.au">councillor.dicker@midwestern.nsw.gov.au</a></p>   | <p>34 Spring Road<br/>Mudgee NSW 2850<br/><br/>0428 670 905<br/><a href="mailto:councillor.karavas@midwestern.nsw.gov.au">councillor.karavas@midwestern.nsw.gov.au</a></p>                               | <p>c/- Mid-Western Regional Council<br/>PO Box 156<br/>Mudgee NSW 2850<br/>0407 246 381<br/><a href="mailto:councillor.palmer@midwestern.nsw.gov.au">councillor.palmer@midwestern.nsw.gov.au</a></p> |
|  <p><b>COUNCILLOR</b><br/>Peter Shelley</p>                                                                         |  <p><b>COUNCILLOR</b><br/>Phil Stoddart</p>                                                                           |  <p><b>COUNCILLOR</b><br/>Percy Thompson</p>                                                                     |
| <p>c/- Rylstone Newsagency<br/>78 Louee Street<br/>Rylstone NSW 2849<br/>0403 156 405<br/><a href="mailto:councillor.shelley@midwestern.nsw.gov.au">councillor.shelley@midwestern.nsw.gov.au</a></p>   | <p>c/- Mid-Western Regional Council<br/>PO Box 156<br/>Mudgee NSW 2850<br/>0407 208 730<br/><a href="mailto:councillor.stoddart@midwestern.nsw.gov.au">councillor.stoddart@midwestern.nsw.gov.au</a></p> | <p>'Morningson'<br/>325 Mebul Road<br/>Mebul NSW 2852<br/>0428 740 226<br/><a href="mailto:councillor.thompson@midwestern.nsw.gov.au">councillor.thompson@midwestern.nsw.gov.au</a></p>              |

## 3.2 Personal participation

Residents are able to raise issues with, and make representations to the elected Councillors. The Councillors, if they agree with the issue or representation, may pursue the matter on the resident's behalf. It is the role of Councillors to represent the collective interests of residents, ratepayers and the local community.

Council encourages residents to make submissions when development applications and local policy is placed on exhibition. These exhibitions are advertised in local newspapers and on display at Council's three administration centres, Rylstone, Mudgee and Gulgong. They can also be accessed online using the link below;

<https://www.midwestern.nsw.gov.au/Council/Documents-on-exhibition>

Members of the public are able to attend Council meetings held on the third Wednesday of each month – except for January, when there are no meetings. Meetings are conducted in the Council Chambers, Administration Building, 86 Market Street, Mudgee.

Prior to meetings Council conducts a Public Forum which is an opportunity for persons to address Council on subjects that are matters of business for that meeting of the Council.

Council also has the following Community Committees comprising and including members of the public:

- Mudgee Showground Management Committee
- Mudgee Sports Council Sub Committee
- Gulgong Memorial Hall Committee
- Gulgong Sports Council Sub Committee
- Rylstone & Kandos Sports Sub Committee
- Mid-Western Regional Council Access Committee
- Mid-Western Regional Youth Council
- Red Hill Committee
- Botobolar Community Committee
- Rail Committee
- Mudgee District U3A Committee
- Cultural Development Committee



## 4. Access to Government information

Mid-Western Regional Council is committed to the principle of open and transparent Government. To facilitate public access to Council information, Council has adopted an Access to Information Policy. The object of this policy is to inform the public that they have lawful rights to access Council information and to describe the procedures for gaining access.

Under the provisions of the Government Information (Public Access) Act 2009 there is a right of access to certain information held by Council, unless there is an overriding public interest against its disclosure.

There are four main ways under the GIPA Act in which Council may provide access to information:

1. Mandatory Proactive Release
2. Proactive Release
3. [Informal Release](#)
4. [Formal Access Application](#)

### 4.1 Government information held by Council

Council holds a wide range of information, in both hard copy and electronic forms in respect of the wide range of functions. That information is contained in:

- Files – either physical or electronic
- Strategies and plans
- Policy documents
- General documents

### 4.2 Open access information

Schedule 1 of the GIPA Regulation prescribes information contained in certain records to be open access. The following open access information is available on Council's website:

- [the model code prescribed under section 440 \(1\) of the LGA and the code of conduct adopted under section 440 \(3\) of the LGA,](#)
- [code of meeting practice,](#)
- [annual report,](#)
- [annual financial reports,](#)
- [auditor's report,](#)
- [management plan,](#)
- [EEO management plan,](#)

- [policy concerning the payment of expenses incurred by, and the provision of facilities to, councillors,](#)
- returns of the interests of [councillors](#) and [designated persons,](#)
- [agendas and business papers for any meeting of the local authority or any committee of the local authority \(but not including business papers for matters considered when part of a meeting is closed to the public\),](#)
- [minutes of any meeting of the local authority or any committee of the local authority, but restricted \(in the case of any part of a meeting that is closed to the public\) to the resolutions and recommendations of the meeting,](#)
- [reports by the Chief Executive of the Office of Local Government presented at a meeting of the local authority in accordance with section 433 of the LGA.](#)
- [register of investments,](#)
- [register of delegations,](#)
- register of current declarations of disclosures of political donations kept in accordance with section 328A of the LGA,
- the register of voting on planning matters kept in accordance with section 375A of the LGA.

