



Business Papers 2025

MID-WESTERN REGIONAL COUNCIL

ORDINARY MEETING
WEDNESDAY 21 MAY 2025

*A prosperous and progressive
community we proudly call home*





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MUDGEE NSW 2850

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14 May 2025

Dear Councillor,

MEETING NOTICE
Ordinary Meeting
21 MAY 2025
Public Forum at 17:30pm
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 line extending to the right.

BRAD CAM
GENERAL MANAGER

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Acknowledgement of Country

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

Item 1: Apologies

Item 2: Disclosure of Interest

Councillors are reminded of their oaths of affirmations of office taken at their obligations under Council's Code of Conduct to disclose conflicts of interest when they arise and ensure they are managed appropriately.

If an interest is declared, Councillors should leave the Chambers prior to the commencement of the discussion of an item.

Item 3: Confirmation of Minutes

3.1 Minutes of Ordinary Meeting held on 16 April 2025

Council Decision:

That the Minutes of the Ordinary Meeting held on 16 April 2025 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.
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.
Jet Patcher	Res. 06/25 Ordinary Meeting 19/02/2025	That the report be prepared and presented to Council detailing expected use, capital expense and ongoing maintenance cost for a new jet patcher.	To be reported to Council at a future meeting.
By-Election	Res. 07/25 Ordinary Meeting 19/02/2025	That the General Manager provide a report at the earliest convenience Council meeting.	To be reported to Council at a future meeting.

Item 5: Mayoral Minute

Nil

Item 6: Notices of Motion or Rescission

6.1 Mid-Western Region Housing Strategy - submission inclusion

NOTICE OF MOTION LISTED BY CR ROD PRYOR
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, LAN900177

MOTION

That the Thornbury submission located at 2589 Castlereagh Highway Gulgong be included in the Mid-Western Region Housing Strategy.

Background

This project will have little risk or cost to Council and will provide rural lifestyle blocks that are in demand. These type of blocks are currently in low supply. A development like this has the potential to reduce some pressure on housing demand in both Mudgee and Gulgong.

Officer's comments

The draft Mid-Western Region Housing Strategy (Housing Strategy) provides a framework to ensure that Council has identified a supply of suitable and sustainable housing that responds to the diverse needs of the Mid-Western community now and into the future. The Strategy sets out current and projected housing needs based on a range of factors including demographic trends, housing supply and demand, and local land use opportunities and constraints.

As discussed within Section 9 Housing Demand of the draft Housing Strategy, the Housing Strategy must mitigate future risks to housing supply arising from, for example, landowner choice. In response, a 20% contingency has been added to demand estimates to account for such forces to balance the need to prepare for uncertainties in dwelling demand and accounting for market factors whilst avoiding over-provision.

The site the subject of this motion engaged with Council during the public exhibition process and made a submission, provided as Attachment 1, to Report 8.6 (of this Business Paper), requesting the inclusion of the site as a growth area to provide 200+ 1.0 to 1.2 hectare lots.

It was and is still recommended not to include this site within the Housing Strategy given sufficient land has been identified in proximity to Gulgong. One of the nominated growth areas to deliver 2 ha lots measures 159.8 hectares of which 119 hectares are unconstrained and undeveloped, this represents a minimum of 40 lots, noting there are other growth areas identified for 2-hectare supply. Sites currently identified for the future 2-hectare supply, as part of the preparation of the Housing Strategy were again the subject of a constraints and opportunity analysis to confirm suitability for development and lot yield.

However, if the site was to be explored for inclusion, the site constraints detailed in Report 8.2 (of the 16 April Business Paper) and again in Report 8.6 (of this Business Paper), are summarised and reproduced below:

- The subject site was excluded from the Council's Comprehensive Land Use Strategy opportunity mapping after a rigorous constraints and opportunities analysis, therefore it is not considered 'unconstrained' or strategically aligned for inclusion.
- The proposal would provide a significant oversupply of a singular lot typology of 1ha lots (i.e. there is no diversity in the lots proposed).
- Inclusion of the site would mean Council relies on a single landowner to deliver the entire current and future demand for 2ha lots, this approach has the potential to impact housing affordability. Further, relying on a sole developer to deliver majority of the supply could mean that if there are financial and/or other delays, the supply for this typology of land would be entirely compromised. Additionally, a single developer could have the potential to create a bottleneck in supply, making it harder to respond to fluctuating demand. If land supply is spread out over numerous landowners, the market is more resilient to economic shocks and developer-specific risks.
- Majority of the site includes Class 4 agricultural land (this class represents only 13% of LGA land), suitable for agriculture operations. The Urban Release Strategy 2023 Update, recommends avoiding development on Classes 2 - 4 agriculture land for future residential supply.
- Identifying additional sites when there are already 2ha sites identified could discourage investment in existing identified areas and weaken the argument that a site is required to have strategic consistency.
- Including this site would result in a 45% contingency, well above what is considered the industry maximum of 20% and risking oversupply.
- Rezoning a significant supply of land (253 hectares) will limit and possibly eliminate Council's ability to rezone further sites for 2-hectare development, including already identified land in the future. The Department of Planning Housing and Infrastructure (DPHI) currently supports Council in rezoning land to meet demand, plus the 20% contingency. The DPHI will not support the rezoning of land in addition to what is needed.

If the site were to be included in the Housing Strategy, the document would need to be updated, endorsed by Council for public exhibition, placed on public exhibition, agency engagement undertaken, submission consideration and reported back to Council for adoption. Following adoption, endorsement from the DPHI would be sought. A methodology for the inclusion of additional sites would need to be demonstrated by Council to the DPHI to support endorsement of additional sites. This process would take approximately 6-9 months.

Item 7: Office of the General Manager

7.1 Tourism Services and Regional Marketing

REPORT BY THE DIRECTOR CORPORATE SERVICES AND GENERAL MANAGER
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, A000000

RECOMMENDATION

That Council:

1. **receive the report by the Director Corporate Services and General Manager on Tourism Services and Regional Marketing;**
 2. **support in principle the changes to the Council organisational structure presented in this report by the General Manager;**
 3. **authorise the General Manager to continue and finalise the consultation process with staff and unions over the changes, including trialling the proposed structure for a period up to 12 months;**
 4. **require a management submission to the draft Community Strategic Plan – Towards 2040 to include an additional strategy under the theme Building a Strong Local Economy as follows:**
 - 4.1 **Build and grow the visitor economy;**
 5. **require a management submission to the draft Delivery Program 2025/29 and Operational Plan 2025/26 to include relevant servicing actions and budgets for Destination Marketing and Visitor Servicing;**
 6. **accept the assets and liabilities on wind-up of MRT Incorporated; and**
 7. **amend the 2025/26, 2026/27, 2027/28 budgets as listed in the Financial Implications section of this report.**
-

Executive summary

This report seeks Council's endorsement to bring the Destination Marketing and Visitor Servicing functions, formerly delivered by Mudgee Region Tourism Inc. (MRT), into the internal structure of Mid-Western Regional Council (Council), under the newly established Department of Destination Experience. This transition follows MRT's voluntary wind-up and is a key strategic move to consolidate the region's visitor economy functions under Council control.

The transition will result in updates to Council's Community Strategic Plan, Delivery Program and Operational Plan and organisational structure to reflect the establishment of the Department of Destination Experience and integration of destination-focused services.

This report seeks endorsement for the internal service model, organisational structure, budget allocations, operational planning, and risk management strategies outlined herein.

Disclosure of Interest

Nil

Detailed report

Background

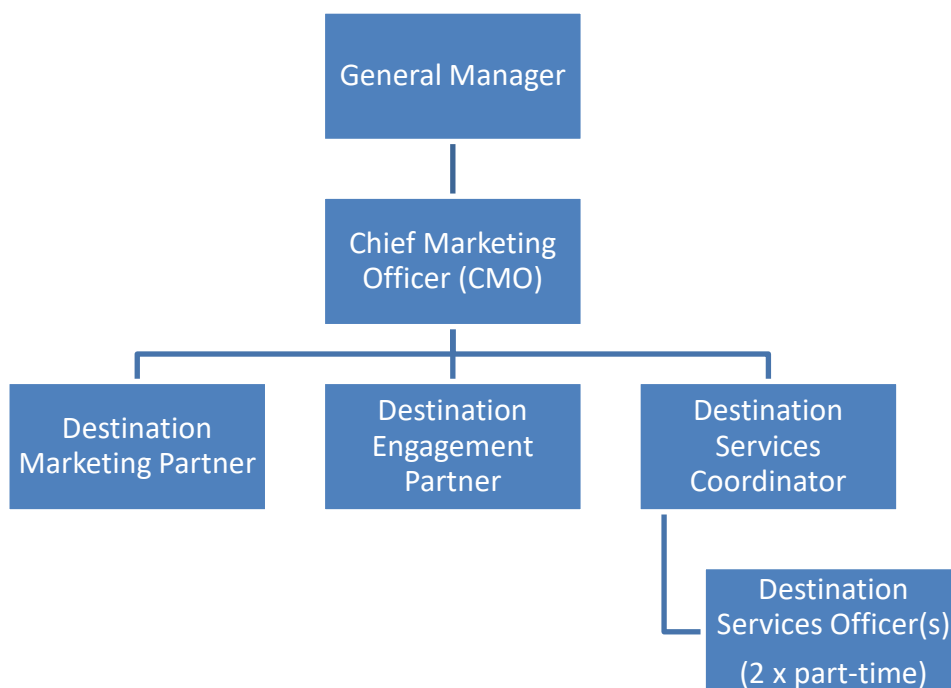
Following a voluntary cancellation by MRT, Council has conducted a comprehensive review and developed a transition plan to internalise the delivery of:

- **Destination Marketing**, and
- **Visitor Servicing**

These functions will now sit under the Department of Destination Experience, providing strategic alignment, increased accountability, and closer integration with economic development and infrastructure planning.

Updated Structure

The proposal to operate Tourism Services and Regional Marketing internally under the department of Destination Experience includes a proposed change to the organisational structure to include the below new positions:



This model ensures compliance with accreditation and continuity of service, while allowing gradual growth in line with Council's broader vision.

In line with Clause 39 of the *Local Government (State) Award 2023*, Council is currently in the **pre-consultation phase** for the proposed changes arising from the internalisation of Destination Marketing and Visitor Servicing functions. These changes involve the establishment of new positions within the Department of Destination Experience, adjustments to reporting lines, and reallocation of service responsibilities previously managed externally. Affected employees have been briefed on the draft structure and transition intent, with formal consultation to follow. This will include the provision of written information detailing the nature, purpose, and potential impact of the changes, and an opportunity for staff and their representatives to provide feedback. All input

will be considered prior to implementation to ensure the process meets Award obligations and supports a smooth, fair transition.

Community Plan implications

Theme	Good Government
Goal	An effective and efficient organisation
Strategy	Pursue excellence in service delivery

Strategic implications

Council Strategies

The transition and establishment of the Department of Destination Experience require updates to the following Council documents:

- **Community Strategic Plan:** New strategic objective under **Theme 3 – Building a Strong Local Economy** to explicitly include visitor economy and destination stewardship:
 - *3.5 Build and grow the visitor economy*
- **Delivery Program:** Inclusion of outcomes, outputs and responsibilities related to Destination Marketing and Visitor Servicing.
- **Operational Plan:** Adjustments to operational budgets, and KPIs associated with visitor economy performance.
- **Workforce Management Strategy:** Inclusion of the new department and roles within the staffing profile.

These updates will be formally presented in the May extraordinary council meeting and the June OCM.

Council Policies

Procurement and financial procedures throughout the transition will be conducted in accordance with Council's adopted policies including the Sustainable Procurement and Contracts Policy, Contractor Management Policy.

Legislation

Operations will comply with the Local Government Act 1993 (NSW) and the Local Government (General) Regulation 2021, including those around appointment of staff and organisational structure.

The Visitor Information Centre will continue to meet national accreditation standards, maintaining the required operating hours and service coverage.

Financial implications

Destination Marketing: Funded through Council's operating budget and industry co-investment. The activity budget includes contractual content creation, media partnerships, and platform maintenance.

Visitor Servicing: Includes staff costs, Point of Sale transition, product stock purchase on transfer day, and system integration.

The current tourism service and regional marketing contract budgets are:

2026 Budget	2027 Budget	2028 Budget	2029 Budget
872,719	898,900	921,373	944,407

The below operating budget allocation is recommended:

Revenue	2025/2026	2026/2027	2027/2028	2028/2029
MRTI Retained Earnings	\$100,000			
Industry Investment - Packages	\$325,000	\$350,000	\$400,000	\$450,000
Visitor Servicing Revenue	\$380,000	\$393,000	\$407,000	\$421,000
	\$805,000	\$743,000	\$807,000	\$871,000
Less:				
COGS	\$190,000	\$197,220	\$204,714	\$212,493
Employee costs	\$716,152	\$743,366	\$771,614	\$800,935
Contractors	\$597,810	\$620,527	\$644,107	\$668,583
Administrative costs	\$50,800	\$52,730	\$54,734	\$56,814
	\$1,554,762	\$1,613,843	\$1,675,169	\$1,738,825
Surplus/(deficit)	(\$749,762)	(\$870,843)	(\$868,169)	(\$867,825)
Current budget allocation	\$872,719	\$898,901	\$921,373	\$944,407
Transfer to commercial reserves	\$122,957	\$28,058	\$53,204	\$76,582

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2025/26	✓	✓	—
Future Years	✓	✓	—

Associated Risks

Risk	Mitigation Strategy
Transition disruptions	Timeline established; 1-day trading pause for stocktake; early system and HR setups
Loss of brand or partner confidence	Retaining key contractors and delivery plans for FY26, registration of trademarks and copyright as appropriate
Operational staffing gaps	Casual pool and Arts Precinct support included in rostering strategy
Financial mismanagement	Clear banking and stock purchase processes; integration with finance systems
Community or stakeholder disengagement	Ongoing industry liaison via Destination Engagement Manager
Employment legislative	Legal advice around appointment of staff in the new department

obligations not met	obtained
MRT chooses to continue trading	This risk is low as it is unlikely to occur and will have a low impact. Transfer of MRT assets on windup are not expected to be material.
Destination Marketing model fails to meet projected budget	Should industry investment be low, low levels of destination marketing would occur. A proposed transfer of the balance of unspent funds from prior MRT contract delivery would allow for a risk mitigation strategy to fund overspend, if required, especially in the first years after transition.
Failure of Visitor Servicing to be cost neutral	The 12-month trial period is designed to ensure the organisation structure is suitable and that Visitor Servicing can deliver a cost neutral model. Should this not occur, a change will be recommended to the model.

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

8 May 2025

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 8: Development

8.1 DA0158/2025 Development Application - Self Storage Units -
3 Knott Place, Caerleon NSW 2850 - Lot 10 DP 1277513

REPORT BY THE PLANNING COORDINATOR
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, DA0158/2025

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator on the DA0158/2025 Development Application - Self Storage Units - 3 Knott Place, Caerleon NSW 2850 - Lot 10 DP 1277513;
- B. approve DA0158/2025 Development Application - Self Storage Units - 3 Knott Place, Caerleon NSW 2850 - Lot 10 DP 1277513 subject to the following conditions:

GENERAL CONDITIONS

	Condition				
1.	Approved Plans and Supporting Documentation				
	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	Rev	Date:	Prepared by:
	Area Plan	A001	C	04-03-25	Structor Projects
	Site Plan	A002	C	27-02-25	Structor Projects
	Floor Plan Stage 1&2	A100	C	27-02-25	Structor Projects
	Plan & Elevations Stage 3	A101	C	27-02-25	Structor Projects
	Elevations	A200	C	27-02-25	Structor Projects
	Signage	A201	-	-	Structor Projects
	Cover Sheet & Drawing Schedule	45687- C00	B	27-01-25	Barnson
	Proposed Site Plan	45687-C02	C	07-03-25	Barnson
	Proposed Bulk Earthworks Plan	45687-C03	C	30-03-25	Barnson
	Proposed Bulk Earthworks	45687-C04	C	27-01-25	Barnson

	Specifications				
	Proposed Pavement Plan	45687-C05	B	30-03-25	Barnson
	Proposed Pavement Specification	45687-C06	B	27-01-2025	Barnson
	Proposed Stormwater Management Plan	45687-C07	C	30-03-25	Barnson
	Proposed Stormwater Specifications	45687-C08	A	27-01-25	Barnson
	Plan showing Powerline Heights	45687-C09	C	30-03-25	Barnson
	Proposed Retaining Wall	45687-C10	C	30-03-25	Barnson
	Proposed Retaining Wall Specifications	45687-C11	B	27-01-25	Barnson
	Proposed Water & Sewer Plan	45687-C12	C	30-03-25	Barnson
	Preliminary Fire Services Plan	45687-C13	D	30-03-25	Barnson
	In the event of any inconsistency with the approved plans and a condition of this consent, the condition prevails.				
	Condition Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.				
2.	Annual Fire Safety Statement				
	For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.				
	Condition Reason: To comply with legislative requirements and to safeguard people from illness or injury due to a fire in a building.				
3.	Copies of final Fire Safety Certificate				
	Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW and Council. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.				
	Condition Reason: To comply with legislative requirements and to safeguard people from illness or injury due to a fire in a building.				
4.	Compliance with the Building Code of Australia				
	All building work must be carried out in accordance with the <i>Building Code of Australia</i> .				
	Condition Reason: Prescribed condition pursuant to section 4.17(11) of the Environmental Planning and Assessment Act 1979.				
5.	Occupation Certificate				

	<p>Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building</p> <p>Condition Reason: To comply with the Environmental Planning and Assessment Act</p>
6.	<p>Commencement of works</p> <p>This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifier.</p> <p>Condition Reason: To ensure any works are carried out lawfully.</p>
7.	<p>Erection of signs</p> <p>1. This section applies to a development consent for development involving building work, subdivision work or demolition work.</p> <p>2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—</p> <p>a. showing the name, address and telephone number of the principal certifier for the work, and</p> <p>b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and</p> <p>c. stating that unauthorised entry to the work site is prohibited.</p> <p>3. The sign must be—</p> <p>a. maintained while the building work, subdivision work or demolition work is being carried out, and</p> <p>b. removed when the work has been completed.</p> <p>4. This section does not apply in relation to—</p> <p>a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or</p> <p>b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.</p> <p>Condition Reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.</p>
8.	<p>No Ponding of Stormwater</p> <p>All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.</p> <p>Condition Reason: To ensure surface water does not become a nuisance.</p>
9.	<p>Stormwater – Compliance with Appendices B and D of DCP.</p> <p>Stormwater drainage is to comply with the Mid-Western Regional Council Development Control Plan 2013 and the standards referenced in Appendix B and D.</p> <p>Condition Reason: To ensure all lots are drained in accordance with Council's requirements.</p>
10.	<p>Alterations to Public Utility Services</p> <p>Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to Council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.</p> <p>Condition Reason: To ensure any utility relocation works are carried out</p>

	without cost to Council and the requirements of the relevant authority.
11.	Clear of easements, water and sewer mains
	Notwithstanding the approved plans, the structure is to be located clear of any easements and/or 1.5 metres from any water and sewer mains in accordance with Council Policy.
	There are to be no works involving cut or fill within the registered easement or within 1.5m of the water or sewer line
	Condition Reason: To preserve the stability and structural adequacy of Councils water and sewer mains, whilst ensuring access is readily available for maintenance and/or construction purposes.
12.	Car parking – compliance with Australian Standards
	The aisle widths, internal circulation, ramp widths and grades of the car park are to generally conform to the Roads and Maritime Services (RMS) guidelines and Australian Standard AS 2890.1: 2004 – Parking facilities – Part 1: Off-street car parking. Details of compliance are to be shown on the relevant plans and specifications.
	Condition Reason: To ensure car parking is provided in accordance with RMS and Australian Standards.
13.	Compaction of Fill
	Fill placed in residential or commercial lots shall be compacted in accordance with <i>AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments</i>.
	Condition Reason: To ensure any fill is compacted to an appropriate standard, suitable for future development.
14.	Separate DA for additional signage
	Any further signage proposed on the site is subject to a separate Development Application, if the additional signage is not exempt development
	Condition Reason: To require approval of any additional signage.
15.	Outdoor lighting – obtrusive effects
	All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with <i>Australian Standard 4282 “Control of the Obtrusive Effects of Outdoor Lighting”</i>.
	Condition Reason: To protect the amenity of the surrounding area.
16.	Setback from Electricity Infrastructure
	The development must be set back a distance of 15m from the centre conductor (66kv) from the nearest part of the development to Essential Energy’s infrastructure.
	Condition Reason: To ensure safe setbacks from electricity infrastructure.
17.	Signage Maintenance
	The approved signage and related components are to be maintained in a clean, tidy and structurally sound manner, at all times.
	Condition Reason: To ensure signage is maintained and kept in good working order.
18.	Signage Amenity Impacts
	The signage is to be securely affixed and is not to flash, move or be objectionably glaring.
	Condition Reason: To protect the amenity of neighbouring properties.
19.	No illumination
	The sign must not be illuminated, at any time.
	Condition Reason: To protect the amenity of neighbouring properties
20.	Non-reflective finishes

	Metal roof/wall cladding shall be provided in a non-reflective/non-glary colour scheme such as "Colourbond" steel sheeting.
	Condition Reason: To minimise potential reflection, and to protect the amenity of surrounding properties.
21.	Work within easements
	Any work undertaken within a registered easement is to be in accordance with the relevant authority's requirements.
	Condition Reason: To ensure assets are not impacted
22.	Car Parking – Number of Spaces
	A total of 16 car parking spaces are to be provided within the site of the development and comply with AS 2890.1: 2004 – Parking facilities – Part 1: Off-street car parking and the following requirements:
	a) Each parking space is to have minimum dimensions of 5.5m x 2.4m;
	b) Each disabled car parking space is to be in accordance with the provisions of AS 2890.6: 2009 – Parking facilities – Part 6: Off-street parking for people with disabilities;
	b) All car parking spaces are to be line-marked and provided with a hard standing, concrete or bitumen surface and must be maintained in a satisfactory condition at all times; and
	c) Off street parking is to be encouraged by the placement of prominent signs indicating the availability of parking.
	Condition Reason: To ensure car parking is provide in accordance with Council and Australian Standards.