The following open access information is not currently available on Council's website but can be viewed in person:

- land register
- register of graffiti removal work kept in accordance with section 13 of the [Graffiti Control Act 2008](#)
- information about development applications
- approvals, orders and other documents

### 4.3 Council's strategies and plans

Council's strategies and plans are prescribed as open access information under the GIPA Regulation and are available from Council's website. The following link will guide you to these documents <http://www.midwestern.nsw.gov.au/council/council-documents/>

### 4.4 Council policy information

Council's policies are prescribed as open access information under the GIPA Regulation and are maintained in an internal policy register. Council Policies are available to view on Council's website at <https://www.midwestern.nsw.gov.au/Council/Policies-plans-and-reporting/Policies>

### 4.5 Files – both physical and electronic

Prior to 1996, Council maintained a "hard copy" filing system, with material being held in physical, paper-based files. Archived hard copy files are maintained in storage, mainly consisting of development, building or construction information. These records will not be transferred to electronic form and will not be published to Council's website, however information from these files

may be made available either by informal release or via an access application, unless there is an overriding public interest against disclosure of the information, in accordance with the provisions of the Government Information (Public Access) Act (GIPAA).

## 4.6 Charges

Schedule 1 of the Government Information (Public Access) Regulation requires that prescribed open access Government information held by Council, is to be made publicly available for inspection, free of charge.

The public is entitled to inspect Government information either on Council's website (unless there is an unreasonable additional cost to Council to publish this Government information on the website) or at the offices of the Council during ordinary office hours or at any other place as determined by Council.

Part 10 of the Local Government Act 1993 commencing at clause 607A provides for the Council to charge and recover fees.

Where copies of information are requested, photocopying and printing charges apply as per the Administration Services fees published on Council's website,

Requests for information not considered open access information may be subject to processing charges of \$30 per hour as published in Council's fees and charges under Information Requests. Information that is considered personal information to the person that is requesting the information will have any processing charges waived for the for 20 hours. Any applicable photocopying and printing charges may be incurred in addition to the processing fee.

Councils fees and charges can be viewed at <https://portal.lgsolutions.net.au/Fees/Public/Mid-Western%20Regional%20Council>

Requests for information made under the GIPA Act are subject to statutory charges as per the legislation. A fee of \$30 is payable on application and counts toward the first 2 hours of processing time. Additional processing time is charged at \$30 per hour.

### Public registers

Council maintains other registers which are required by law to be available for public inspection.

Where the public register contains personal or health information, Council is required to ensure that access by a member of the public is for a purpose consistent with the purpose for which the register exists. The Local Government Code of Practice issued under the Privacy and Personal Information Protection Act (PPIPA) permits Council to provide access to such registers by way of inspection on Council premises and for the copying of an entry or page in the register without regard to the purpose of the person who seeks access.

Council reserves the right to seek to satisfy itself about the purpose of access and to require a statutory declaration from the person seeking access that personal information will only be used for a specified lawful purpose.

Council maintains some registers which are not available for public inspection. Particular entries in these registers, for example from Council's Rates Record and the Record of Property Taken Possession of by Authorised Offices required by the Public Spaces (Unattended Property) Act, are available to any person. In the case of an application for a certificate of an entry in the Rates Record under Section 603 of the LGA, a charge is payable.

### Access to other documents held by Council

Other Council documents are available for inspection under the GIPA Act unless disclosure is, on balance, contrary to the public interest. Any application must be received in writing and will be processed promptly and within the agreed timeframe.

The request should specify the documents sought, with a reference to any time or date limitations. Any application will be considered on its merits and considered in the light of the obligation to make documents available unless public interest considerations favour the withholding of the document(s).

### Information and documents not usually available

Information about the name of a property owner is in the public domain through internet access to the register maintained by the NSW Land and Property Information Service.

Council holds information about property ownership for the purpose of carrying out its functions. Council policy is not to make available information about the name of a property owner except in emergency circumstances or where the enquirer can establish a clear need to know.

Council will not supply bulk property data to third parties for the purposes of direct marketing.

Documents listed below will not usually be available because they are excluded from the right to access by an express provision in the LGA, or Council has concluded that disclosure of such documents, or documents containing information of the kind indicated would, in the usual case, be contrary to the public interest.

### Documents not available because of provisions in LGA

The following information will not be available:

- Papers submitted to Council for consideration in a closed session
- Documents containing information about personnel matters concerning particular individuals, the personal hardship of any resident or rate payer, trade secrets or other sensitive commercial information, or where disclosure would find an action for breach of confidence
- Documents that contain information, the release of which would constitute an offence against an Act

### Other documents not available

- Documents or parts of documents which would reveal the identifying particulars of persons who provide information to Council in connection with its law enforcement and regulatory responsibilities, or who otherwise contact Council about matters of interest or concern, including complaints about other persons conduct or activities, and matters that require investigation by Council

MID-WESTERN REGIONAL COUNCIL - AGENCY INFORMATION GUIDE

- Documents which reveal confidential communications between the Council and its legal advisers, or documents which have been prepared by Council officers or others for the dominant purpose of use in proposed or anticipated legal proceedings
- Documents, the release of which are likely to endanger the life or safety of any person, or the security of any building or structure, or which would prejudice the conduct of a lawful investigation by Council or another authority
- Documents concerning Council functions or operations where disclosure would have a prejudicial effect on Council's property or financial interests, or would otherwise have an adverse effect on its regulatory functions, or its capacity to operate in an efficient and effective manner
- Council working documents prepared or received in connection with its decision making functions, prior to the making of a decision by Council, a committee of Council, or an officer exercising delegated authority

It should be noted that access through verbal advice as to the content of documents listed above is also not available.

### Large general requests for access to documents

Broad, general requests for a large number of documents, for example all documents of a certain kind, or documents held on a number of different Council files, or which otherwise require a substantial allocation of Council resources, may be refused after consideration of the public interest factors involved by Council's Public Officer/ Right to Information Officer.

The Officer may, in the light of an assessment of the work involved in identifying, locating, collating and assessing a large number of Council documents, conclude that access should be refused on the grounds that the substantial diversion of Council resources necessary to deal with the application would, on balance, be contrary to the public interest.

The Public Officer/Right to Information Officer shall, in reaching such a decision consider the following:

- an assessment of the work and time involved in responding to the application
- the extent to which the work involved in dealing with the request would result in Council resources being diverted from dealing with other access requests, or from other important functions
- the nature of the documents requested and any public interests to be advanced by disclosure generally, or disclosure to the particular applicant. Council acknowledges there is a public interest in disclosure of documents about Council operations and the exercise of its functions, and in a particular applicant gaining access to documents where there is a strong and justifiable right to know

However, the right to access documents free of charge to an individual also requires consideration of the effect the processing of such an application may have on the rights of others, and on the efficient and effective use of Council resources in the interests of all ratepayers.

### Refusal of access

Where access to documents is refused under the GIPA Act, Council will advise the applicant in writing of the reasons for the decision. In the case of refusal on grounds that dealing with the request would involve the substantial diversion of Council resources, the Public Officer/Right to

Information Officer will provide details to the applicant in writing, including an estimate of the time involved in responding to the application and consideration of the other factors mentioned in these guidelines, however before doing so will give the applicant a reasonable opportunity to amend the application.

Any applicant dissatisfied with Council's handling of a request for documents under GIPA Act may seek a review in accordance with Sections 82 - 88 of the GIPA Act, and may also seek a review of reviewable decisions through either the Information Commissioner or the NSW Civil and Administrative Tribunal (NCAT).

## Copyright

Copyright issues may arise when requests are made for copies of documents held by the Council. The Commonwealth Copyright Act (1968) takes precedence over State legislation therefore the right to copy documents under GIPA or EP&A does not override the Copyright Act.

If Council commissions a report from a consultant it will be under the terms of the contract whether it can be copied.

With regard to documents supplied with development applications, Council's development application form includes a statement whereby applicants give their permission to allow documents included with a development application to be access under the GIPA Act. This permission does not override the rights of any copyright holder.

## Access to information by Councillors and Administrators

The process for access to information by Councillors and Administrators is outlined in Part 8 of Council's Code of Conduct.

## GIPA Act

Access to the GIPA Act is available from the website of the NSW Legislation website at the following link:

<https://www.legislation.nsw.gov.au/#/view/act/2009/52>

## 4.7 Public access to Government information held by Council

As far as practicable, Government information held by Council will be accessible by members of the public during office hours.

Any amendment of records held by Council will be undertaken pursuant to the provisions of the Privacy and Personal Information Protection Act 1998.