**BUILDING WORK
BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

	Condition
23.	Access to Premises Standard
	Prior to issue of a Construction Certificate, details demonstrating compliance with the Disability (Access to Premises – Buildings) Standards 2010 shall be submitted to and approved by the Certifier (i.e. Council or a private Certifier).
	Condition Reason: To assist the Certifier in determining the buildings level of compliance with respect to accessibility
24.	Fire Safety Measures
	A schedule of proposed fire safety measures are to be submitted to the Certifier (i.e. Council or a private Certifier) with the application for the Construction Certificate.
	Condition Reason: To assist the Certifier in determining the buildings level of compliance with respect to fire safety
25.	Section 68 approvals - water supply, stormwater and sewerage
	Application shall be made to Council under Part B, Section 68 of the Local Government Act 1993 to carry out Water Supply, Stormwater and Sewerage Works.
	The application shall contain details demonstrating compliance with the Plumbing and Drainage Act 2011 and/or the Plumbing Code of Australia.
	The Section 68 application shall be considered and approved by Council prior to the release of any Construction Certificate for the development.
	Condition Reason: To ensure the property is adequately serviced and necessary approvals are obtained prior to works commencing onsite.

26.	<p>Detailed Engineering Design</p> <p>A detailed engineering design is to be submitted to and approved by the Council's Development Engineering department prior to the issue of a Construction Certificate for the following works:</p> <p>a) Stormwater drainage, stormwater detention/water quality basin.</p> <p>The engineering design is to comply with the Council's Development Control Plan.</p> <p><u>Note: No works can commence prior to the issue of the Construction Certificate.</u></p> <p>Condition Reason: To ensure engineering works are designed in accordance with the relevant Australian Standard and Council's DCP.</p>
27.	<p>Drainage Report and Design</p> <p>A Drainage Report prepared in accordance with the Institution of Engineers publication <i>Australian Rainfall and Run-off</i> shall be submitted to and approved by Council's Development Engineering department prior to the release of the Construction Certificate. The drainage report and design must comply with the following requirements:</p> <p>a) Drainage design for the proposed detention basin must be accompanied by fully detailed runoff calculations and a structural design for the proposed wall certified by a suitably qualified professional Engineer.</p> <p>b) Drainage design must also incorporate suitable and appropriate water quality controls to prevent pollution or contamination of downstream environments.</p> <p>c) Drainage report and design must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5/5/20/100 year event.</p> <p>d) Drainage design must ensure that no stormwater runoff is permitted to discharge over adjoining properties. Discharge of runoff onto adjoining properties and any works associated with the control of stormwater discharge over and adjoining property must not occur without the consent of the owner of any affected property.</p> <p>Condition Reason: To ensure works are designed in accordance with the relevant Australian Standard, Australian Rainfall and Runoff and Council's DCP.</p>
28.	<p>Section 138 approval - works within road reserve</p> <p>Application shall be made to the Council under Section 138 of the Roads Act 1993 for the upgrade of industrial driveway crossover works within the road reserve. The application shall contain details demonstrating compliance with:</p> <p>a) Council's Access to Properties Policy; and</p> <p>b) Australian Standard AS/NZS 2890.1:2004 Parking Facilities – Off-street parking facilities.</p> <p>The Section 138 application shall be considered and approved by the Council prior to the release of the Construction Certificate for the development.</p> <p>Condition Reason: To ensure appropriate approvals are obtained, prior to works commencing.</p>

29.	<p>Utilities And Services</p> <p>Before the issue of a Construction Certificate, written evidence of the following service provider requirements must be provided to Mid-Western Regional Council:</p> <ol style="list-style-type: none"> letter from the electricity supply authority demonstrating that satisfactory arrangements can be made for the installation and supply of electricity; a response from Mid-Western Regional Council as to whether the development would affect any Council's infrastructure, and whether further requirements need to be met; other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, the changes that are required to make the development satisfactory to them. <p>Condition Reason: To ensure relevant utility and service providers' requirements are provided to the certifier.</p>
30.	<p>Plan of Management for Detention Basin</p> <p>Prior to the issue of construction certificate, a Plan of Management (PoM) must be prepared and submitted to Council's Development Engineering department to ensure the basin functions as designed and continues to meet stormwater quantity and quality objectives. The PoM must include:</p> <ul style="list-style-type: none"> Detailed maintenance procedures for the detention basin and related infrastructure; Inspection schedules and performance benchmarks for operational integrity; Clear identification of responsibilities for long-term ownership, operation, and upkeep; Measures to ensure the ongoing function of water quality treatment systems (e.g., gross pollutant traps, bioretention systems). <p>Condition Reason: To ensure the ongoing maintenance and function of the detention basin.</p>
31.	<p>Contributions – Section 7.12</p> <p>In accordance with the provisions of Section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i> and the <i>Mid-Western Regional Contributions Plan 2019</i>, a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of local infrastructure, prior to issue of a Construction Certificate.</p> <p>The value of works is to be calculated in accordance with Section 2.9.3 and the procedure outlined in Section 4.3 of the Contributions Plan. A report regarding value of works and any necessary certification is to be submitted to Council. Council will calculate and advise of the levy amount following submission of the documents.</p> <p>Note – based on the proposed cost of works being \$3,741,183.80, it is estimated the contribution amount will be \$37,411.84.</p> <p>Note – the contribution amount will be adjusted by the Consumer Price Index, if not paid in the same financial year the development consent was issued.</p> <p>Note – Mid-Western Regional Contributions Plan 2019 is available for perusal at Council's Administration Centre at 86 Market Street, Mudgee or on Council's website www.midwestern.nsw.gov.au under Council Documents/Strategies and Plans.</p>

	Condition Reason: To comply with legislative requirements.
32.	<p>Detailed landscape plans</p> <p>Prior to the issue of any Construction Certificate that includes above ground works, a landscape plan shall be submitted to and approved by the Certifier (i.e. Council or a private Certifier). The landscaped area must be in accordance with the approved plans (including landscaping within the 5m setback to Hill End Road and within the front setback to Knott Place) and shall be prepared by an appropriately qualified and experienced professional showing and/or achieving the following:</p> <ul style="list-style-type: none"> a) A planting schedule (including a range of plant sizes). b) A maintenance schedule. c) Re-planting regime for any plants that are damaged, dead, or removed for any reason. d) Utilise endemic species, where practicable, which are appropriate for the site. e) Landscaping within existing / proposed easements to meet the requirements of the relevant authority. <p>Condition Reason: To ensure suitable and appropriate landscaping is provided.</p>
33.	<p>Long Service Levy</p> <p>Prior to the issue of a Construction Certificate, the developer shall pay a Long Service Levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$250,000 or more.</p> <p>Note - The amount payable is currently based on 0.25% of the cost of work. This is a State Government Levy and is subject to change.</p> <p>Note – Council can only accept payment of the Long Service Levy as part of the fees for a Construction Certificate application lodged with Council. If the Construction Certificate is to be issued by a Private Certifier, the Long Service Levy must be paid directly to the Long Service Levy Corporation or paid to the Private Certifier.</p> <p>Condition Reason: To ensure the correct levy is paid in accordance with NSW State Government requirements.</p>

BEFORE BUILDING WORK COMMENCES

	Condition
34.	<p>Pre-construction notifications</p> <p>In accordance with the provisions of the Environmental Planning and Assessment Act 1979 construction works approved by this consent must not commence until:</p> <ul style="list-style-type: none"> a) A Construction Certificate has been issued by the Certifier (i.e. Council or an accredited certifier); and b) A Principal Certifier has been appointed by the person having benefit of the development consent in accordance with the Environmental Planning and Assessment Act 1979; and c) If Council is not the Principal Certifier, notify Council no later than two (2) days before building work commences as to who is the appointed

	<p>Principal Certifier; and</p> <p>d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.</p> <p>Condition Reason: Legislative requirement pursuant to Section 6.6 and 6.7 of the EP&A Act 1979</p>
35.	<p>Construction waste enclosure</p> <p>The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.</p> <p>NOTE - ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE</p> <p>Condition Reason: To restrict pollution and protect the amenity of the neighbourhood during construction</p>
36.	<p>Hoarding</p> <p>If the work involved in the erection/demolition of the building; a) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or b) involves the enclosure of a public place, then a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.</p> <p>Condition Reason: To protect the public, and the surrounding environment, during site works and construction</p>
37.	<p>Erosion And Sediment Controls in Place</p> <p>Before any site work commences, Mid-Western Regional Council must be satisfied that the erosion and sediment controls in the erosion and sediment control plan are in place. These controls must remain in place until any bare earth has been restabilised in accordance with 'Managing Urban Stormwater: Soils and Construction' prepared by Landcom (the Blue Book) (as amended from time to time).</p> <p>Condition Reason: To ensure sediment-laden runoff and site debris do not impact local stormwater systems and waterways.</p>
38.	<p>Importation Of Fill Material – During Works</p> <p>Any fill material that is imported to the site must be analysed and classified by an appropriately qualified and experienced environmental consultant in accordance with the relevant NSW EPA Guidelines, including the Waste Classification Guidelines (2014).</p> <p>To ensure that fill material is suitable for the proposed use, only material classified as Virgin Excavated Natural Material (VENM), or Excavated Natural Material (ENM) is permitted to be imported onsite.</p> <p>Condition Reason: To ensure soil imported to the site is not contaminated and is safe for future occupants</p>
39.	<p>Re-Use of Site Soils – During Works</p> <p>Any existing soils to be re-used on the site must be analysed and classified</p>

	by an appropriately qualified and experienced environmental consultant, in accordance with the relevant EPA guidelines, including the <i>Waste Classification Guidelines</i> (2014), to ensure that the soil is suitable for the proposed residential land use.
	Condition Reason: To ensure soil imported to the site is not contaminated and is safe for future occupants

DURING BUILDING WORKS

	Condition
40.	Plumbing and Drainage Work All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of the Plumbing & Drainage Act 2011 and the Plumbing Code of Australia. Condition Reason: To ensure work is carried out by an authorised person and comply with certain legislation and minimum standards
41.	Construction Noise and Hours Construction work noise that is audible at other premises is to be restricted to the following times: a) Monday to Saturday - 7.00am to 5.00pm No construction work noise is permitted on Sundays or Public Holidays. Condition Reason: To protect the amenity of the surrounding area
42.	Fire Safety Schedule The list of fire safety measures contained in the fire safety schedule attached to the relevant development consent for a change of use, construction certificate or complying development certificate, are required to be installed in the building or on the land to ensure the safety of persons in the event of fire. Condition Reason: To ensure the safety of persons using the building in the event of a fire
43.	Management of Development Site The development site is to be managed for the entirety of work in the following manner: a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation; b) Appropriate dust control measures; c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained; d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Condition Reason: To protect the amenity of the environment and neighbourhood during construction
44.	Mandatory Inspections All mandatory inspections required by the Environmental Planning and Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifier shall be carried out during the relevant stage of construction. Condition Reason: To ensure the building work is consistent with approvals, endorsed plans, specifications and relevant documentation.
45.	Procedure For Critical Stage Inspections

	<p>While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p>Condition Reason: To require approval to proceed with building work following each critical stage inspection.</p>
46.	<p>Waste Management</p> <p>While site work is being carried out:</p> <ol style="list-style-type: none"> 1. all waste management must be undertaken in accordance with the waste management plan; and 2. upon disposal of waste, records of the disposal must be compiled and provided to Mid-Western Regional Council, detailing the following: <ol style="list-style-type: none"> a. The contact details of the person(s) who removed the waste; b. The waste carrier vehicle registration; c. The date and time of waste collection; d. A description of the waste (type of waste and estimated quantity) and whether the waste is to be reused, recycled or go to landfill; e. The address of the disposal location(s) where the waste was taken; f. The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. <p>If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, records in relation to that Order or Exemption must be maintained and provided to the principal certifier and Council.</p> <p>Condition Reason: To require records to be provided, during site work, documenting the lawful disposal of waste.</p>
47.	<p>Access and Facilities</p> <p>This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.</p> <p>Condition Reason: To ensure the building owners/applicants/occupants are aware of their responsibilities under the Disability Discrimination Act 1992</p>
48.	<p>Existing Damage to Council Property</p> <p>Prior to the commencement of works on site, the applicant shall advise Council's Operations Department in writing, of any existing damage to Council property.</p> <p>Condition Reason: To ensure any damage to public infrastructure is rectified</p>
49.	<p>Full Cost of The Developer</p> <p>All works are to be constructed at the full cost of the developer, in a manner consistent with Aus-Spec #1 and Council's standard drawings.</p> <p>Condition Reason: To ensure all works are constructed in accordance with Council's standards and at no cost to Council.</p>

BEFORE ISSUE OF OCCUPATION CERTIFICATE

	Condition
50.	<p>Compliance with Section 68 Approvals</p> <p>Prior to use of the development and/or issue of an Occupation Certificate, a satisfactory final inspection report from the Council must be received by the Certifier, verifying that the building is connected to reticulated water supply, stormwater and/or sewerage in accordance with the relevant section 68 approval/s.</p>

	Condition Reason: To ensure compliance with Council's S68 approvals.
51.	Finish of Surface Around Site
	Prior to use of the development and/or issue of an Occupation Certificate, the excavated and/or filled areas of the site are to be stabilised and drained, to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the building is to be graded to prevent ponding of water, and to ensure the free flow of water away from the building and adjoining properties.
	Condition Reason: To ensure runoff does not impact on the building or adjoining properties.
52.	Stormwater to the Street
	Prior to use of the development and/or issue of an Occupation Certificate, all roof water shall be conducted to the street gutter by means of a sealed pipeline having a minimum diameter of 90mm. Please note this can be achieved by connecting to existing stormwater lines.
	Condition Reason: To ensure runoff does not impact on the building or adjoining properties.
53.	Completion Of Landscape and Tree Works
	Before the issue of an Occupation Certificate, the principal certifier must be satisfied all landscape and tree-works have been completed in accordance with approved plans and documents and any relevant conditions of this consent.
	Condition Reason: To ensure the approved landscaping works have been completed in accordance with the approved landscaping plan(s).
54.	Fire Safety Certificate
	Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifier to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Section 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for each measure listed in the schedule. The certificate must only be in the form specified by Section 86 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
	Condition Reason: To comply with legislative requirements and to safeguard people from illness or injury due to a fire in a building.
55.	Completion Of Car Parking and Driveway
	Prior to the commencement of use of the development and/or the issue of an Occupation Certificate, all approved car parking and associated driveway works are to be completed.
	Condition Reason: To ensure compliance with the requirements of the consent.
56.	Repair Of Infrastructure
	<p>Before the issue of an Occupation Certificate:</p> <ol style="list-style-type: none"> 1. any public infrastructure damaged as a result of the carrying out of work approved under this consent (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) must be fully repaired to the written satisfaction of Council, and at no cost to Council; or 2. if the works in (a) are not carried out to Council's satisfaction, Council may carry out the works required and the costs of any such works must be paid as directed by Council and in the first instance will be paid using the security deposit required to be paid under this consent.

	Condition Reason: To ensure any damage to public infrastructure is rectified.
57.	Final inspection report The final inspection report shall be submitted to Council with the Subdivision Certificate application.
	Condition Reason: To ensure compliance with Council's requirements.
58.	Maintenance Of Wastewater and Stormwater Treatment Device During occupation and ongoing use of the building, all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) must be regularly maintained to remain effective and in accordance with any positive covenant (if applicable).
	Condition Reason: To protect sewerage and stormwater systems.
59.	Restrictions on title – Detention Basin A Section 88B Instrument must be prepared and registered over the land containing the detention basin as a positive covenant to ensure the ongoing maintenance and operation of the stormwater infrastructure. This instrument shall: <ul style="list-style-type: none"> • Assign responsibility for maintenance and compliance to the lot owner/registered proprietor; • Include the Plan of Management (PoM) as an annexure to the instrument, ensuring its requirements are legally binding; • Stipulate that the Mid-Western Regional Council is the sole authority authorised to release, vary, or modify the covenant; • Be submitted to the Council for review and approval prior to the issue of an Occupation Certificate. • The maintenance logbook shall be made available to Council upon request for review to ensure compliance with the approved stormwater management plan and relevant conditions.

OCCUPATION AND ONGOING USE

	Condition
60.	Vehicles – Entry and Exit in A Forward Direction Only All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site. Signage identifying the driveway and car park as low speed environments is also to be appropriately located within the site.
	Condition Reason: To ensure the safe and efficient operation of the site.
61.	Vehicles – Loading Wholly on Site All loading and unloading in connection with the premises shall be carried out wholly within the site. This condition does not apply to garbage collection.
	Condition Reason: To ensure the safe and efficient operation of the site.
62.	Maintenance Of Pavement Surface and Wheel Stops The pavement surface and wheel stops for the on-site car parking and associated manoeuvring areas are to be maintained in a workable condition at all times. Any damage to the pavement surface is to be repaired as soon as practicable.
	Condition Reason: To ensure the safe and efficient operation of the car parking areas.
63.	Maintenance Of Line-Marking Within Car Park All line-marking for the on-site car parking spaces and footpath areas are to be maintained in a visible condition, at all times.
	Condition Reason: To ensure the safe and efficient operation of the car

	parking areas.
64.	All Car Parking Within Site
	All parking associated with the use is to be contained wholly within the site.
	Condition Reason: To ensure the safe and efficient operation of the site.
65.	No Storage in Parking Areas
	All car parking spaces, loading and unloading areas, vehicle manoeuvring, and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.
	Condition Reason: To ensure the safe and efficient operation of the site.
66.	Driveways To Be Maintained
	All access crossings and driveways are to be maintained for the life of the development.
	Condition Reason: To ensure the safe and efficient operation of the development.
67.	No Interference with Amenity
	There being no interference with the amenity of the neighbourhood by reason of the emission of any “offensive noise”, vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
	Condition Reason: To protect the amenity of the surrounding area.
68.	Clean and Tidy
	The development is to be maintained in a clean and tidy manner, at all times.
	Condition Reason: To ensure the site is kept in a clean and tidy state and does not affect the amenity of the surrounding area.
69.	Maintenance of Landscaping
	Landscaping is to be maintained in accordance with the approved landscape plan for the life of the development. If any of the vegetation comprising the landscaping dies or is removed, it is to be replaced with vegetation of the same species and similar maturity as the vegetation which has died or was removed. d
	Condition Reason: To ensure that any approved landscaping is maintained and preserved for the life of the development.
70.	Bushfire emergency and evacuation plan
	A bushfire emergency management and evacuation plan is to be developed that addresses the measures to be taken in response to the various bushfire danger ratings issued by the NSW RFA as well as any spot fires that may start up in the vicinity of the property.
	Condition Reason: To provide for the protection of human life in the event of bushfire
71.	Storage of Hazardous Materials
	Storage of any hazardous materials should be located away from the bushfire hazard where possible.
	Condition Reason: To provide for the protection of human life and assets in the event of bushfire

Essential Energy Comments:

- A distance of 15m from the centre conductor (66kv) from the nearest part of the development to Essential Energy’s infrastructure (measured horizontally) is required to ensure that there is no safety risk.

If the applicant would like to submit a request to encroach then they will need to complete a Network Encroachment Form via Essential Energy’s website

[Encroachments \(essentialenergy.com.au\)](https://essentialenergy.com.au) and provide supporting documentation such as a Blowout report which indicates that the proposed structure meets the requirements of AS 7000 created by a level 3 electrical designer. A list of ASPs can be found at: <https://www.energy.nsw.gov.au/households/guides-and-helpful-advice/being-more-energy-efficient/understand-your-energy-bill/altering-supply>

Applicants are advised that fees and charges will apply where Essential Energy provides this service.

- It is also essential that all works comply with SafeWork clearance requirements. In this regard it is the responsibility of the person/s completing any works to understand their safety responsibilities. The applicant will need to submit a [Request for Safety Advice](#) if works cannot maintain the safe working clearances set out in the [Working Near Overhead Powerlines Code of Practice](#), or [CEOP8041 - Work Near Essential Energy's Underground Assets](#).
- If the proposed development changes, there may be potential safety risks, and it is recommended that Essential Energy is consulted for further comment.
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
- Any activities in proximity to electrical infrastructure must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW); the location of overhead and underground powerlines are also shown in the Look Up and Live app essentialenergy.com.au/lookupandlive.

Council Advisory Notes

3. 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".
4. The Contractor is required to contact Dial Before You Dig to obtain details of the location of the various services in the vicinity of the subdivision to minimise the chance of disturbing utility services as well as the location of services which require to be relocated. DBYD can be contacted online <https://www.1100.com.au> or by phone on 1100.
5. 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.
6. Division 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made within 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.

- 7. If you are dissatisfied with this decision section 8.7 of the EP&A Act gives you the right to appeal to the Land and Environment Court within 6 months after the date on which you receive this notice, pursuant to section 8.10(1)(b).**
- 8. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.**

Executive summary

OWNER/S	Sutwood Pty Limited
APPLICANT:	Structor Projects Pty Limited
PROPERTY DESCRIPTION	Lot 10 DP1277513 3 Knott Place, CAERLEON NSW 2850
PROPOSED DEVELOPMENT	Self-Storage Units
ESTIMATED COST OF DEVELOPMENT:	\$3,741,183.80
REASON FOR REPORTING TO COUNCIL:	Exceeds staff's <i>Delegation of Authority</i> , in that the value of the application exceeds \$3 million.
PUBLIC SUBMISSIONS:	Nil

Council is in receipt of Development Application DA0158/2025 that seeks approval for self-storage units, located at 3 Knott Place, Caerleon NSW 2850, Lot 10 DP1277513, received by Council on 31 January 2025.

The site, at 8076m² in size, is located within the new industrial estate off Hill End Road at the end of the Knott Place cul-de-sac and has frontage to both Knott Place and Hill End Road.

It is proposed to construct self-storage units and signage associated with the brand "Storage King". The development will consist of three buildings containing 191 self-storage units ranging in size from 2.25m² to 37m². An office will be located at the entrance to the site with associated amenities. Entry and exit to the site will be via automatic gates near the office from Knott Place with a total of 16 car spaces available within the site. The site is to be available all hours for owners, storage shed tenants and others with permitted access. Signage is proposed on the building facades of the office and facing Hill End Road.

Electricity lines and associated easements impact a significant portion of the site. Any development within or in the vicinity of the electricity lines / easement will be required to be in accordance with the requirements of the electricity authority, Essential Energy. Buildings will be setback from the electricity infrastructure in accordance with Essential Energy requirements.

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

The proposed development has been assessed in accordance with Council's Development Control Plan and Local Environmental Plan. The proposed development is considered generally consistent with Council's planning controls. It is noted that the proposal includes an acceptable variation to the front setback requirement to Knott Place which will be in line with existing / future development on adjoining properties.

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the value of the application exceeds \$3 million.

The application is recommended for Approval.

Disclosure of Interest

Nil

Detailed report

SUBJECT SITE AND SURROUNDING AREA

The subject site is legally described as Lot 10 DP 1277513 and is known as 3 Knott Place, Caerleon.

The site is located within a recently subdivided industrial estate off Hill End Road. The surrounding lots within the estate are either vacant, recently developed or under development with the lot to the north east of the site strata subdivided for warehouse units. The lot to the north west is a Council drainage reserve which has also been developed for a sewer pump station.

The area surrounding the industrial estate is generally rural residential, with the industrial subdivision situated on the northern side of Hill End Road opposite Council's waste facility.

The proposed development site has an area of 8076m² with frontages to both Knott Place and Hill End Road. Access to the subject site is off Knott Place with no direct access permitted from Hill End Road. The site is currently vacant with electricity lines crossing in a north south direction across the eastern side of the site. Figure 1 shows an aerial image of the subject lot and surrounds including location of electrical infrastructure.



Figure 1: Location of subject site and electrical infrastructure.

DEVELOPMENT DETAILS

The application proposes the construction of a self-storage facility over three buildings. Self-storage units will range in size from 2.25m² to 37m². An office will be located at the entrance to the site with associated amenities. Entry and exit to the site will be via automatic gates near the office.

Storage Facility 1 will have a floor area of 1,296m² and will include the office and amenities and 80 units ranging in size from 2.25m² to 26m².

Storage Facility 2 (fronting Hill End Road) will have a floor area of 1470m² comprised of 99 units ranging in size between 3m² to 15.4m².

Storage Facility 3 (located along the east boundary) will have a floor area of 384m² comprised of 12 units ranging in size between 25m² and 37m².

The premises is proposed to be available at all hours for owners, storage shed tenants and others with permitted access.

A total of 16 car spaces will be provided across the site with 3 spaces (including an accessible space) adjacent to the office area. Vehicles will enter and exit from Knott Place; no vehicular access is proposed from Hill End Road.

Cut and fill is proposed across the site with retaining walls to be provided generally on its eastern side.

Signage is proposed throughout the development including on the south elevation where it will face Hill End Road and in association with the office building. Brand colours associated with the Storage King brand (i.e. blue and yellow) are also proposed to be painted on the buildings throughout the development.

Figure 2 shows an extract of the proposed site plan and Figure 3 shows elevations of two of the buildings. A full set of the proposed application plans is provided in **Attachment 1**.

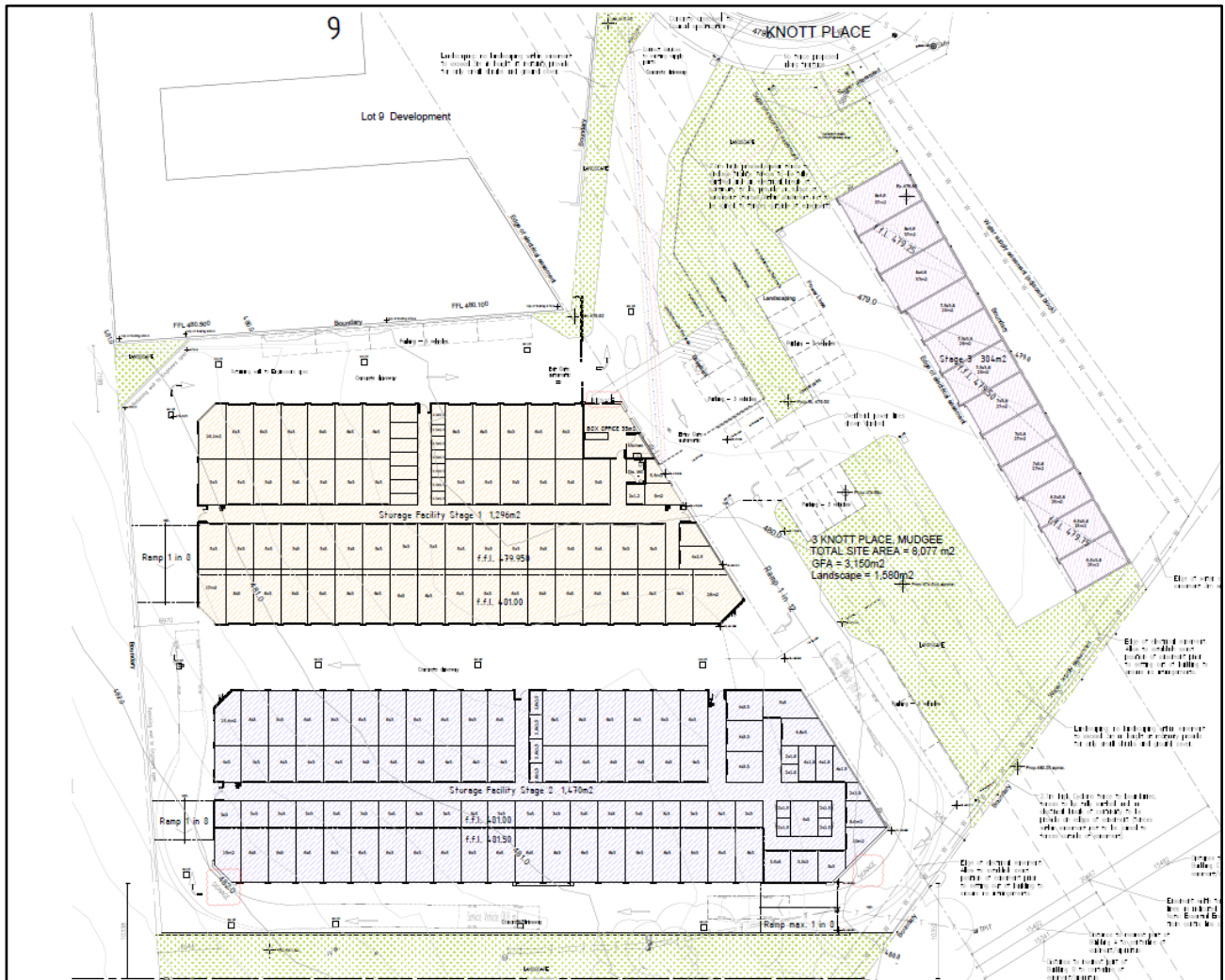


Figure 2: Proposed site plan

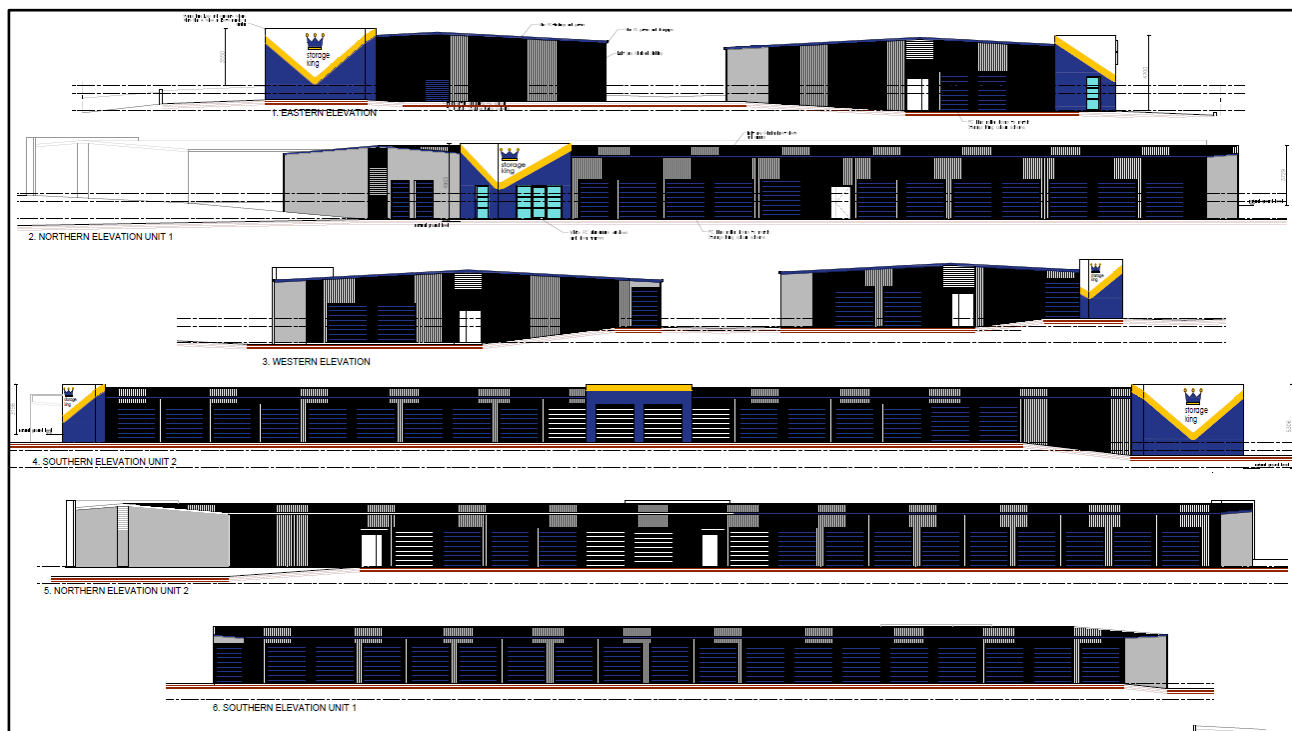


Figure 3: Proposed elevations of Units 1 and 2

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 removal of vegetation or koala habitat under this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021 The application proposed signage on the façade. An assessment of the provisions of the SEPP has been undertaken below:

Assessment Criteria		Comment
1 - Character of the area	<ul style="list-style-type: none"> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	The proposed signage is compatible with the existing and future desired character of the industrial estate.
2 - Special areas	<ul style="list-style-type: none"> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas? 	The site is not identified as a special area. The colours of the proposed signage are appropriate to the emerging industrial area and proposed buildings. The signage as proposed is appropriately symmetrical, sized and appropriate for an industrial site.
3 - Views and vistas	<ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? 	The proposed signage is located on the façade of the proposed building and does not impact on significant views within the area nor impact on viewing rights of other advertisers.
4 - Streetscape, setting or landscape	<ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? 	The scale and proportion of the proposed signage is appropriate and in-keeping with the available space on the site for signage. The proposal does not protrude above buildings or impact on existing vegetation, nor does it require ongoing maintenance.
5 - Site and building	<ul style="list-style-type: none"> Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	The proposed signage is located on the façade of the proposed building and has been appropriately located to not adversely impact the visual quality of the building.
6 - Associated devices and logos with advertisements and advertising structures	<ul style="list-style-type: none"> Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed? 	No associated devices or structures are required.
7 - Illumination	<ul style="list-style-type: none"> Would illumination result in 	No illumination is proposed.

	<p>unacceptable glare?</p> <ul style="list-style-type: none"> • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? 	
8 - Safety	<ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>It is not expected that the proposed signage will result in any significant impacts with regards to safety of the public given that the proposed signage is appropriately located.</p>

STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021

The proposed development is not State or Regionally Significant Development nor is impacted by any other requirements of this Policy. The proposal has a CIV of \$3,741,183.80 (excluding GST) and is not a use outlined in the SEPP. No further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Pursuant to section 4.6 of the Policy, a site inspection and a search of council's records did not reveal any potentially contaminating activities upon the site. Accordingly, no further consideration is necessary.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

The provisions of this SEPP have been considered in the assessment of the development application. The following sections of the Transport and Infrastructure SEPP are considered relevant to the application:

Section 2.119 - Development with frontage to classified road

This Section is relevant as the development has frontage to a classified road (being Hill End Road). The development is consistent with the requirements of this section as follows:

(a) *Where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*

Comment Access to the development will be provided from Knott Place.

(b) *The safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*

(i) *the design of the vehicular access to the land, or*

Comment No impact – vehicular access to the land will be from Knott Place and not the classified road.

(ii) *the emission of smoke or dust from the development, or*

Comment No impact – no significant emissions expected. The development is for self-storage unit development with sealed internal access roads.

(iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

Comment Upgrades to the intersection of Hill End Road to the subdivision were completed in association with the subdivision DA. It is considered that the traffic generated by the development is in line with that expected when the DA for the development of the subdivision was originally approved and as such no upgrades are required.

(c) *The development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

Comment The development is industrial in nature and will not be sensitive to traffic noise or vehicle emissions.

Division 5 Subdivision 1 Electricity transmission or distribution networks
Section 2.48 Determination of development applications – other development

The subject site is affected by electricity lines and associated easement. The application was referred to Essential Energy in compliance with this clause, inviting comments about potential safety risks. Essential Energy has confirmed that given the development will have a minimum setback of 15m from the centre conductor (66kv) that there are no safety risks.

Comments provided by Essential Energy have been recommended to be included as notations / conditions as relevant. Conditions will also be included to ensure that any works within the easement meet the requirements of Essential Energy.

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

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

Clause 1.2 Aims of Plan

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

Clause 1.4 Definitions

The proposal is defined in accordance with the MWRLEP 2012 as a:

self-storage units means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).

Note—

Self-storage units are a type of **storage premises**—see the definition of that term in this Dictionary.

storage premises means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment, local distribution premises or a warehouse or distribution centre.

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned E4 General Industrial and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned E4 General Industrial pursuant to MWRLEP 2012. The proposal, being **self-storage units** is permissible with consent in the zone and complies with the relevant objectives.

The objectives of the zone and how the proposal satisfies the objectives is addressed below:

E4 General Industrial

1. *To provide a range of industrial, warehouse, logistics and related land uses.*

Comment The proposal will contribute to the variety of industrial and warehouse uses in the immediate area.