Persons interested in obtaining access to Government information can access application forms on Council's website. Those who wish to seek an amendment to the Council's records concerning their personal affairs, should contact Customer Service who will refer you to the Privacy Officer or

the Right to Information Officer. If you experience difficulty in obtaining Government information you should contact Council's Public Officer.

## 4.8 Public Officer – Right to Information Officer

The Manager Customer Service & Governance has been appointed as the Public Officer.

Amongst other duties, the Public Officer may deal with requests from the public concerning the Council's affairs and to take delivery of documents on behalf of the Council.

The Governance Coordinator has been appointed as the Right to Information Officer.

The Right to Information Officer is responsible for determining formal applications for access to Government information (GIPA Act Access Applications) or for the amendment of records. If you have any difficulty in obtaining access to Government information.

Also, if you would like to amend a document of Council which you feel is incorrect, it is necessary for you to make written application to the Right to Information Officer in the first instance.

## 5. Further information

If you require any other advice or assistance about access to information you may contact the Information & Privacy Commission NSW website <https://www.ipc.nsw.gov.au/> or by telephone on 1800 472 679 or by email at [ipcinfo@ipc.nsw.gov.au](mailto:ipcinfo@ipc.nsw.gov.au).

[The Data.NSW website is another useful resource that can be used by members of the public, as well as other government agencies, to access data on a wide range of NSW Government related matters.](#)



## Item 12: Reports from Committees

---

### 12.1 Sports Advisory Groups Update - Meetings February 2024

REPORT BY THE SPORT AND RECREATION LIAISON OFFICER  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400103, A0360013, A036003, A0360030

#### RECOMMENDATION

##### That Council:

1. **receive the report by the Sport and Recreation Liaison Officer on the Sports Advisory Groups Update - Meetings February 2024; and**
  2. **note the Meeting Notes from the Gulgong, and Mudgee Sports Advisory Groups.**
- 

#### Executive summary

The purpose of this report is to advise Council of the considerations of the Gulgong and Mudgee Sports Advisory Groups held in February 2024.

#### Disclosure of Interest

Nil

#### Detailed report

The Gulgong, Kandos/Rylstone and Mudgee Sports Councils have successfully transitioned to Sports Advisory Groups in 2024. Moving forward, these groups will meet twice yearly (February and August) to discuss the strategic direction of Council's sporting facilities and infrastructure. There was no meeting for Kandos/Rylstone in February, it will be combined into one meeting in August.

Some of the key items discussed at recent Sports Advisory Group Meetings are addressed below:

##### **Mudgee**

- Guest speaker – Neece Carrigan, project Officer from Office of Sport. Gave information regarding the role the Office of Sport play and the resourcing network for regional NSW, getting more people active, more often.
- Discussion on grants and what is available for clubs to apply for.
- Discussion on governance resources, club management and member protection.
- Upcoming events at Glen Willow and how these will affect different Clubs.
- Season bookings for upcoming winter season.

- Upcoming Capital project – line marking car parks at Glen Willow, Toilets near the dog park, Pump track to commence in 2024.
- Discussion around attracting and retaining volunteers.

### Gulgong

- Field bookings at Billy Dunn – schools have been using fields without booking and conflicting with Council maintenance, other clubs. Schools have been advised to make bookings.
- CPP process explained to club regarding getting future capital works and projects.
- Victoria Park new amenities building almost complete. \$6K left in the Gulgong Sports Council to be put towards the fit out of the canteen.

### Community Plan implications

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

### Strategic implications

#### **Council Strategies**

Not Applicable

#### **Council Policies**

Not Applicable

#### **Legislation**

Not Applicable

### Financial implications

This report does not seek any additional funding towards identified projects. Funding sources to support projects are proposed to derive from previous Sports Council finances and current sporting fees.

### Associated Risks

Nil

CHARLIE BUCHANAN  
SPORT AND RECREATION LIAISON OFFICER

SIMON JONES  
DIRECTOR COMMUNITY

19 March 2024

*Attachments:* 1. Mudgee Sports Advisory Group\_Minutes 8.2.2024.  
2. Gulgong Sports Advisory Group\_Minutes 28.2.2024.

### APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



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](mailto:council@midwestern.nsw.gov.au)

**MUDGEE SPORTS ADVISORY GROUP  
MEETING MINUTES  
THURSDAY 8 FEBRUARY, 6PM  
THE STABLES – MARKET STREET MUDGEE**

**Attendees:** Peter Raines (MWRC), Charlie Buchanan (MWRC), Sarah Palmer (MWRC), Josh Martin (MWRC), Katelyn Kirby (MWRC), Brett McGuire (Mudgee Junior Cricket), Ed George (MGWFC), Ros Lee (Rugby Union), Lauren Morton (Mudgee Touch), Robbie Clayton (League), Kylie Marshall (Netball)

**Apologies:** Bec McQueen (Dragons Women rugby League), Erin Perini (Mudgee Touch)

Meeting opened at 6.01pm

Peter welcomed everyone and advised that Neece Carrigan - Project Officer from Office of Sport will be joining us on line at 6.15pm.

Discussion about the radio ad being aired at the moment “are you kids safe” – Working with Children checks are mandatory. National Child Safety standards framework – netball must have these. Some clubs are aware of this. For clubs to be able to sign up to take Active Kids Foundation, clubs have someone completed the national child safety standard framework.

1. Neece joined the meeting at 6.07pm to show what the office of sport can offer /support clubs with. They are part of state govt resourcing network for regional NSW getting more people more active more often. They look after sport, active recreation (bushwalking, dragon boating etc), work with local Councils, run training around indigenous games. They work with Regional NSW, transport NSW and Office of Youth also. The Office of Sport fund state sporting organisation, facilitate duke of Edinburgh and up to recently looking after Active Kids.

Active kids have changed as of 31 Jan 2024– clubs’ feedback is welcome – send to Charlie/Peter and they will forward to Neece. Changes are -they have combined with NSW service and is now means tested for family tax benefit A and B - 2 vouchers \$50 per year kids.

Office of Sport – offers grants – Neece will let all her contacts know when these are available. Sports shorts newsletter – jump on website and sign up for this newsletter. Neece to send Charlie links to available grants and she can forward to clubs.

Regional Development has links on help with how to write grants. NSW grant database can also be filtered to search.

Office of Sport offers governance resources – e.g. club management, member protection officer training (MPO). Each club should have one – they are a visible and approachable person that people come to with an issue and offer support to go to a complaints officer. jump on to “play by the rules” which is an online webinar training session. Neece will send resource links to Charlie.

Discussion WWCC or Member Protection officer, National Child Safety what is required. Sounds like each club may have slightly different requirements for this and also processes for handling complaints.

Contact detail for Neece are:

[Neece.carrigan@sports.nsw.gov.au](mailto:Neece.carrigan@sports.nsw.gov.au)

Neece left the meeting with Peter and everyone thanking her for her time.

2. Upcoming events at Glen Willow. Ticket sales are down on previous years, partly due it being a trial game only and the teams involved. Free parking now available. First game with new lights.
3. & 4. Season bookings - Council can't accommodate everyone's wishes at Glen Willow all the time, on all fields, on all days. Charlie reminded all clubs NOT to blanket book but to only book what you club will use. Soccer/ touch always clash and cross over. Brett has requested a re-look at the sharing options of field requirements, now there are more fields. Also, the issue at sharing the club house. Noting that remediation/ sand slitting, oversewing required, drainage works is needed between seasons. Josh advised that remediation is staggered as to when each sport starting – 4 weeks required for over sowing. This also staggers water usage. Council recognise that another clubhouse, change room and storage space is required for Soccer/touch to have their own space but no money has been budgeted for this – the onus will be on preparing a case to be able to apply for grants. Separate meeting with soccer and touch to progress the proactive approach to future facilities.
5. Grant available Charlie has sent link around. Clubs need to be proactive and be ready to pounce when grants come up.
6. Volunteers – recruiting and retaining volunteers in challenging. Charlie spoke to Cathy at community who looks after meals on wheels. Volunteers need clear roles, they need to know what they are signing up for, what is expected – what time they need to commit to.  
Robbie – Junior League - have a document that is structured, what is expected from each role, etc  
Ros – similar structure in Union - organisational structural – they have job description for each role. They have a question in the sign up - what area will be you be volunteering in – this includes canteen.  
Brett requested from Robbie to look at their criteria for coaching volunteer.  
Possibly take the opportunity to get grand parents involved as volunteers.  
It usually all falls back on the committee. Suggestion from Ros (rugby) to look at Committees as some members are aging or been in the role a long time and to be proactive to approach and bring in younger blood.
7. Capital Works  
New road working ok, but may need to do re work the bus turning area – redesign happening now – just widening. Will keep clubs informed when this is happening.

Peter showed on map upcoming projects - toilets at Glen Willow, compound, line marking car parks and the pump track. All car parks have disability parking marked out now. Looking at lighting of carparks and at EV charges at stadium. Shade at Netball happening which netball are contributing too. Bubblers will be coming. Looking at adding additional security cameras off stadium,

Council are finalising the new flood study, noted that a small flood impacted Junior League 1 and carpark after recent heavy rain at Lue due to an increase flow in Lawson Creek.

**General**

More money needed from Council for side screens at Vic Park for Senior Cricket.

Rugby League/Netball – make sure public toilets are stocked.

No amenities approved for hockey on fields 7/8.