2. *To ensure the efficient and viable use of land for industrial uses.*

Comment The proposal will contribute to viable and efficient use for industrial purposes.

3. *To minimise any adverse effect of industry on other land uses.*

Comment The proposal is not expected to generate any significant adverse impacts upon adjoining land uses subject to compliance with the conditions of consent.

4. *To encourage employment opportunities.*

Comment The proposal is expected to generate additional employment opportunities.

5. *To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers*

Comment Not applicable

6. *To promote a safe and efficient network for the movement of heavy vehicles and to minimise the intrusion of heavy vehicles into nearby residential areas.*

Comment The proposal incorporates adequate manoeuvring area for the expected truck size and will assist in reducing the need for industrial type development within the residential area.

Clause 4.3 Height of buildings

The subject site is not mapped for a maximum height limit.

Clause 5.4 Controls relating to miscellaneous permissible uses

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

Clause 5.10 Heritage Conservation

No items of aboriginal significance or a heritage item are recorded on the site or in the vicinity.

Notwithstanding this, a condition will be placed upon the consent ensuring that work is ceased should an item be discovered during construction.

Clause 5.21 Flood planning

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

Clause 6.1 Salinity

The proposal only involves minimal earthworks and is not expected to significantly affect the process of salinisation.

Clause 6.3 Earthworks

The proposal involves only minor earthworks to prepare the site for the development. The works are not expected to generate any significant impacts as listed in Clause 6.3(3). Conditions of consent have been included to ensure any earthworks related activities are carried out appropriately and minimise impacts upon neighbouring properties.

Clause 6.4 Groundwater vulnerability

The site is identified as groundwater vulnerable in accordance with Council's mapping. No broad excavation is needed to facilitate the proposal and no significant impacts upon those matters contained within clause 6.4(3) is expected as a result of the proposed development. Given the extent of excavation, it is considered that the development would not cause groundwater contamination, adversely affect any groundwater dependent ecosystems, will not cumulatively impact potable water supply, and therefore no special measures, or conditions of consent would be considered necessary.

Clause 6.5 Terrestrial biodiversity

A small area of the development footprint is located within an area of 'Moderate Biodiversity Sensitivity'. However, no vegetation is proposed to be removed as a result of the proposed development, and as such Council is satisfied of those matters that must be addressed prior to development consent being granted.

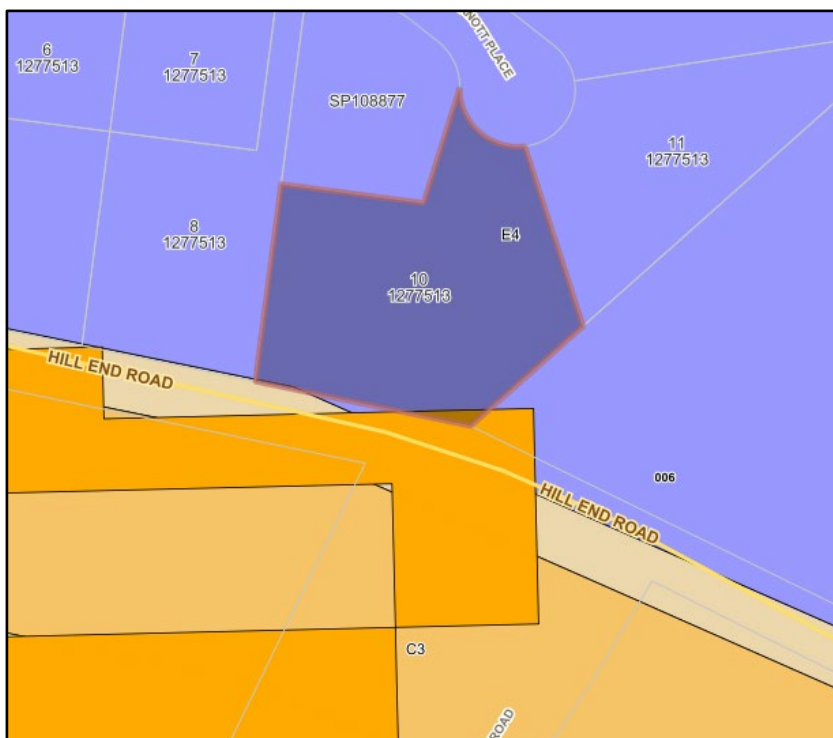


Figure 4: Moderate Biodiversity Sensitivity mapping

Clause 6.7 Active street frontages

Not applicable. The site is not located within the area mapped as 'Active street frontage'.

Clause 6.8 Airspace operations – Mudgee Airport

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

Clause 6.9 Essential Services

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

- (a) the supply of water – reticulated water is available to the development
- (b) the supply of electricity – mains electricity is available to the development
- (c) the disposal and management of sewage – reticulated sewer is available to the development.
- (d) stormwater drainage or on-site conservation – Concept drainage plan provided with stormwater captured and directed towards Knott Place kerb after being retained within the on-site detention basin. Operation and maintenance of the detention basin will be the responsibility of the lot owner. As such a Plan of Management will be required and registered as a Positive Covenant.
- (e) suitable road access – vehicular access is to be provided from Knott Place.

Clause 6.10 Visually sensitive land near Mudgee

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

Clause 6.16 Development on land in Zone E4

The objectives of this clause are as follows—

- a) to maintain an adequate separation between general industrial land uses and residential land uses,
- b) to prevent the likely adverse impacts, if any, of outputs from industrial land uses on adjacent residential accommodation, including noise, vibrations, odours, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil,
- c) to ensure neighbouring residents can enjoy a reasonable level of amenity without preventing the operation of general industrial land uses,
- d) to provide a visual separation between primary buildings and structures on industrial land and neighbouring residential accommodation.

Comment: This clause applies to the subject site as the land is Zone E4 General Industrial. The proposal is located within an industrial estate. The proposal is unlikely to impact on the future adjacent residential areas, located approximately 340m to the west of the subject site. The proposal is consistent with the objectives of this clause and development consent may be granted in accordance with clause 6.16(3).

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

(ii) Draft environmental planning instruments (EPI)

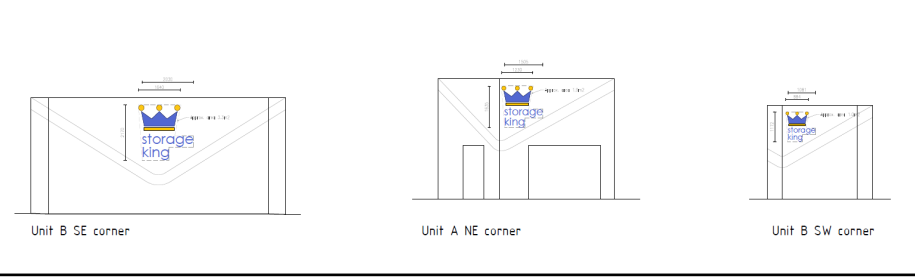
No draft environmental planning instruments apply to the land to which the Development Application relates.

(iii) Any development control plans

MID-WESTERN REGIONAL DCP 2013

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

Part 4.4 Signs

Section	Discussion	Complies?
4.4 Signs	<p>Wall Sign: A sign attached directly to the wall of the building or painted directly onto the wall excluding signs including the parapet of the building.</p> <p>Comment: The application proposes signage on the external façade of the building. See Figure 5. Brand colours (blue and yellow) are also proposed to be painted on some facades as shown in the elevation plans provided in Attachment 1.</p>  <p>Figure 5: Proposed signage.</p>	Yes.
Industrial Areas	<p>a) Non-Illuminated Pole/pylon signs and directory boards shall be limited to a maximum of 6m² advertising area and a maximum overall height of 5 metres. In general the bottom of a pole or pylon signs should be at least 3 metres above ground level. Comment: Not proposed.</p> <p>b) Illuminated Pole or pylon signs must have a maximum area of 4m². Comment: Not proposed.</p> <p>c) A maximum of one pole or pylon sign can be erected without Council approval if the above requirements are met. Comment: Not proposed.</p> <p>d) A maximum of two (1) pole or pylon signs shall be permitted per site frontage. Comment: Not proposed.</p> <p>e) In the case of an industrial multi unit complex, one (1) directory sign board of up to 8m² in any area may be permitted with approval. Each industrial unit may have a sign at the entrance of each unit having the maximum dimensions of 2000mm by 600mm without approval. Comment: Not proposed.</p> <p>f) One sandwich board sign per site is permitted without approval however must be located inside the property boundaries and weighted and securely fixed so that it will not blow over. A maximum area of 2m² per side applies. Comment: Not proposed.</p> <p>g) Council will not approve the use of flashing lights, bunting and other devices to attract attention to a business. Comment: Not proposed.</p>	Yes.

	h) Individual directional signage will not be permitted. Comment: Not proposed.	
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Part 4.6 Industrial Development

DEVELOPMENT CONTROL REQUIREMENT	COMPLIANCE / COMMENT
Setbacks	
<p>Less than 2000m²: Front 6m to street; nil side/rear secondary frontage 4m; site coverage 60%</p> <p>2001m² 5,000²: Front 12m to street; nil side/rear; 10m secondary frontage; site coverage 55%</p> <p>Over 5,001m²: Front 15m to street; nil side/rear; 12m secondary frontage for corner lots; site coverage 50%</p>	<p>The site area is 8076 m² therefore the requirements for lots over 5,001m² apply to the development.</p> <p><u>Front setback:</u> proposed front setback is 12m which represents a variation of 20% to the required 15m setback. The applicant has requested a variation to the front setback providing the following acceptable justification:</p> <ul style="list-style-type: none"> • The surrounding lots are predominantly less than 5,001m² thus requiring 12m front (street) setback. In this sense, the site would maintain context to neighbouring lots. • The proposed development is single storey and partially shielded by the neighbouring property to the north and thus shall not dominate the Knott Place streetscape area. • The width of the street frontage is minimal given the fact it is in the cul-de-sac and is somewhat behind a neighbouring lot to the north-west; and • A large amount of landscaping (entirety of 12m setback) is proposed in front of the building line to help soften the visual impact. <p><u>Side / rear setback:</u> complies.</p> <p><u>Secondary frontage for corner lots:</u> N/A</p> <p><u>Site coverage:</u> complies</p> <p>Site is 8076m² and GFA is 3150m². Site coverage is therefore 39%.</p>
Landscaping	
<ul style="list-style-type: none"> - 5m in front for Sydney Road; 3m in front for all other; - Landscaping in front to improve visual presentation from street; - Side/rear setbacks to provide visual relief from public areas; 	<p>The Knott Place frontage will have landscaping wider than 3m.</p> <p>Further landscaping is proposed throughout the site</p> <p>5m landscaping strip to Hill End Road required under previous subdivision to be retained.</p>

DEVELOPMENT CONTROL REQUIREMENT	COMPLIANCE / COMMENT
<ul style="list-style-type: none"> - Must consist of mature trees and lawn which are low maintenance, drought and frost tolerant; - Must be provided in car parks if >10 spaces required 	<p>A condition will be included requiring detailed landscape plans to be submitted prior to the issue of a Construction Certificate. It is noted that any landscaping within existing easements will need to meet the requirements of the relevant electrical authority.</p>
Design	
<p>Low scale building elements (display areas, offices, amenities) to be located at front and constructed in brick or concrete; roof materials non-reflective</p>	<p>Complies and is consistent with other existing building in the street</p>
Fence	
<ul style="list-style-type: none"> – Must be powder coated – Work/storage areas visible from street must be masonry or pre-coloured metal cladding, min. 2m height and set back from street – Gates set back from street by length of largest vehicle accessing site 	<p>Complies</p> <p>Entry gates well setback from the street frontage.</p>
Utilities	
<ul style="list-style-type: none"> – Statement of servicing to be provided (water, sewer, stormwater) – Adequate provision for storage/handling waste – LTW application to be provided where liquid wastes proposed to be discharged to Council's sewer – No buildings in utility easements 	<p>All essential services are available to the site.</p> <p>Stormwater to drain to Knox Place with post flows equalling pre flows. A detention basin is proposed within the front setback to Knox Place.</p>
Traffic and Access	
<p>(a) Traffic Access Report to be submitted that demonstrates:</p> <ul style="list-style-type: none"> (i) Site access (ii) Loading/unloading facilities (to be contained within the site and to be able to cater for largest design vehicle) (iii) Safe on-site manoeuvring area for the largest design vehicle 	<p>A plan has been submitted which shows:</p> <ul style="list-style-type: none"> - Ingress/egress access from Knott Place - Specific loading / unloading facility not required due to the nature of the self-storage use. - Manoeuvring shown on plans
<p>(b) Unsealed vehicle movement areas are not acceptable due to environmental impacts.</p>	<p>All manoeuvring areas including internal access roads and car spaces are proposed to be concrete sealed. Condition included.</p>
<p>(c) All vehicles must be able to enter and leave in a forward direction.</p>	<p>Complies</p>
<p>(d) The number of access points from a site to any one street frontage is limited to 1</p>	<p>Complies – 1 entry/exit point provided.</p>

DEVELOPMENT CONTROL REQUIREMENT	COMPLIANCE / COMMENT
ingress and 1 egress	
(e) No vehicular access will be permitted to a Main Road where there is an alternate access point.	Complies – all access to the development is proposed via Knott Place. No access from Hill End Road proposed.
(f) Driveways must be provided in accordance with AS2890.1 Parking Facilities	To be conditioned.
(g) A separate sealed hardstand loading area which is capable of accommodating trucks that service the site	Specific loading / unloading facility not required due to the nature of the self-storage use.
(h) The loading area is to be provided behind the building line at the side or rear of the building.	Specific loading / unloading facility not required due to the nature of the self-storage use.
Car Parking	
Refer to Part 5.1 of DCP Customer parking should be provided convenient to the public entrance.	Complies - refer to Part 5.1 assessment for details. Car parking is available proximate to the office area at the entrance to the facility.
Signage	
Refer to Part 4.4 of DCP	Signage proposed – refer to Part 4.4 assessment for details.
Outdoor Noise and Lighting	
(a) Must comply with AS4282 Control of Obtrusive Effects of Outdoor Lighting (b) Windows, doors, wall openings arranged to minimise noise impacts on residences within 400m of residential zone (c) External plant (generators, air conditioning plant etc) shall be enclosed to minimise noise nuisance where adjoining residential area.	- Lighting will be conditioned to ensure compliance with the relevant Australian Standards. - The development is not within 400m of residential zone
Subdivision	
(a) Minimum 30m frontage; roads designed to AustRoads standards for B-Doubles (b) Lots provided with water and sewer (c) Stormwater drainage and water quality measures implemented (see Part 5.5 of DCP) (d) Lots serviced with telecommunications/underground electricity (e) New roads constructed of bitumen	N/A – the application does not include subdivision.

Part 4.7 Tree Preservation Order

No trees to be removed.

Part 5.1 Car Parking

Car parking rates are required to be provided in accordance with the rate listed in the table. However, *Self-storage premises* and its parent term *storage premises* are not listed in the table. Accordingly, the development is considered as “Other Uses” which are assessed individually having regard to the expected traffic generation.

The application has proposed the provision of sixteen (16) car spaces including one (1) accessible car space. This is based on the development having a Gross Floor Area (GFA) of approximately 3,150m², including 35m² of office space and applying a rate of 1 space per 300m² for the self-storage units (3,115/300, or 10.38 car spaces), and 35m² for the office space (35/30, or 1.16 spaces). Therefore, requiring a total of 11.54 or 12 off-street car spaces.

The RMS Guide to Traffic Generating Traffic 2002 recommends a rate of 1 space per 300m² for warehouses but does not have a separate rate based on self-storage units. Office uses require a rate of 1 space per 30m². Self-storage units typically require vehicles to stand in front of the units for loading/unloading purposes and therefore do not generate a high need for formal parking. Applying the rate of 1 space per 300m² for warehouses is therefore considered appropriate in this instance.

Part 5.2 Flooding

Not applicable.

Part 5.3 Stormwater Management

Council’s Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

Part 5.4 Environmental Controls

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent.

Section 7.11 and 7.12 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

Pursuant to Council’s Contributions Plan 2019, the development is proposing industrial development with a total cost of \$3,741,183.80. This requires payment of a Section 7.12 contribution in accordance with the Plan, calculated at 1% of the proposed cost of development.

An appropriate condition has been recommended requiring payment of the contribution amount prior to construction.

Section 64 - Water/Sewer Developer Services Charges

Water and sewer headworks were levied when the land was subdivided under DA0034/2017. The proposed development will not exceed the credits existing over the lot. Therefore, no additional charges are applied.

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

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.

(B) ACCESS, TRANSPORT AND TRAFFIC

The implications of additional traffic and suitable access are discussed throughout this report. The proposal is considered appropriate.

(C) PUBLIC DOMAIN

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

(D) UTILITIES

All relevant utilities are available or can be made readily available to the site.

(E) HERITAGE

Not applicable.

(F) OTHER LAND RESOURCES

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

(G) WATER

No significant impact expected.

(H) SOILS

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

(I) AIR AND MICROCLIMATE

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

(J) FLORA AND FAUNA

Not applicable.

(K) WASTE

Waste service available.

(L) ENERGY

Not applicable.

(M) NOISE AND VIBRATION

Not applicable.

(N) NATURAL HAZARDS

The subject site mapped as being bushfire prone (vegetation buffer), as seen in Figure 6 below.

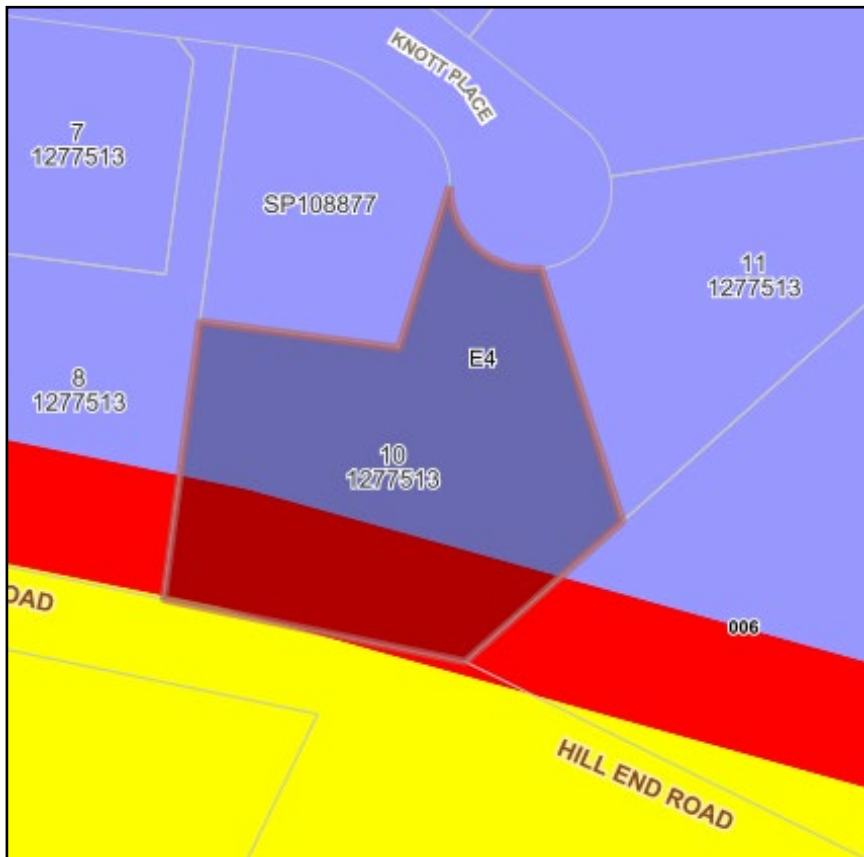


Figure 6: Bushfire Prone Land Map

The requirements of Planning for Bushfire Protection 2019 have been considered in relation to non-residential development as follows:

1. *To provide safe access to / from the public road system for firefighters providing property protection during a bush fire and for occupant egress for evacuation.*

Comment: The development will have direct access to public roads within the subdivision which connect to Hill End Road. No additional conditions to be included.

2. *To provide suitable emergency and evacuation (and relocation) arrangements for occupants of the development.*

Comment: An Emergency and Evacuation Plan is to be prepared as part of the ongoing operation of the site. A suitable condition of consent is recommended to be imposed.

3. *To provide adequate service of water for the protection of buildings during and after the passage of bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building; and*

Comment: The development will be connected to reticulated services including hydrants in accordance with PfBP requirements (as per requirement by RFS under the subdivision consent).

4. *Provide for the storage of hazardous materials away from the hazard wherever possible.*

Comment: A suitable condition of consent is recommended to be imposed.

(O) TECHNOLOGICAL HAZARDS

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

(P) SAFETY, SECURITY AND CRIME PREVENTION

Increased passive surveillance as a result of the proposed development.

(Q) SOCIAL IMPACT IN THE LOCALITY

Generally positive.

(R) ECONOMIC IMPACT IN THE LOCALITY

Generally positive.

(S) SITE DESIGN AND INTERNAL DESIGN

Adequate as discussed throughout this report.

(T) CONSTRUCTION

To comply with the BCA where relevant.

(U) CUMULATIVE IMPACTS

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

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

(A) DOES THE PROPOSAL FIT IN THE LOCALITY?

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

(B) ARE THE SITE ATTRIBUTES CONDUCIVE TO DEVELOPMENT?

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

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

(A) PUBLIC SUBMISSIONS

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

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

The application was referred to Essential Energy under 2.48(1) of the SEPP which is has been discussed previously in this report.

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

Council's Health & Building Surveyor has not raised any concerns with the proposal, subject to standard conditions.

(B) TECHNICAL SERVICES

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

Community Plan implications

Theme	Building a Strong Local Economy
Goal	A prosperous and diversified economy
Strategy	Support the attraction and retention of a diverse range of businesses and industries

Strategic implications

Council Strategies

Not applicable

Council Policies

Mid-Western Regional Development Control Plan 2013
Mid-Western Regional Contributions Plan 2019
Mid-Western Regional Community Participation Plan 2019
Mid-Western Regional Developer Servicing Plan 2008
Access to Premises Policy

Legislation

Environmental Planning & Assessment Act 1979
Environmental Planning and Assessment Regulation 2021
Mid-Western Regional Local Environmental Plan 2012
Roads Act 1993

Financial implications

Should the applicant seek to appeal the decision of Council to the Land and Environment Court, the costs associated with an appeal will be required to be funded by Council.

Associated Risks

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

SARAH HOPKINS
PLANNING COORDINATOR

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

10 April 2025

Attachments: 1. Proposed Plans. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.2 DA0049/2025 Development Application - Demolition of existing dwelling and construction of replacement dwelling - 34 Gladstone Street, Mudgee NSW 2850 (Lot 100 DP1300907)

REPORT BY THE PLANNING COORDINATOR
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, DA0049/2025

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator on the DA0049/2025 Development Application - Demolition of existing dwelling and construction of replacement dwelling - 34 Gladstone Street, Mudgee NSW 2850 (Lot 100 DP1300907);**
- B. refuse DA0049/2025 Development Application - Demolition of existing dwelling and construction of replacement dwelling - 34 Gladstone Street, Mudgee NSW 2850 (Lot 100 DP1300907) based on the following reason/s:**
 - 1. The existing dwelling contributes to the Mudgee Heritage Conservation Area. The demolition of the dwelling is contrary to the aims and objectives of the Mid-Western Regional Local Environmental Plan 2012 and Clause 5.10 Heritage Conservation of the Mid-Western Regional Local Environmental Plan 2012 in that the application does not conserve the heritage significance of the heritage conservation area.**

Executive summary

OWNER/S	Marina and Peter Segal
APPLICANT:	Railene Geddes
PROPERTY DESCRIPTION	34 Gladstone Street, Mudgee NSW 2850 Lot 100 DP1300907
PROPOSED DEVELOPMENT	Demolition of existing dwelling, construction of new dwelling and workshop
ESTIMATED COST OF DEVELOPMENT:	\$650,000
REASON FOR REPORTING TO COUNCIL:	Two councillors called up the application
PUBLIC SUBMISSIONS:	Nil

Council is in receipt of Development Application DA0049/2025 that seeks approval to demolish the existing dwelling and construct a new dwelling and workshop, located at 34 Gladstone Street MUDGEES NSW 2850, Lot 100 DP1300907, received by Council on 2 September 2024.

The site is located within the Mudgee Heritage Conservation Area and contains an existing dwelling, carport and shed. The dwelling was constructed in approximately 1909 and contributes to the Heritage Conservation Area, being readily recognisable as dating from the Federation period. The dwelling is located in a residential area within a row of existing dwellings from the Federation era.

It is proposed to demolish all the existing structures on the land and construct a new single storey dwelling with attached garage and workshop in the rear yard.

The application was accompanied by a Statement of Heritage Impact and has been reviewed by Council's appointed Heritage Adviser who has also undertaken multiple site inspections of the site.

Consideration to the appropriateness of the proposed demolition of the existing dwelling has been undertaken in accordance with the requirements of Clause 5.10 of the Mid Western Regional Local Environmental Plan. It should be noted that the demolition of a contributory building will impact on the heritage significance of the conservation area even if the replacement building "fits" into the conservation area. This is because the replacement dwelling does not address the heritage impact of the original heritage fabric which has been removed.

In this case, the demolition of the building is not supported as the building contributes to the Mudgee Heritage Conservation area and available information does not demonstrate that demolition of the dwelling is warranted due to its physical state.

The application was notified in accordance with the Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, as the building is within a Heritage Conservation Area. No submissions were received in relation to the proposal.

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that two Councillors have called up the application in writing.

The applicant does not share the views of Council's technical staff and heritage adviser and is seeking a different outcome by having the matter decided by Councillors.

Disclosure of Interest

Nil

Detailed report

Subject site and surrounding area

The subject site, known as 34 Gladstone Street, Mudgee (Lot 100 DP1300907) is 506m² in size and located on the north side of Gladstone Street between Lewis and Lawson Streets. The site is rectangular in shape and contains an existing dwelling with a carport on its eastern side and shed to the rear. Figure 1 provides an aerial image and Photo 1 shows a photo of the subject site as viewed from Gladstone Street.



Figure 1: Aerial Image of subject site and surrounding area



Photo 1: Subject site – view from Gladstone Street

The site is located within the Mudgee Heritage Conservation Area where the surrounding area is residential in nature. The subject site sits within a row of federation era dwellings as shown in Photos 2 and 3. A heritage item is located two houses to the east of the site.



Photo 2: Street view to the west of the subject site.



Photo 3: Street view to the east of the subject site.

Development details

The application proposes the following:

- Demolition of the existing dwelling, carport and shed.
- Construction of a new single storey dwelling with attached garage. The dwelling will contain three bedrooms with an open plan living, kitchen and dining area and alfresco at the rear.
- Construction of a “workshop”

Figures 3 and 4 below show the proposed site plan and front elevation of the development. A full set of plans is available in **Attachment 1**.

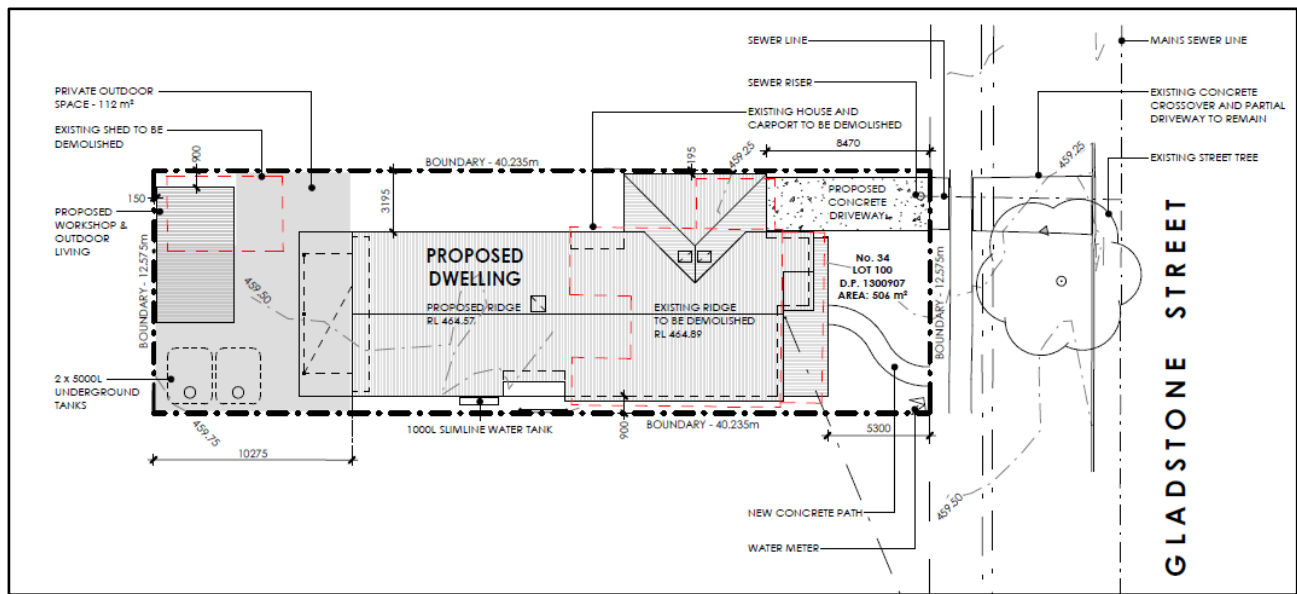


Figure 2: Proposed site plan

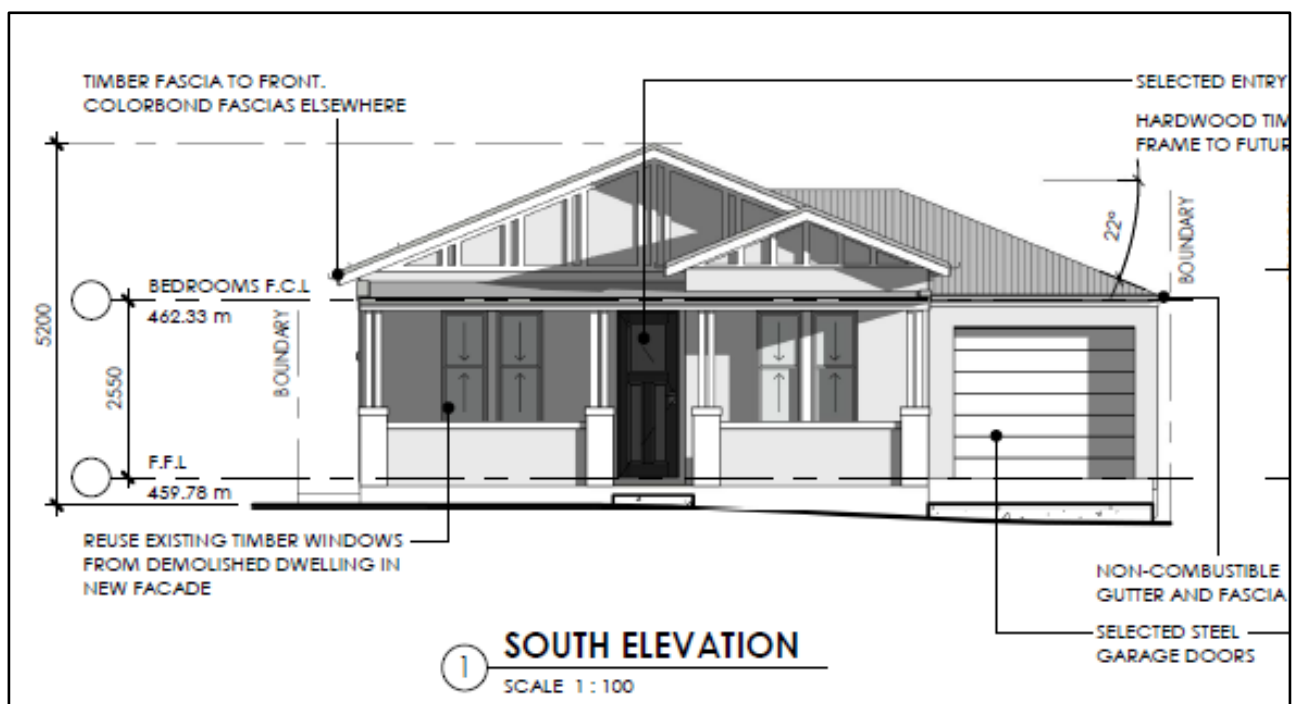


Figure 3: Proposed front elevation

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 removal of vegetation or koala habitat under this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

The proposal involves development that requires the issue of a BASIX certificate. The applicant has provided the relevant BASIX certificate and a condition of consent may be included ensuring that the commitments be met as listed in the certificate, should the application be supported.

STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021

The proposed development does not involve Advertising or Signage nor is impacted by any other requirements of this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021

The proposed development is not State or Regionally Significant Development nor is impacted by any other requirements of this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Pursuant to section 4.6 of the Policy, a site inspection and a search of council's records did not reveal any potentially contaminating activities upon the site. Accordingly, no further consideration is necessary.

STATE ENVIRONMENTAL PLANNING POLICY (RESOURCES AND ENERGY) 2021

The proposed development is not impacted by any requirements of this Policy. Therefore, no further consideration of this SEPP is considered necessary.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE)

Pursuant to section 2.48, the development will not have impact on underground electricity power lines, distribution pole or tower. There are no electrical easements that constrain the subject site and therefore no further consideration of this SEPP is considered necessary.

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

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

Clause 1.2 Aims of Plan

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

Clause 1.4 Definitions

The proposal is defined in accordance with the MWRLEP 2012 as a:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

dwelling house means a building containing only one dwelling.

Note—

Dwelling houses are a type of residential accommodation—see the definition of that term in this Dictionary.

Clause 2.2 Zoning of Land to Which Plan Applies

The land is zoned R3 Medium Density Residential and is therefore subject to the Plan.

Clause 2.3 Zone objectives and Land Use table

The land is zoned R3 Medium Density Residential pursuant to MWRLEP 2012. The proposal, being a dwelling house is permissible with consent in the zone and complies with the relevant objectives.

The objectives of the zone and how the proposal satisfies the objectives is addressed below:

R3 Medium Density Residential

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

Comment The proposal will contribute to the housing needs of the community as expected in the R3 zone.

2. *To provide a variety of housing types within a medium density residential environment.*

Comment The proposal will contribute to the variety of housing types available in Mudgee.

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

Comment Not applicable

4. *To encourage higher-density residential development that is sympathetic to and compatible with the existing character of the Mudgee Heritage Conservation Area.*

Comment Not applicable, the application proposes a single dwelling and does not include higher-density residential development.

Clause 2.7 Demolition requires development consent

In satisfaction of this clause, the development application seeks approval for the demolition of the existing dwelling and shed.

Clause 4.3 Height of buildings

The subject site is mapped for a maximum height limit of 8.5 metres above existing ground level. The development is proposed at a height of 5.2 metres and therefore complies.

Clause 4.6 Exceptions to development standards

Not applicable.

Clause 5.3 Development near zone boundaries

Not applicable.

Clause 5.4 Controls relating to miscellaneous permissible uses

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

Clause 5.10 Heritage Conservation

The site is located within the Mudgee Heritage Conservation Area with a Heritage Item located at 30 Gladstone Street (two dwellings to the east of the subject site).

The key objectives of clause 5.10 of the MWRLEP 2012 is:

- (a) *to conserve the environmental heritage of Mid-Western Regional,*
- (b) *to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) *to conserve archaeological sites,*
- (d) *to conserve Aboriginal objects and Aboriginal places of heritage significance.*

Under Clause 5.10(4), Council must, before granting consent under this clause, consider the effect of the proposed development on the heritage significance of the area concerned. In this case, as the dwelling is contributory to the heritage conservation area, the demolition of the existing dwelling is not supported. This is further discussed below.

The development application was supported by a Statement of Heritage Impact (SoHI) which along with the supporting documents provided with the application was referred to Council's Heritage Adviser. Council's Heritage Adviser has reviewed the documentation and has undertaken multiple site inspections.

A copy of the SoHI provided with the application can be found in **Attachment 2**.

A full copy of comments provided from Council's Heritage Adviser is available in **Attachment 3**.

Description of the house and contribution to Heritage Conservation Area

The house was built in 1909 and can be classed as a late Federation bungalow. It is located within a row of existing dwellings from the same era and contributes to the Mudgee Conservation Area given it is readily recognisable as dating from the Federation period and having only minor or reversible alterations. Council's Heritage Adviser has provided the following commentary in relation to the history and description of the existing house:

"The Statement of Heritage Impact (SOHI) suggests that the house was built in 1909. This is consistent with the physical evidence. The house is of one storey and has a front veranda, so can be classed as a late Federation bungalow.

Viewed from the street, it is symmetrical, with a large street-facing gable, central front door with windows on each side and a full width front veranda under a skillion roof.

General Extent of Original Fabric

The SOHI claims that the house has “very little original fabric” (last para, p.8). **This is simply not correct.** The principal form of the building, the front veranda, all the internal and external walls, the wall finishes, the roof framing, the door and window openings, the windows, and much of the interior fabric is original. The corrugated roofing has been replaced with similar roofing. **In fact, almost all the visible fabric is original.**

Walls

Throughout the SOHI there are claims that the walls are a mix of “bush” (in situ) concrete and solid brick. There is no evidence at all for this claim. Visual inspection confirms that the thickness of the walls is inconsistent with either solid or cavity wall construction. Externally, the walls are coated with cement render with an ashlar-ruled pattern. This treatment is common on Victorian walls but there are occasional examples of its use on Federation style houses in Mudgee. Internally the walls are plastered, but at the time of the site visit several floors had been taken up. Naturally there is no plaster below skirting board level so that it was possible to ascertain that **there are no brick walls under the main roof. The walls are consistently built of in situ “bush concrete.”**

In this form of construction, concrete footings are poured in trenches in the normal way. Then the walls are constructed by pouring concrete between timber forms, between 100 and 300 mm apart. A small and therefore important percentage of the houses constructed in Mudgee in the early 20th century were constructed with bush concrete. (There is a higher proportion in Rylstone.)

Gable

The SOHI states (p.5), *Physical evidence indicates that around 1938, 30 years later, the house was given a new look with an art deco style verandah, and simple large single gabled facing Gladstone Street.* There is no documentary evidence to support this claim, and no suggestion is provided regarding any earlier appearance.

As claimed in the SOHI the front gable is now clad with modern vertical boarding. But the SOHI suggests that the gable form itself is not original. A photograph provided by the applicant taken inside the roof space clearly confirms that **the gable form and timber framing are original.** Only the cladding has been replaced.

Veranda

The SOHI also suggests that the veranda was added late in the inter war period. No evidence is provided in support of this assertion. Houses of this period, free-standing and set back from the street, invariably had front verandas. The veranda in question has an in situ concrete balustrade, battered (sloping) piers and roughcast finish. **Both the form and the finish are entirely consistent with the construction date.**

Council’s Heritage Adviser has made the following comments in relation to the contribution of the house to the heritage significance of the conservation area:

“A heritage conservation area is more than a collection of individual heritage items. It is an area in which the historical origins and relationships between the various elements create a sense of place that is worth keeping.