Discussion on keys – Key Audit – Katelyn to send clubs list of who has what keys. Future plans are to look at converting to fobs rather than keys.

Brett questions re: Canteen – council look after gas, clubs look after appliances.

Meeting closed, 7.38pm



MID-WESTERN REGIONAL COUNCIL

PO Box 156, MUDGEES NSW 2850

86 Market Street, Mudgee | 109 Herbert Street, Gulgong | 77 Louee Street, Rylstone

T 1300 765 002 or 02 6378 2850 | F 02 6378 2815

E [council@midwestern.nsw.gov.au](mailto:council@midwestern.nsw.gov.au)

## GULGONG SPORTS ADVISORY GROUP MEETING MINUTES 28 FEBRUARY, 6PM - GULGONG BOWLING CLUB

**Attendees:** Charlie Buchanan (MWRC), Sarah Palmer (MWRC), Craig Holden, Clr Percy Thompson (MWRC), Brian Gudgeon (Gulgong Cricket), Melissa Ballard (Gulgong Terriers & Gulgong Touch), Carmel Forrester (Dog Club), Lisa Gudgeon (Gulgong Junior Rugby League), Kelly Hackney (Gulgong Junior Rugby League)

**Apologies:** Peter Raines (MWRC), Bec Hallam & Mark Freestone (Gulgong Touch), Tim Papworth (Gulgong Little A's)

**Meeting opened at 6.02pm**

**Field Bookings** – schools were using fields without bookings, but now they have been advised to book fields so there are no clashes with staff doing maintenance. Reminder to only book days and times that you will actually using the fields.

**Grants** – Charlie will resend email advising clubs that \$1k from Charles Sturt Uni is available and would encourage clubs to apply everyone is eligible. Charlie advised that clubs need to be ready to go when grants become available and jump on them.

**Capital Works update** – Victoria Park amenities is coming along well. Fit out needs to be done. And Charlie advised of the location of the road and gate – gate should be BBB key. Craig mentioned that the grandstand is a safety issue and that only a couple of posts need to be replaced to make it safe – Sarah to lodge a works request to building services. Craig also mentioned that there was \$6K left in the Gulgong Sports Council account prior to change to advisory committee and that money was to go towards appliances for amenities block. Charlie to email Craig list of appliances that will be purchased. Camera are also being installed.

Power point for cricket bowling machine installed at Victoria Park – Brian & Craig and very grateful. Investigation into lighting issue at Victoria Park – lux is OK – the direction of the lights seems to be the issue – Peter is chasing contractor.

**Billy Dunn** – quote received for external painting of grandstand and toilet cisterns have been replaced and handwashing facilities upgraded to stainless steel.

Charlie explained the purpose of the Master Plan and there was general discussion about plan – making Field 1 for playing and Field 2 for training – Craig mentioned that the emergency services helicopter use Billy Dunn Field 1 to land and should this be added to master plan.

**Solar Farm/ Wind Farm investment** – Charlie and Sarah explained the CCP process – where money that has been given to council for local projects can be applied for from the Solar/Wind Farm projects. Discussion that Gulgong community would expect that the money from these companies should go to the Gulgong community and not Mudgee or other areas. – Charlie to email link to clubs. CPP can be used for things like seating around Vic Park & Billy Dunn.

General discussion

Tennis Courts – Charlie to follow up with Peter and get back to Clr Thompson with information – noting that a contractor had pulled out.

Charlie to email clubs links to grants and other general information re: CPP program and dates for swimming carnival – Country Champs.

Cricket - Storage under Victoria Park Grandstand – there is room there that can be used, however Brian and Craig advised that the cricket equipment would not fit there.

Cricket – Field 3 Billy Dunn – the synthetic is up for replacement and also mowers have been catching on it.

Billy Dunn – the doors at the old amenities block near field 2 cannot be opened – needs adjustments, - Sarah to log a works request to building services.

Line marking required at Vic Park – Melissa to email dates into Charlie.

Craig congratulated Andrew Dunstone and staff on how well Gulgong is looking, Craig said it is the best it has looked in a long time and that he will send in letter to GM.

Gulgong Adventure Playground – Sarah advised the clubs that contractors will be starting work in the coming weeks to rectify drainage issues there.

Boxing Club – change of use for the building so the club can continue to operate out the building.

**Meeting closed 6.55pm**

## 12.2 Botobolar Community Committee Meeting Minutes - 26 March 2024

REPORT BY THE DIRECTOR COMMUNITY  
TO 17 APRIL 2024 ORDINARY MEETING  
GOV400103, A0060107

### RECOMMENDATION

#### That Council:

1. receive the report by the Director Community on the Botobolar Community Committee Meeting Minutes - 26 March 2024; and
2. endorse the minutes of the Botobolar Community Committee meeting held on 26 March 2024.