A heritage area is identified by analysing its heritage significance and the special characteristics which make up that significance. These may include the subdivision pattern, the consistency of building materials or the common age of its building stock. The least important characteristic is the “look” of the place, although the commonly held community

view is that this is the determining factor. (Heritage Office and Department of Urban Affairs and Planning, *Conservation Areas*, 1996, p.3.)

The SOHI notes (p.3, top) that the house *is not in close vicinity of any heritage listed item however it does form a contributory item within a row of 1920's 'Californian' bungalows.* It also notes (Summary, p. 3), *The existing house is contributory when first seen.* It goes on, *....it has low significance as an unlisted house.*

The house is not individually listed as a heritage item. The issue is not whether it meets the gazetted criteria for significance in its own right, but the contribution it makes to the heritage significance of the conservation area.

The house is clearly contributory, being readily recognisable as dating from the Federation period and having only minor or reversible alterations.

Condition of the Dwelling

The SoHI (page 12) proposes demolition of the existing dwelling and states:

“Demolition is proposed because the existing house is very poorly constructed and has been altered many times leaving a residence that is unhealthy and structurally deficient. Its west wall is kept in place by a large concrete beam shoring up the side wall. Rising damp is prolific with a front raised pavement, and the west wall ground beam, preventing any ventilation. The west wall is unrepairable in-situ and the poor quality construction are just some of the issues. A mix of bush concrete walls and original brick walls and minimal ventilation are a MAJOR problem.”

Council's Heritage Adviser undertook a number of site inspections and sought additional information from the applicant to verify the alleged poor condition of the dwelling, particularly in relation to the west wall. The west wall is alleged to be unrepairable, however the external condition of the wall was unable to be viewed during site inspections as it is obscured by cladding which has not been able to be removed. Photographs, a follow-up letter from the applicant's Heritage Consultant and a builder's report were also provided in support of the demolition. **Attachment 4** provides a copy of these two reports.

Review of these documents, however, did not sufficiently address the concerns raised. Council's Heritage Adviser has made the following comments in relation to the condition of the dwelling, noting that the dwelling is generally in good condition and addressing the issues of poor quality construction (including the condition of west wall), rising damp, poor sub floor ventilation raised by the applicant:

“The SOHI and other documentation contain numerous claims that the house suffers from structural defects, poor sub-floor ventilation and rising damp. Past alterations such as the sheeting over the western wall with metal cladding, the presence of a large concrete mass at the base of that wall, and the replacement of particle board flooring have been advanced as evidence of what are claimed to be serious defects.

It is not practicable in the context of this report to address each such instance. At the outset is stressed that

- poor ventilation causing decay in timber, sub-floor water flow, rising damp and structural failure are separate issues
- past attempts to rectify perceived problems may have been misguided
- the applicants have declined to remove the cladding from the western wall, while claiming that it is in poor condition and seeking consent to demolish the entire house.

- On the site visit, the house appeared to be in generally good condition.

Structural condition of the walls generally

The external walls exhibit a small number of irregular hairline cracks. These are consistent with normal shrinkage in concrete and settlement in the footings. They present no danger, and there is no suggestion in the submitted documentation to the contrary.

The western wall

Internally, what appears to have been a crack in the front and western walls had been patched with plaster ready for painting at the time of the site visit. The SOHI claims, *This western wall appears to be failing and a large concrete beam has been laid beside it, presumably to stop the west wall moving out and leaning.*

The applicants have declined to remove the cladding, though this could easily be done. They advise that it was present when they purchased the house and that they are unaware of the condition of the wall behind. In the heritage advisors experience, walls which are in good condition are frequently clad simply to avoid the need for future painting.

For these reasons, the Heritage Adviser cannot accept the contention that the wall exhibits any faults.

As to the so called beam, there is no obvious structural reason to lie a boom in dislocation in order to stop the wall spreading outwards at the base. The weight of the wall acts vertically. The only lateral thrust which causes walls to fail occurs when a roof spreads outwards at the top. It is conceivable that the beam actually extends under the footing with an L shaped section, i.e. that it is underpinning, designed to prevent uneven vertical subsidence. That appears to be unlikely, but if it is the case, then it has been successful.

It may simply be a rough concrete path. It is most unlikely that it is a misguided attempt to stop water flowing under the house from the west, because the existing wall and footing simply must prevent this if it were indeed to occur.

Subfloor ventilation

During the site visit, the owners advised that they had more than once replaced particle board floors which had decayed due to dampness in the air under the floors. This would seem to have been an unwise procedure. However it does provide evidence that there can be an excessive concentration of port water vapour in the air under the floor. It was noted that the floor framing was clear of the ground surface underneath, although it was less clearance than currently prescribed by the Building Code of Australia. This would be the case with many, indeed perhaps the majority of, houses in the Conservation Area. Most of these would not have had the flooring replaced. In the present case, the flooring cannot have been replaced at anything like the intervals between the last two attempts.

The reasons why flooring normally survives, as long as it is not in contact with the ground, are twofold:

- adequate subfloor ventilation, and
- ensuring that water from the roof, flowing across the site, and flowing beneath the soil surface does not flow under the house.

In the present case, there appears to be rather more water flowing under the house from one of these sources than is usually the case. The owners advised that the storm water system is functioning and discharges all roof water to the street gutter, but they may be mistaken in this regard. As noted previously it was not possible to inspect all the guttering and roof plumbing, due to the presence of savage dogs in the back garden.

The ground floor is below street level and while surface water does not appear to enter the house, subsurface water will be doing so. There are several locations in Mudgee where former water courses have been filled in, but the soil is sufficiently porous for subsurface flows to occur. If this is the case, an agricultural drain running across the direction of flow would intercept such excessive water.

Once any such introduced excessive water is removed, the question of subfloor ventilation still needs to be addressed. It is possibly inadequate, but can easily be addressed by the insertion of additional openings in the side walls, and internal also if necessary. The flow can be augmented by the installation of inexpensive low powered electric fans.

Rising damp

On the site inspection only one very small area of possible rising damp was observed. Rising damp is unrelated to the question of subfloor ventilation. It occurs when water in the soil at the base of a wall migrates upwards through the wall by capillary traction. In masonry walls, a damp proof course, a thin layer of impermeable material, is inserted into the base of the wall. This prevents water rising further up the wall. Damp proof courses can fail if they are fractured or bridged.

It is of course not normal practise to insert a damper of course in an in situ concrete wall. The concrete itself is normally impervious. (It is normal practise to lie waterproof membrane under a concrete floor slab, but this is to contain the concrete when it is wet, not to prevent subsurface water from penetrating it.) It is true that occasionally a Bush concrete wall will not be sufficiently dense to provide a complete barrier, and that is claimed to be the case in the present situation. If this is so, and the wall is sufficiently permeable to allow the passage of water, it is equally capable of absorbing a low pressure injected damp proof course. (Note that this has been confirmed with Mr. Barrie Cooper, a world expert on rising damp and part author of several publications on the topic by the Heritage Councils of NSW and Victoria.) Indeed Mr. Cooper has occasion to visit Mudgee occasionally and would be available to advise further if desired.

Conclusion

Council's Heritage Advisers' review of the proposal including the SoHI and other submitted supportive documents and photographs does not support demolition of the dwelling. It is established that the building contributes to the Mudgee Heritage Conservation area and that based on the information available, the condition of the building does not warrant its demolition.

Arguments that the replacement building will be sympathetic to the streetscape does not justify the demolition of the dwelling, as this does not address the heritage impact resulting from the loss of original heritage fabric and its contribution to the conservation area.

Assessing staff have the same views as Council's appointed Heritage Adviser and accordingly, the objectives of Clause 5.10 to conserve the heritage conservation area including associated fabric, settings and views, is not achieved.

Therefore, the demolition of the building is not supported and the application refused.

Clause 5.16 Subdivision of, or dwellings on, land in certain rural residential or conservation areas

Not applicable.

Clause 5.21 Flood planning

Council's Mapping system indicates the site is not affected by flooding during the 1% AEP flood event. The road frontage of the site is inundated to a level of approximately RL 459m AHD, with

the Flood Planning Level for the site therefore being RL 459.5m AHD. The plans show the finished floor level at RL 459.78m AHD.

This arrangement is considered acceptable, and engineering conditions can be included should the application be supported.

Clause 6.1 Salinity

The proposal only involves minimal earthworks and is not expected to significantly affect the process of salinisation.

Clause 6.3 Earthworks

The proposal involves only minor earthworks to prepare the site for the development. The works are not expected to generate any significant impacts as listed in Clause 6.3(3). Conditions of consent have been included to ensure any earthworks related activities are carried out appropriately and minimise impacts upon neighbouring properties.

Clause 6.4 Groundwater vulnerability

The site is identified as groundwater vulnerable in accordance with Council's mapping. No broad excavation is needed to facilitate the proposal and no significant impacts upon those matters contained within clause 6.4(3) is expected as a result of the proposed development. Given the extent of excavation, it is considered that the development would not cause groundwater contamination, adversely affect any groundwater dependent ecosystems, will not cumulatively impact potable water supply, and therefore no special measures, or conditions of consent would be considered necessary.

Clause 6.5 Terrestrial biodiversity

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

Clause 6.7 Active street frontages

Not applicable. The site is not located within the area mapped as 'Active street frontage'.

Clause 6.8 Airspace operations – Mudgee Airport

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

Clause 6.9 Essential Services

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

Clause 6.10 Visually sensitive land near Mudgee

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

Clause 6.16 Development on land in Zone E4

Not applicable

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

(ii) Draft environmental planning instruments (EPI)

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

(iii) Any development control plans

MID-WESTERN REGIONAL DEVELOPMENT CONTROL PLAN 2013

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 2 Fast Track Development Applications

Part 2.1 General Housing and Ancillary Structures “Deemed to Satisfy” Provisions

DEVELOPMENT CONTROL REQUIREMENT	COMMENT / COMPLIES
Building Setback from the street	
Zones R1, R2 and R3 where Lot size is less than 900m ² : 4.5m and 5.5m to the garage	Complies Building setback is 5.3m Garage setback is 8.47m
Building Side/Rear setback	
Zones R1, R2 and R3 where Lot size is less than 900m ² : 900m	West boundary – 900mm – Complies East boundary – 195mm (garage) – Does not comply Rear boundary (north) – 150mm (workshop) – Does not comply The applicant has provided a satisfactory justification for these variations. The variations to the setbacks will not have an adverse impact on adjoining properties or the streetscape and are readily capable of being constructed in accordance with the relevant BCA requirements with regards to fire separation.
Building Secondary Frontage for corner lots setback	
Zones R1, R2 and R3 where Lot size is less than 900m ² : 0m for garages in laneways 2m to side boundary	Not applicable
Building height	
Single storey building with a FFL of less than 1 metre above Natural Ground Level	Complies
Privacy	
Dwellings must be single storey and have a finished floor level less than 1,000mm above the natural ground level.	Complies
Design	
75% of internal living areas shall receive at least three hours effective sunlight between the hours of 9.00am and 3.00pm on 21 June (Winter solstice)	Complies
80m ² of private open space is provided with a minimum dimension of 5 metres.	Complies

DEVELOPMENT CONTROL REQUIREMENT	COMMENT / COMPLIES
No windowless facades at the street frontage(s).	Complies
Street frontage elevations contain minimum 5% openings	Complies
The garage door or carport does not exceed 45% of the front elevation	Complies
For corner allotments no fences, structures or landscaping exceeding 1 metre in height are to be located within the triangle formed by a sight line 12 metres x 6 metres from the intersection of the two street boundary lines.	Not applicable
Building is not a transportable or relocated dwelling	Complies
Parking	
Provision for parking of two vehicles including at least one space undercover.	Complies – garage with tandem space behind provided.
Utilities	
Buildings are located clear of utility infrastructure	Complies
Building is not located within an easement for the purpose of utility infrastructure	Complies – no water and sewer main located within the site.
Structures are located a minimum of 1500mm from the centre of water and sewer main	Complies – no water and sewer main located within the site.
Details of water supply and sewer reticulation have been provided:	
If available within 500m applicant has proposed connection to reticulated network	Complies
Where no water supply is available, applicant has provided a minimum 60,000 litres which includes a minimum of 20,000 litres reserved for firefighting purposes	Not applicable
Where no reticulated sewer is present, the applicant has proposed onsite disposal in accordance with Section 68 of the Local Government Act 1919	Not applicable
If reticulated services have not been proposed the site is a minimum of 5ha in size	Not applicable
All storm water flows to a gravity system	Complies
Buildings are not located in the path of overland flow	Complies
Fencing	
Front fences are open panel, do not exceed 1.2 metres in height and are not of Colorbond material construction	Not applicable – no new fencing proposed.
Where a street fence is proposed, the section of side fence located in front of the building setback shall be open or a combination of open panels and masonry columns to match the front fence.	Not applicable – no new fencing proposed.
Dividing fences is not to adversely affect the flow of surface water or create flooding problems to adjoining properties.	Not applicable – no new fencing proposed.
Maximum height of side and rear fences behind the building	Not applicable – no new fencing

DEVELOPMENT CONTROL REQUIREMENT	COMMENT / COMPLIES
line to be 1.8 metres	proposed.
Access	
<ul style="list-style-type: none"> All weather two wheel drive access Driveways to be located a minimum of 6m from an intersection. For rural area the minimum sight distances-is 250m in the 100km/hr speed zone and 180km/hr for the 80kmzone Where the driveway exceeds a slope of 6 % appropriate erosion and sediment control is to be incorporated into the design of the access. 	Able to comply subject to condition
Garages, Outbuildings	
Outbuildings must not negatively affect the amenity of the streetscape or adjoining properties	Complies
Urban areas where <750m ² : 50m ² maximum shed size	Complies – workshop has a floor area of 28m ²
Maximum building height of 4.5 metres from natural ground level to the ridge in urban areas on lots less than 2,000m ²	Complies – workshop has a maximum height of 3.2m
Development near Ridgelines	
Development roofline must not project above the ridgeline where visible from any public road or place	Not applicable
Slope & Cut and Fill	
The slope of the site does not exceed 15%	Complies
Cut is limited to 1m	No cut proposed
Fill is limited to 600mm and is made up of clean fill and is accompanied by a geo-technical assessment demonstrating compaction complies with Australian Standards.	Complies – fill up to 300mm proposed within the footprint of the building.
Any cut and fill has been provided with retaining wall including drainage and is set back a minimum 300mm from the allotment boundary.	Not applicable
Fill does not direct stormwater onto adjoining properties and drainage pits for overland flow paths have been provided.	Complies – subject to condition
Cut / fill is clear of any water or sewer easements.	Not applicable – there are not water / sewer easements or infrastructure within the site.
Pools	
<ul style="list-style-type: none"> Pools and fencing to be located behind the building line. Where visible from a public place or road, details of screening to be provided with DA. Any associated retaining walls tor decks not to exceed 1.0 m above the natural ground surface. Pool pump enclosure to be placed greater than 15 m from a habitable room in any dwelling adjoining the property or within a sound proof enclosure. Compliance with the relevant Australian Standards – 	Not applicable

DEVELOPMENT CONTROL REQUIREMENT	COMMENT / COMPLIES
<p>please check with Council to ascertain the correct standard.</p> <ul style="list-style-type: none"> • Pools over 40,000 Litres require a BASIX Certificate to be provided with application 	
Energy Efficiency	
<ul style="list-style-type: none"> • New Dwelling – Has a BASIX Certificate. • Alteration and Additions that do not exceed \$50,000 in value shall provide R3 Ceiling insulation and R1.5 wall insulation (to be shown on the plans). 	Complies – BASIX certificate provided.

Part 4.7 Tree Preservation Order

No trees to be removed.

Part 5.1 Car Parking

In accordance with Council's DCP, Section 5.1 – Car Parking, 2 spaces per dwelling are required. The DCP prescribes that only one space must be contained within the garage, with the second space being stacked in front of the garage, subject to the space being wholly contained within the site.

The plans provided show a single garage and a front setback of 8.7m to provide for a stacked second space.

This arrangement is considered acceptable and no further information is required with respect to car parking.

Part 5.2 Flooding

Council's Mapping system indicates the site is not affected by flooding during the 1% AEP flood event. The road frontage of the site is inundated to a level of approximately RL 459m AHD, with the Flood Planning Level for the site therefore being RL 459.5m AHD. The plans show the finished floor level at RL 459.78m AHD.

This arrangement is considered acceptable, engineering conditions could be included should the application be supported.

Part 5.3 Stormwater Management

Council's Development Engineer has provided comments and conditions concerning adequate disposal of stormwater.

Part 5.4 Environmental Controls

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent.

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

No contributions are levied. The development is exempt from the payment of contributions under Section 2.7 as it relates to residential development that does not result in an increase in demand for local infrastructure (e.g. replacement dwelling houses).

Section 64 - Water/Sewer Developer Services Charges

In accordance with the Developer Servicing Plans for Water and Sewer (August 2008), the development does not increase the demand or loading upon Councils infrastructure or require additional water, sewer or trade waste services to the land or building. No charges can therefore be applied under the plan.

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

Clause 61 – Additional matters that consent authority must consider

61(1) requires Council to consider AS2601 when consent is sought for demolition of a building. The application includes demolition and compliance with AS2601 has been included as a condition of consent, should consent be granted.

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 existing building contributes to the heritage conservation area and its demolition is not supported, as discussed throughout this report.

(B) ACCESS, TRANSPORT AND TRAFFIC

The implications of additional traffic and suitable access are discussed throughout this report. The proposal is considered appropriate.

(C) PUBLIC DOMAIN

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

(D) UTILITIES

All relevant utilities are available or can be made readily available to the site.

(E) HERITAGE

The site is located in the Mudgee Heritage Conservation Area. As discussed previously in this report the existing building contributes to the HCA and the building appears to be in good condition. Accordingly, the demolition of the existing dwelling is not supported.

(F) OTHER LAND RESOURCES

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

(G) WATER

No significant impact expected.

(H) SOILS

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

(I) AIR AND MICROCLIMATE

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

(J) FLORA AND FAUNA

Not applicable.

(K) WASTE

Waste service available.

(L) ENERGY

Not applicable.

(M) NOISE AND VIBRATION

Not applicable.

(N) NATURAL HAZARDS

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

(O) TECHNOLOGICAL HAZARDS

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

(P) SAFETY, SECURITY AND CRIME PREVENTION

Increased passive surveillance as a result of the proposed development.

(Q) SOCIAL IMPACT IN THE LOCALITY

N/A.

(R) ECONOMIC IMPACT IN THE LOCALITY

Generally positive.

(S) SITE DESIGN AND INTERNAL DESIGN

Adequate as discussed throughout this report.

(T) CONSTRUCTION

To comply with the BCA where relevant.

(U) CUMULATIVE IMPACTS

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

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

(A) DOES THE PROPOSAL FIT IN THE LOCALITY?

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

(B) ARE THE SITE ATTRIBUTES CONDUCIVE TO DEVELOPMENT?

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

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

(A) PUBLIC SUBMISSIONS

The application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 23 September 2024. During the notification period, 0 submission/s were received.

(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

Council's Health & Building Surveyor has not raised any concerns with the proposal, subject to standard conditions.

(B) TECHNICAL SERVICES

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

(C) HERITAGE ADVISER

Council's Heritage Advisor has raised concerns in relation to the proposal and does not support the demolition of the dwelling as discussed throughout this report. A full copy of Council's Heritage Adviser comments can be found in **Attachment 3**.