---

### Executive summary

The Botobolar Community Committee recently held a meeting on 26 March 2024 and a range of matters were discussed. The minutes from the meeting are presented to Council for information and endorsement.

### Disclosure of Interest

Nil

### Detailed report

The Botobolar Community Committee recently held a meeting on 26 March 2024 and a range of matters were discussed. These matters included the new toilet construction, lighting works and general business.

### Community Plan implications

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

### Strategic implications

#### Council Strategies

Community Plan

#### Council Policies

Not Applicable



## **Legislation**

Local Government Act 1993

## Financial implications

There are no material financial considerations with this recommendation.

## Associated Risks

Council assets and community events not having appropriate management and governance practices that may include insurance coverage is a risk to both Council and community groups. The Committee's work will focus on developing a framework for the use of the shed across Council, RFS and the local community.

Risk is mitigated by having clear documentation in place for the use of the Botobolar facility and ensuring all parties know who is responsible for matters that arise. As the facility is on Council land, it is important that the building asset is maintained in good condition.

SIMON JONES  
DIRECTOR COMMUNITY

27 March 2024

*Attachments:* 1. Minutes Botobolar Community Committee Meeting 26 March 2024.

APPROVED FOR SUBMISSION:

BRAD CAM  
GENERAL MANAGER



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

## **MINUTES** **BOTOBOLAR COMMUNITY COMMITTEE**

**Tuesday 26 March 2024 at the Botobolar Community Hall**

**Meeting opened at 3:01pm.**

Present: Michael Burnicle, Diane Burnicle, Neil Williams, Troy Porter (RFS), David Sargeant, Ben Edmunds (staff), Katelyn Kirby (staff).

### **1. Welcome**

Ben Edmunds opened the meeting and welcomed everyone.

### **2. Apologies**

Apologies were noted from Cr Des Kennedy, Adam Ellis, Peter Lynch, Troy Gersbach, Simon Jones, David Swansson, Matt Lynch, Peter Raines, Wendy Lynch, and Garry Lynch.

### **3. Minutes**

The previous minutes were noted and accepted.

### **4. New Toilet Construction**

- 4.1** Toilet is sinking, causing one of the doors to drag on the existing ground. Neil to contact Garry regarding installation of a concrete slab for the toilet.
  - a. Council to provide assistance with concrete contractors for the toilet slab.

### **5. Lighting Works**

- 5.1** Works completed – No discussion.

### **6. General Business**

- 6.1** Simon to be removed from apologies in future as Council will relay important information to him.

- 6.2 Roof cover to extend to the new toilets.
- 6.3 Key access and allocation:
  - a. Garry has a list of who has been provided keys. Diane and Wendy have two of the keys.
    - i. Question was raised around Council having one of the keys.
- 6.4 Air-conditioning to be hooked back up once the refrigeration contractor is available. Garry has been dealing with this. Gas heating is also disconnected at the moment.
- 6.5 Kitchen renovations discussed:
  - a. Awaiting quote from Anthony Lynch. Diane to source second quote once the first quote has been received as it will need to be like-for-like.
    - i. Diane will also inform RFS when the contractor is coming to do the quote.
  - b. Pest proofing is required as part of the renovation — relining of the room with corrugated iron and gap in the door to be fixed.
  - c. Radios will move to a cupboard closer to the trucks.
  - d. Council to confirm with Simon what Council's contribution to the renovation budget is.
    - i. If Council is providing the majority of the funds — they will communicate their preferences and provide final approval on quotes.
- 6.6 A summary of spending to-date is to be created. Garry would be aware of roughly how much has been spent.
  - a. List to be provided to Council as well so that it can be provided to the asset auditors for insurance purposes.
- 6.7 Christmas gathering in November went very well.
- 6.8 Discussion around an event to be held on the June long-weekend as no event will be held for Easter.
  - a. Troy approved the use of the RFS shed for this.
- 6.9 Discussion around the frequency of meetings:
  - a. Once building works were completed, it was suggested that meetings go back to 6 monthly. Emails to be sent regarding urgent matters between times.
- 6.10 Residents Feedback:
  - a. Thanks given to Council for all the works completed on Botobolar Road. It has taken some time but it will prevent lots of damage to vehicles.
    - i. Residents' input for certain areas of the road would have prevented delays and issues, such as machinery being bogged.
- 6.11 Working bee is going okay. Cleaning of the RFS shed is being completed by whoever comes past.
- 6.12 Wendy will be borrowing 2 tables from the RFS shed.

**Meeting closed at 3:30pm.**

Next Meeting scheduled for 26<sup>th</sup> June 2024 at 3pm.