Community Plan implications

Theme	Looking After Our Community
Goal	Vibrant towns and villages
Strategy	Respect and enhance the historic character of our region and heritage value of our towns

Strategic implications

Council Strategies

Not Applicable

Council Policies

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

Legislation

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

Financial implications

Should the applicant seek to appeal the decision of Council to the Land and Environment Court, the costs associated with an appeal will be required to be funded by Council.

Associated Risks

The applicant may seek a further review of this decision or appeal through the Land & Environment Court.

SARAH HOPKINS
PLANNING COORDINATOR

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

22 April 2025

Attachments:

1. Proposed Plans.
2. Statement of Heritage Impact.
3. Council Heritage Adviser Comments.
4. Further supporting documents provided by applicant.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

PROPOSED DWELLING
FOR
PETER & MARINA SEGAL
34 GLADSTONE STREET MUDGEE NSW



GENERAL NOTES:

Builder to confirm all dimensions before commencing any works.

If discrepancies occur on plans, designer is to be contacted.

All dimensions are in millimeters unless otherwise stated.

Use figured dimensions only. Do not scale from plans.

Site information is based on information supplied by the owner and must be verified by the supplier on acceptance of this plan.

All works shall comply with the National Construction Code (NCC) current Australian Standards, building regulations and statutory approvals. Notify this office of any discrepancies.

These plans should be read in conjunction with project specification and all consultant drawings including but not limited to Structural Engineer and Surveyor.

Soil Classification - refer to Engineers report and soil tests.

SPECIFICATIONS:

WIND CLASSIFICATION - BY ENGINEER

PLUMBING

All plumbing to AS 3500 and must be carried out by a licensed plumber in accordance with the Plumbing Code of Australia (PCA) to comply with the requirements of the Local Authority.

Gutters and Downpipes to be designed and installed in accordance with NCC Part 7.4.

ELECTRICAL

All electrical work shall be undertaken by a licensed electrician and in accordance with AS/NZS 3000

CONDENSATION MANAGEMENT

Install a pliable building membrane to comply with AS4200.1 & AS4200.2 with a vapour permeance of not less than 1.14ug/m.s in this climate. (Climate 6). Except for single skin masonry or concrete, where a pliable building membrane is not installed in an external wall, the primary water control layer must be separated from water sensitive materials by a drained cavity.

SPECIFICATIONS:

TERMITE PROTECTION

All buildings shall be protected against termite attack in accordance with AS3660.1 and NCC Part 3.4. Provide a durable notice in the meter box indicating type of barrier and required inspections.

SMOKE DETECTORS

Smoke detectors shall be installed as noted on the plans and in accordance with AS 3786 and NCC Part 9.5. They must be hard wired to the electrical supply.

GLAZING

Provide glazing to AS 1288 and NCC Part 8

LIFT OFF HINGES (LOH)

Provide lift of hinges to the doors on sanitary compartments as labeled on the plans in accordance with NCC 10.4.2

DRAUGHT SEALING

Provide a seal/draught excluder to the bottom edge of all external doors

BASIX NOTES:

STORMWATER

Min of 241.8m² of roof water must be collected in a 10,000L rainwater tank and plumbed to at least one outdoor tap in the development and be installed in accordance with AS3500.

COOLING / HEATING

Ceiling fans and 1-phase ducted airconditioning with minimum energy rating of 3.5 stars to be installed in at least one living area and at least one bedroom.

VENTILATION

Bathroom - Install an exhaust fan in the ceiling, duct through roof and operate manually.

Kitchen - Install a rangehood over cooktop, duct through roof and operate manually.

Laundry - natural ventilation

HOT WATER

Electric storage

ALTERNATIVE ENERGY

A photovoltaic system with capacity to generate 6 kW peak capacity to be installed and connected to the electrical system.

Collectors to be installed at 6-10° to horizontal, oriented North.

LIGHTING

The primary type of artificial lighting is dedicated fluorescent or LED in all 3 bedrooms, living room, dining room, kitchen, all bathrooms, all toilets, laundry and all hallways.

All fittings must only be capable of accepting fluorescent or LED lamps.

AAA RATING

All showerheads minimum rating of 3 star (>7.5 but <= 9L/min)

Toilets to have a minimum rating of 3 Star

Kitchen taps to have a minimum rating of 3 star

and Basin taps to have a minimum rating of 3 stars

OTHER

Electric cooktop and oven to be installed in Kitchen.

An outdoor clothes drying line must be installed.

LOW WATER VEGETATION

A minimum of 50 sqm of indigenous or low water species of vegetation must be planted on the site.

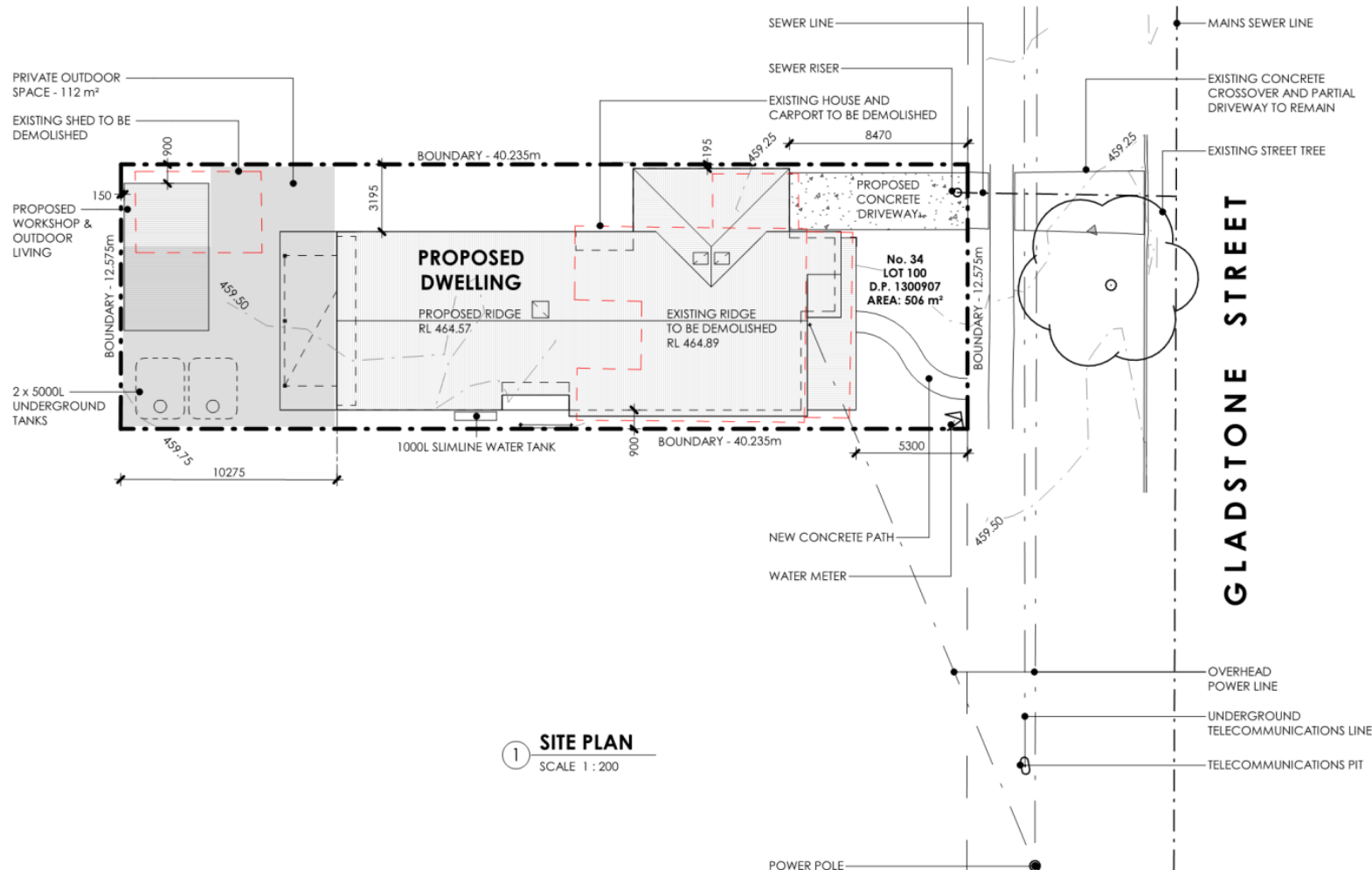
GENERALLY

The information found in these notes are by no means the extent of information relating to compliance with BASIX commitments. These notes must be read in conjunction with the full set of plans and elevations outlined on sheet no's 573SEG-00 to 573SEG-07, Issue E (8 sheets) and with the BASIX Certificate attached to this report.



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1 SITE PLAN
SCALE 1 : 200

Issue	Description	Date
G	CEILING CHANGES	26.08.2
F	DA ISSUE 1	07.07.2
E	DA ISSUE	30.06.2
D	FOR CLIENT APPROVAL 1	12.05.2
C	FOR CLIENT APPROVAL	23.04.2
B	FOR TENDER	21.09.2
A	PRELIMINARY	02.01.2



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Client Peter & Marina Segal

Project
34 Gladstone Street
Mudgee NSW 2850

Title
SITE PLAN

Scale at A3
1 : 200

Date
AUGUST 2022

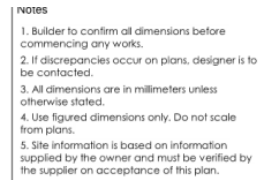
Drawing No.

573SEGC-01

Drawn
RG/C

Issue





BFO	BI-FOLDING DOOR
C	CUPBOARD
CIN	CLOTHES LINE
CONC	CONCRETE, TROWEL FINISH
CPT	CARPETS
CSD	CERAMIC SANDING DOOR
CFI	CERAMIC FLOOR TILES
CP	CROWN PINE
DR	DRYER SPACE
DW	DISHWASHER
F	FIXED GLASS WINDOW
FD	FRENCH DOOR
FP	FIREPLACE
FTIM	FLOATING TIMBER FLOOR
PAG	PANTRY AND GULLY
HP	HOT PLATES
HW	HOT WATER SYSTEM
HO	HOVER
LOH	LIFT OFF HINGES
LT	LAUNDRY TUB
LV	LOWEY WINDOW
MB	METER BOX
MD	MIDWOOD DECKING
MSSD	MAJOR STACK SANDING DOOR
MW	MICROWAVE
OS	ONLINE GLASS
OV	OVEN
PC	POLISHED CONCRETE
PL	PINNY PLANK FLOORING
PG	PANTRY GLASS GARAGE DOOR
REF	REFRIGERATOR
RW	RETAINING WALL
SD	SMOKE DETECTOR
SK	SINK
SL	SIDE-LITE
TD	TIMBER DECKING
TF	TWO FINISHED TIMBER FLOOR
WM	WASHING MACHINE SPACE

G	CEILING CHANGES	26.08.2
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D	FOR CLIENT APPROVAL 1	12.05.2
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B	FOR TENDER	21.09.2
A	PRELIMINARY	02.01.2
Issue	Description	Date



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Client	Peter & Marina Segal
--------	----------------------

Project	34 Gladstone Street Mudgee NSW 2850
---------	--

Title	FLOOR PLAN
-------	------------

Scale at A3
1:100

Date AUGUST 2022

Drawing No.

Drawn
RG/C

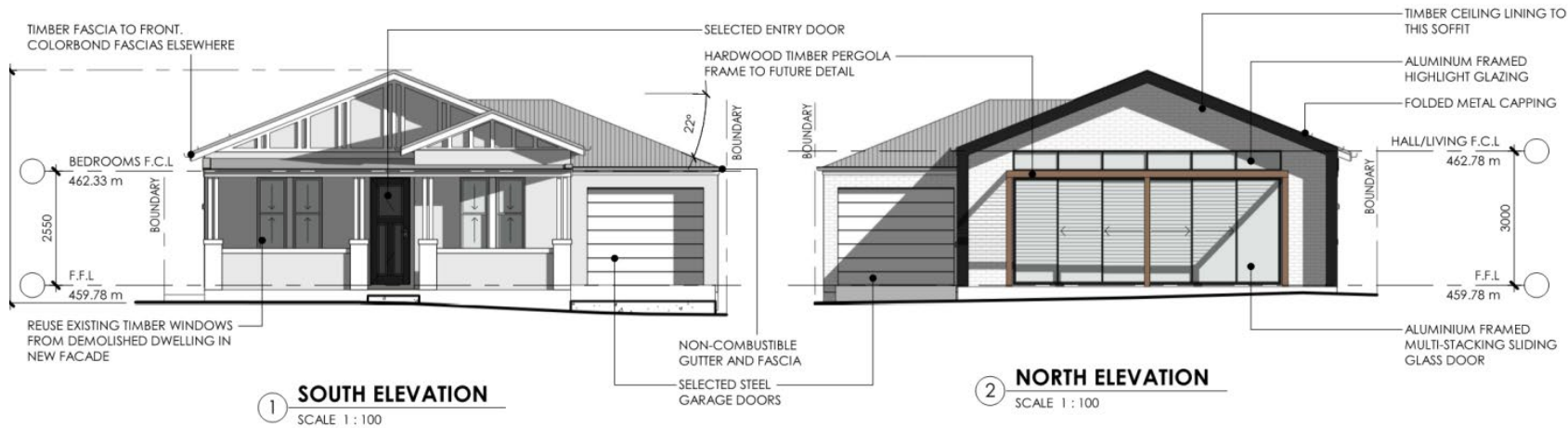
Issue	
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5729EC_02

⌈

AREA ANALYSIS	SQ M
SITE AREA	506 m ²
ROOF AREA (BASIX)	241.8 m ²
INTERNAL LIVING	173.7 m ²
PORCH	15.8 m ²
ALFRESCO	30.5 m ²
GARAGE	26.8 m ²
VERANDAH	4.2 m ²

1 FLOOR PLAN
SCALE 1 : 100



- NOTES**
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Issue	Description	Date
G	CEILING CHANGES	26.08.2
F	DA ISSUE 1	07.07.2
E	DA ISSUE	30.06.2
D	FOR CLIENT APPROVAL 1	12.05.2
C	FOR CLIENT APPROVAL	23.04.2
B	FOR TENDER	21.09.2
A	PRELIMINARY	02.01.2



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Client Peter & Marina Segal

Project 34 Gladstone Street
Mudgee NSW 2850

Title ELEVATIONS

Scale at A3
1 : 100

Date AUGUST 2022

Drawn RG/C

Drawing No.

Issue

5735EC-03





NOTES

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B	FOR TENDER	21.09.2
A	PRELIMINARY	02.01.2
Issue	Description	Date



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Client Peter & Marina Segal

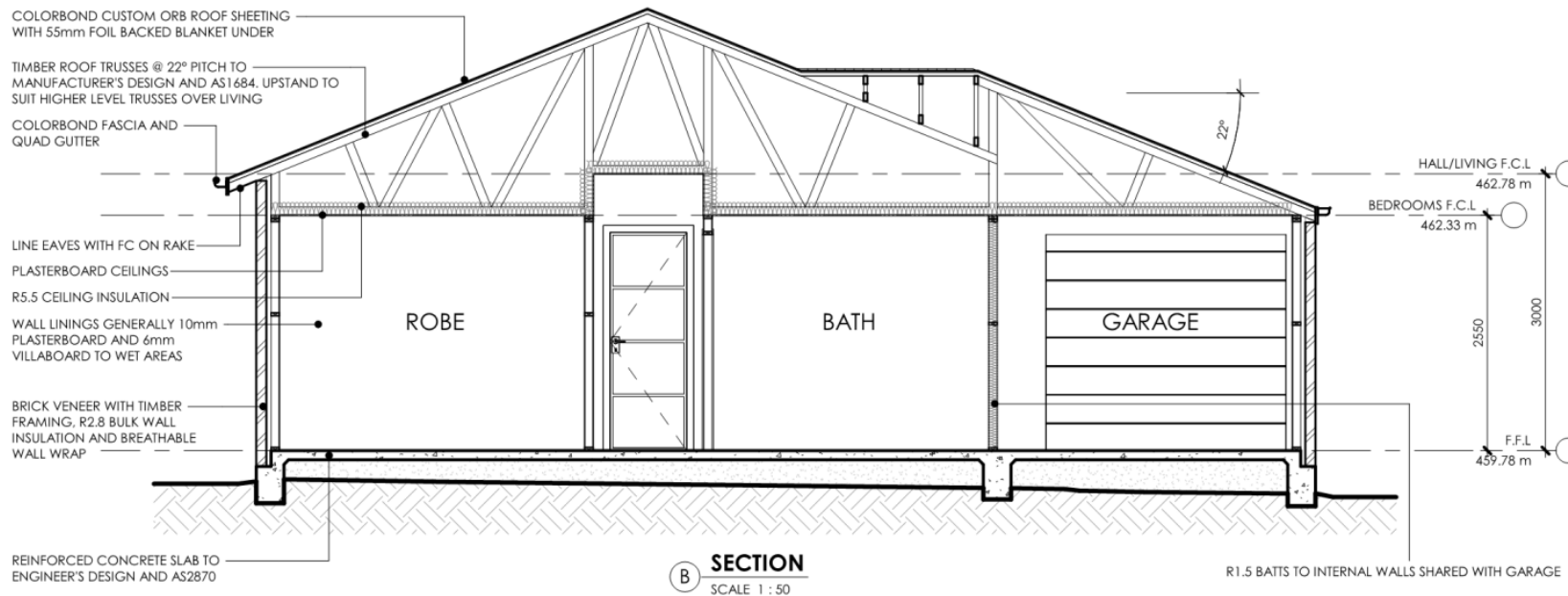
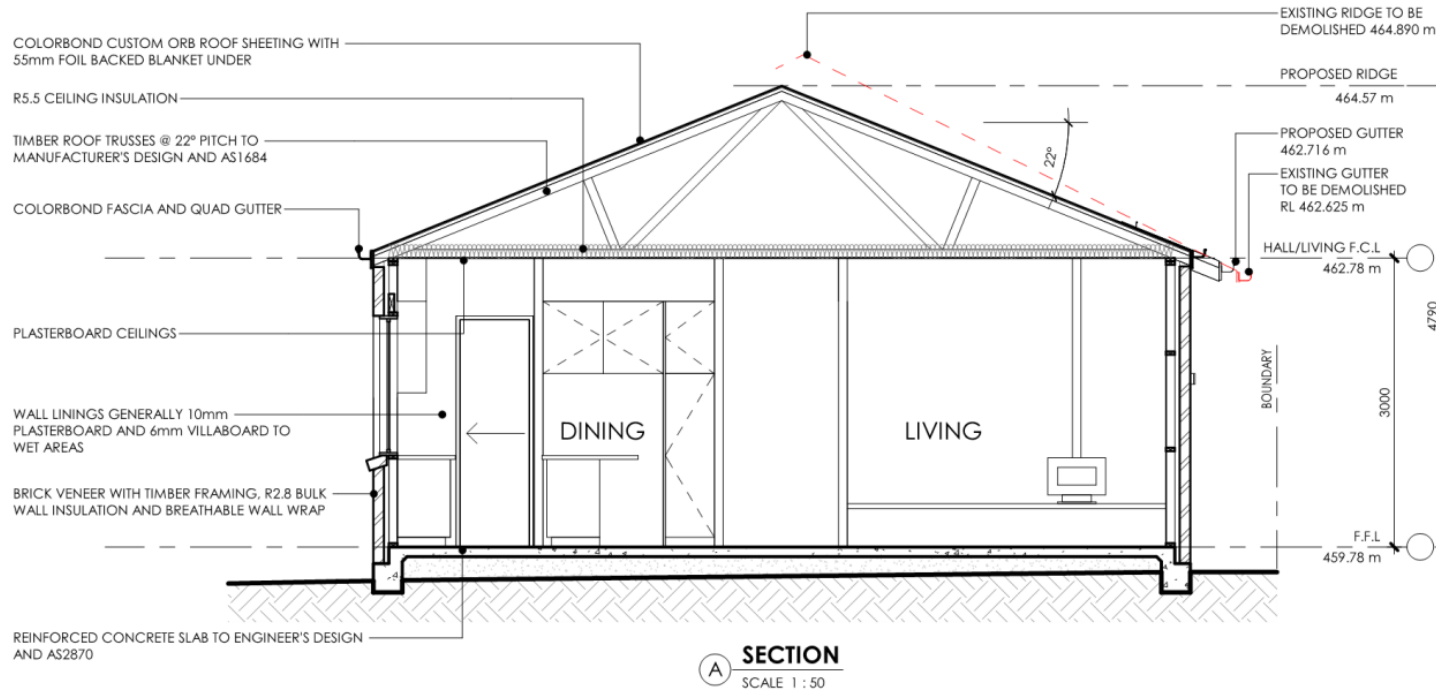
Project 34 Gladstone Street
Mudgee NSW 2850