## Item 13: Urgent Business Without Notice

---

### URGENT BUSINESS WITHOUT NOTICE

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

### GIVING NOTICE OF BUSINESS

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

### BUSINESS WITHOUT NOTICE

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

## Item 14: Confidential Session

---

### LOCAL GOVERNMENT ACT, 1993

---

#### 10A *WHICH PARTS OF A MEETING CAN BE CLOSED TO THE PUBLIC?*

- (1) A council, or a committee of the council of which all the members are councillors, may close to the public so much of its meeting as comprises:
  - (a) the discussion of any of the matters listed in subclause (2), or
  - (b) the receipt or discussion of any of the information so listed.
- (2) The matters and information are the following:
  - (a) personnel matters concerning particular individuals (other than councillors),
  - (b) the personal hardship of any resident or ratepayer,
  - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
  - (d) commercial information of a confidential nature that would, if disclosed:
    - (i) prejudice the commercial position of the person who supplied it, or
    - (ii) confer a commercial advantage on a competitor of the council, or
    - (iii) reveal a trade secret,
  - (e) information that would, if disclosed, prejudice the maintenance of law,
  - (f) matters affecting the security of the council, councillors, council staff or council property,
  - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
  - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
  - (i) alleged contraventions of any code of conduct requirements applicable under section 440.
- (3) A council, or a committee of the council of which all the members are councillors, may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.
- (4) A council, or a committee of a council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

#### 10D *GROUND FOR CLOSING PART OF MEETING TO BE SPECIFIED*

- (1) The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting.
- (2) The grounds must specify the following:
  - (a) the relevant provision of section 10A(2)
  - (b) the matter that is to be discussed during the closed part of the meeting,
  - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

664

**DISCLOSURE AND MISUSE OF INFORMATION**

- (1) A person must not disclose any information obtained in connection with the administration or execution of this Act unless that disclosure is made:
  - (a) with the consent of the person from whom the information was obtained, or
  - (b) in connection with the administration or execution of this Act, or
  - (c) for the purposes of any legal proceedings arising out of this Act or of any report of any such proceedings, or
  - (d) in accordance with a requirement imposed under the Ombudsman Act 1974 or the Freedom of Information Act 1989, or
  - (e) with other lawful excuse.
  
1. (1A) In particular, if part of a meeting of a council or a committee of a council is closed to the public in accordance with section 10A (1), a person must not, without the authority of the council or the committee, disclose (otherwise than to the council or a councillor of the council) information with respect to the discussion at, or the business of, the meeting.
  
2. (1B) Subsection (1A) does not apply to:
  - (a) the report of a committee of a council after it has been presented to the council, or
  - (b) disclosure made in any of the circumstances referred to in subsection (1) (a)-(e), or
  - (c) disclosure made in circumstances prescribed by the regulations, or
  - (d) any agenda, resolution or recommendation of a meeting that a person is entitled to inspect in accordance with section 12.
  
- (2) A person acting in the administration or execution of this Act must not use, either directly or indirectly, information acquired by the person in that capacity, being information that is not generally known, for the purpose of gaining either directly or indirectly a financial advantage for the person, the person's spouse or de facto partner or a relative of the person.
  
- (3) A person acting in the administration or execution of this Act, and being in a position to do so, must not, for the purpose of gaining either directly or indirectly an advantage for the person, the person's spouse or de facto partner or a relative of the person, influence:
  - (a) the determination of an application for an approval, or
  - (b) the giving of an order.

**Maximum penalty: 50 penalty units**

## MOTION

---

**I move that pursuant to the provisions of Section 10 of the Local Government Act, 1993 the meeting be closed to the public.**

After a motion to close the meeting has been moved and seconded and before the vote, the Chairman will ask if there are any other matters, besides those listed on the agenda which should be considered in Confidential Session.

He will then announce those matters to be considered in Confidential Session. In doing so, the Chairman will give reasons why those matters are to be considered in Confidential Session and explain the way in which discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

## CHAIRMAN

---

*The following matters have been listed for consideration in Confidential Session:*

### **14.1 Purchase of Cabin at Mudgee Valley Park**

***The reason for dealing with this report confidentially is that it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business in accordance with Section 10A(2)(c) of the Local Government Act, 1993.***

***Discussion of this matter in an open meeting would be, on balance, contrary to the public interest as it involves discussion of a commercially private transaction.***

The Chairman will then ask the General Manager if there are any written representations from the public on the proposed closure of the meeting.

The General Manager will read out any written representations received.

The Chairman will ask if anyone in the gallery would like to make verbal representations in regard to the matters now to be considered in Confidential Session.

The Chairman will then put the motion "to close the meeting" to the vote.