Title PERSPECTIVES

Scale at A3 NA

Date AUGUST 2022 Drawn RG/C

Drawing No. 573SEC-04 Issue



NOTES

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Issue	Description	Date
F	CEILING CHANGES	26.08.2
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Client Peter & Marina Segal

Project 34 Gladstone Street
Mudgee NSW 2850

Title SECTIONS

Scale at A3

1 : 50

Date AUGUST 2022

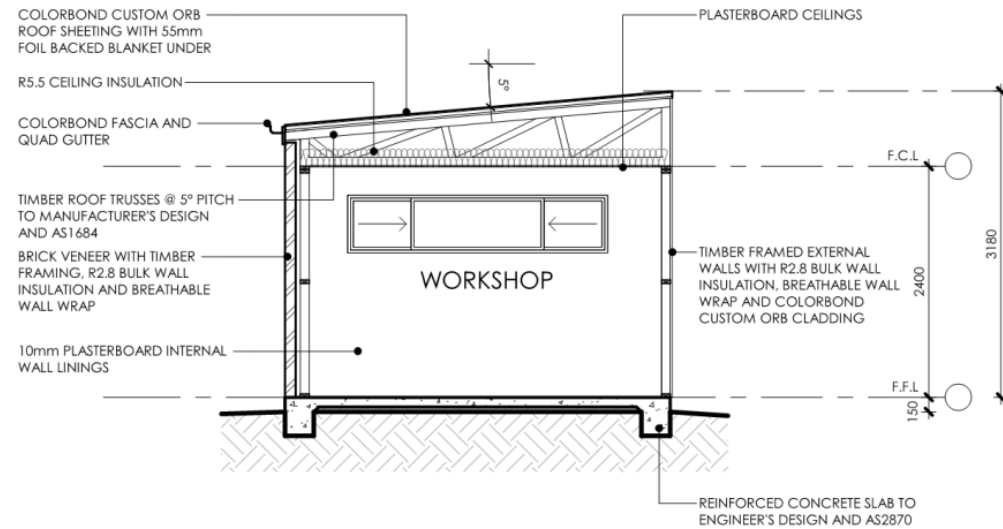
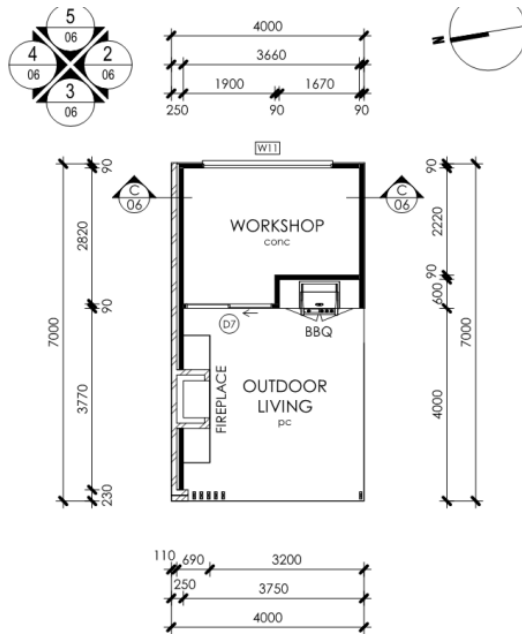
Drawing No.

Drawn RG/C

Issue

5735EC-05

F

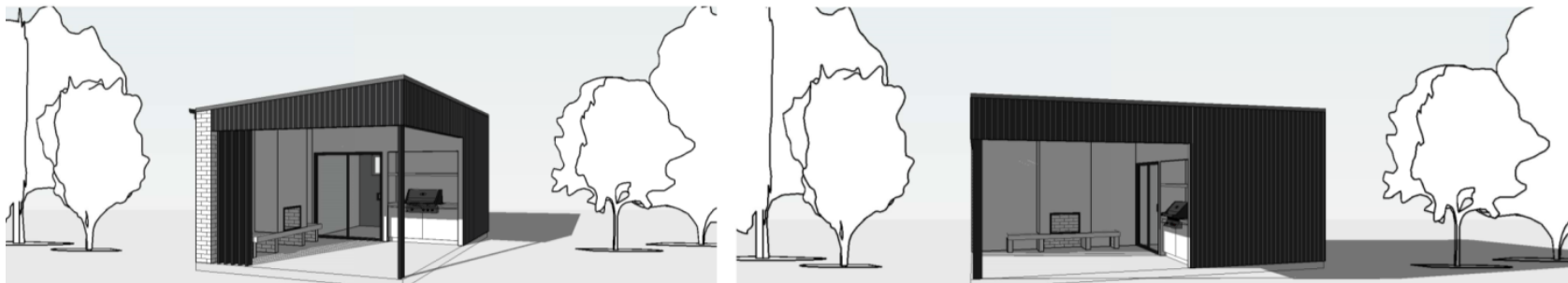


2 SOUTH ELEVATION
SCALE 1 : 100

3 WEST ELEVATION
SCALE 1 : 100

4 NORTH ELEVATION
SCALE 1 : 100

5 EAST ELEVATION
SCALE 1 : 100



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LEGEND

15-21	WINDOW DIMENSIONS - HEIGHT x WIDTH
AAW	ALUMINIUM AWNING WINDOW
ADH	ALUMINIUM DOUBLE HUNG WINDOW
ASD	ALUMINIUM SLIDING DOOR
ASW	ALUMINIUM SLIDING WINDOW
BFD	B-FOLDING DOOR
CLN	CLOTHES LINE
CONC	CONCRETE, TROWEL FINISH
CPT	CARPET
CSD	CAVITY SLIDING DOOR
CPT	CERAMIC FLOOR TILES
DR	DRYER SPACE
DW	DISHWASHER
F	FIXED GLASS WINDOW
FD	FRENCH DOOR
FP	FIREPLACE
FTIM	FLOATING TIMBER FLOOR
FWG	FLOOR WASTE GULLY
HP	HOT PLATES
HWS	HOT WATER SYSTEM
J	JOINERY
LOH	LIFT OFF HINGES
LT	LAUNDRY TUB
LV	LOUVRE WINDOW
MB	METER BOX
MOD	MODWOOD DECKING
MSSD	MULTI STACK SLIDING DOOR
MW	MICROWAVE
ORIS	OBSCURE GLASS
OV	OVEN
PC	POLISHED CONCRETE
PL	VINYL PLANK FLOORING
PLD	PANEL-LIFT GARAGE DOOR
RD	ROLLER DOOR
REF	REFRIGERATOR
RW	RETAINING WALL
SD	SMOKE DETECTOR
SK	SINK
SL	SIDE-LITE
TD	TIMBER DECKING
TF	POLISHED TIMBER FLOOR
WM	WASHING MACHINE SPACE

B	DA ISSUE	30.06.2
A	FOR CLIENT APPROVAL	12.05.2
Issue	Description	Date



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Client Peter & Marina Segal

Project 34 Gladstone Street
Mudgee NSW 2850

Title WORKSHOP DETAILS

Scale at A3
1 : 50 : 1 : 100

Date AUGUST 2022

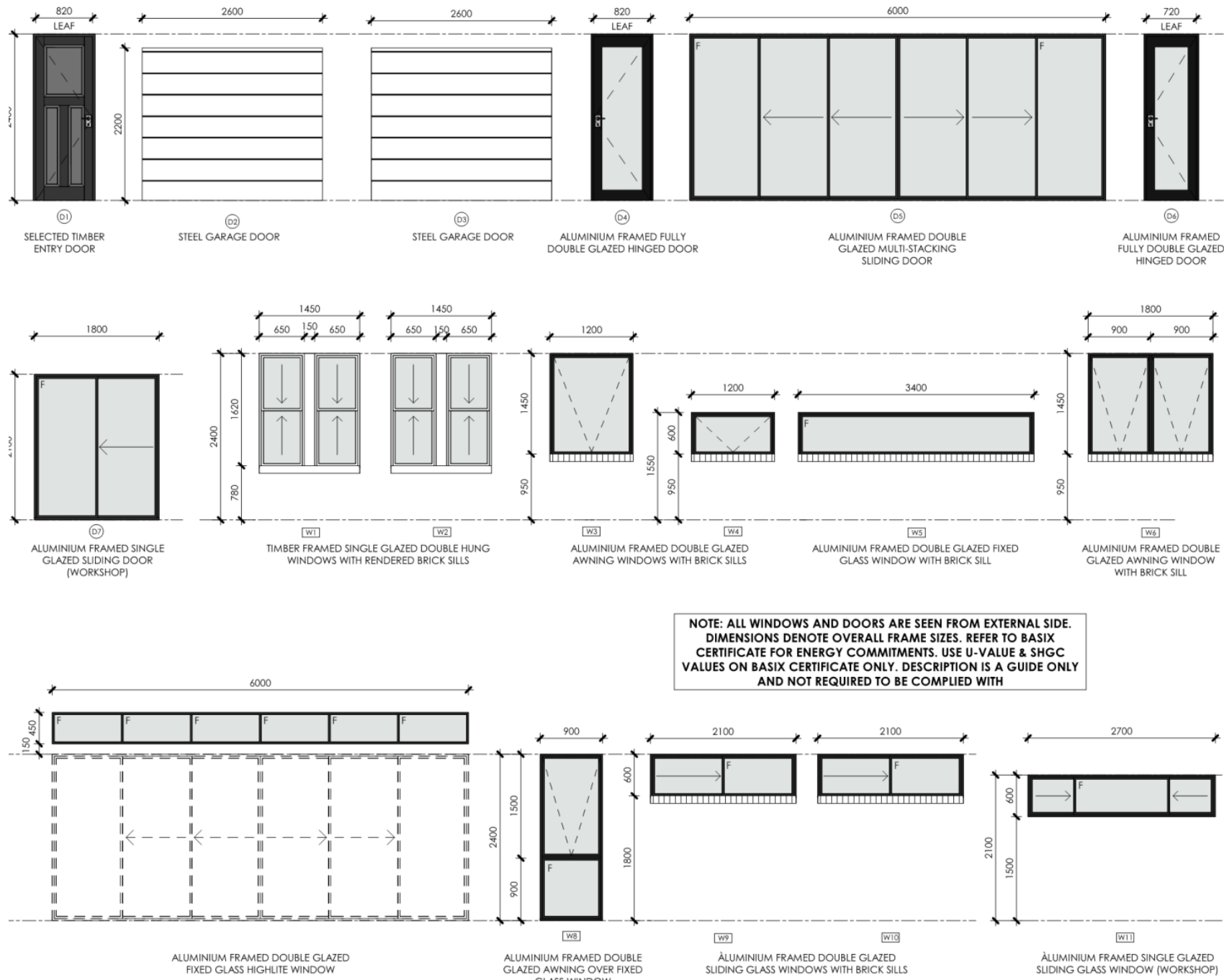
Drawing No.

5735EC-06

Drawn RG/C

Issue

F



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LEGEND

F FIXED GLASS

G	CEILING CHANGES	26.08.2
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Issue	Description	Date



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Project 34 Gladstone Street
Mudgee NSW 2850

Title DOOR AND WINDOW
SCHEDULE

Scale at A3

1 : 50

Date AUGUST 2022

Drawing No.

5735EC-07

Drawn RG/C

Issue



Statements of Heritage Impact (SOHI)

Proposed Demolition And Infill house 34 Gladstone Mudgee

Lot 100 DP 1300907

Clients: Peter & Marina Segal



Figure 1 View of house at 34 Gladstone Street Mudgee. BjH

Date: 18 July 2024

Contents

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RECOMMENDATIONS..... 4

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HERITAGE IMPACT 8

HERITAGE OBJECTIVES AND THE MWRC LEP 9

COMMENT ON THE MWRC HERITAGE OBJECTIVES..... 10

INFILL CONCEPT 11

PART B STATEMENT OF HERITAGE IMPACT 11



Figure 2 Aerial image showing 34 Gladstone Street highlighted. (Image courtesy Six Maps)

Statements of Heritage Impact | 2022
127 Gladstone Street Mudgee

This Statement of Heritage Impact is required because the proposed building to be demolished is located within the Mudgee Conservation Area. It is not in close vicinity of any heritage listed item however it does form a contributory item within a row of 1920's 'Californian' bungalows.

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

This **Statement of Heritage Impact** is based on the revised Guidelines for preparing a Statement of Heritage Impact (SoHI) as updated by the NSW Dept of Planning and Environment on 19 June 2023.

Summary

The proposed site at 34 Gladstone Street is proposed to be demolished and to be replaced by a similar scale single residence.

The existing house is contributory aesthetically when first seen but has low significance as an unlisted building and one that is in very poor 'health'. It has very little integrity due to inappropriate changes of fabric over decades, and the physical deterioration of its walls internal and external. The house is an unusual combination of concrete construction and earlier brick construction. It appears to be Federation house that was 'made over' in the late 1930s 'when rough cast render and a front verandah 'of the period' was very popular and added.

The front gable is clad with much later vertical boards and the western wall has been reclad with iron sheets. This western wall appears to be failing and a large concrete beam has been laid beside it, presumably to stop the west wall moving out and leaning. Rising damp is a widespread feature of the house and the house is generally failing.

There will be a positive effect on the Heritage Conservation Area with the new construction of a residential development in sympathy with scale with its neighbours. The choice of style is traditional as the owners loved the aesthetics of the house they are removing.



Figure 3 Proposed front elevation

Recommendations

Follow the recommendations in this report.

- Submit a colour schemes for the new infill.
- Photographic recording.

Brief History

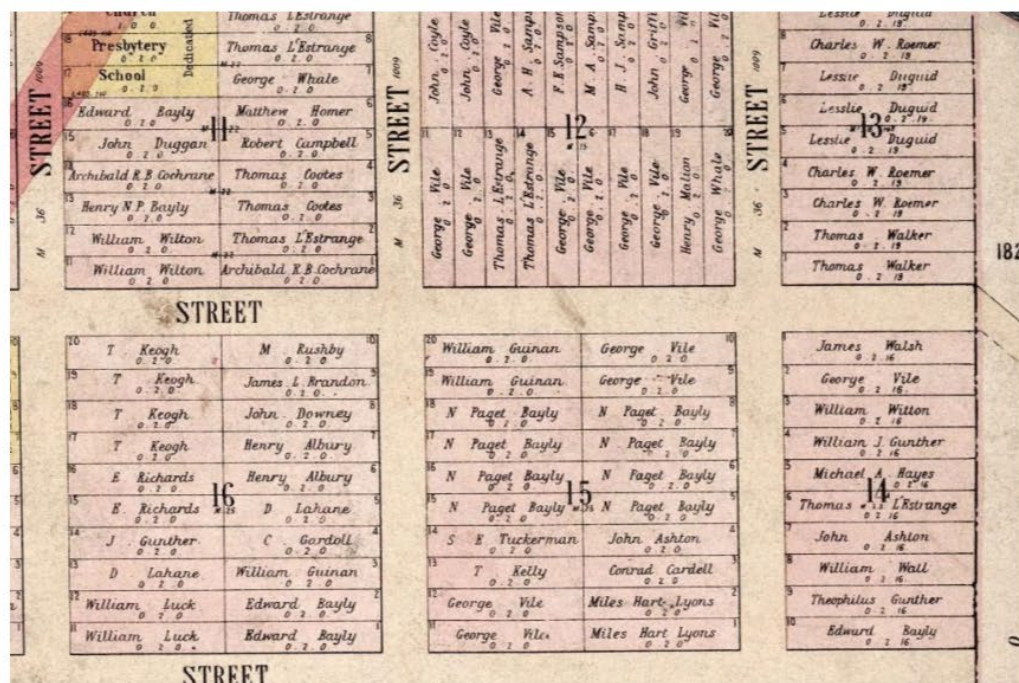


Figure 4 part of parish map of the town of Mudgee showing the original owner of the land was George Vile.

The land was originally part of a much larger block of land owned by George Vile, a land speculator. He had 2 Lots, 10 and 11 in Section 15 that addressed Lewis Street. That land was re surveyed into later lots addressing Gladstone Street. This prodecded 5 lots.

George Vile, a fruiterer, owned the land from around 1878. He must have passed away by 1886 when his estate was declared insolvent. By 1898 nothing had been constructed on the land and a circus, who came to town, illegally camped on the site. His son, or his estate, objected:

4

RE VILE (FITZGERALD BROTHERS, RESPONDENTS).¹

An application on behalf of Herman W. Vile was made to Mr. Justice Cohen in chambers by Mr. Vile of Mudgee, against ordering Daniel and Thomas Fitzgerald, respondents. It appeared that the defendants, who are circus proprietors, pitched their tent on a piece of land near Lewis and Gladstone streets, Mudgee. Vile informed them that they were trespassing, but one of the defendants informed him that they did not recognize him as owner. Vile then laid an information, charging them with trespassing on the land, and claiming £5 compensation. The complainant gave evidence that he had been in possession of the land for 20 years.

George Vile's estate land in Section 15, was put up for sale around 1906 for £100. It apparently did not sell, and two years later was sold at a Mudgee Auction in July 1908. Each lot contained half an acre. They were described as 'opposite the railway, with a frontage to Gladstone and Lewis streets.'²

Allotments 11, 12, half-acre each, Gladstone-street, (sold) £10 each. — C. Gentle.^{3,4}

Mr. C Gentle the purchaser was probably the owner of the first cottage on this land built in c.1909.

Physical evidence indicates that around 1938, 30 years later, the house was given a new look with an art deco style verandah, and simple large single gabled facing Gladstone Street. Since that time the gable and west wall have been reclad and minor additions added to the rear.

Physical Description

This residence is a simple single storied house with one gable addressing Gladstone Street. The gable is clad in non-original vertical lined sheeting- boarding. The walls are masonry but an unaccountable mix of brickwork and concrete walls. This indicates many changes to the house apparently because of unsound walls. The south facing wall and the front façade are probably solid brickwork. Other walls are bush concrete. The wall vents at ground level still exist on the east side. The external walls are rendered in pseudo ashlar blockwork.

¹ Daily Telegraph 6 Dec 1898

² Mudgee Guardian 2nd July 1908

³ Mudgee Guardian 7 dec 1908

⁴ A Mr. CA Gentle was the publican of the old Miners Arms hotel in 1914.

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The front verandah is constructed in concrete, tapered design with the rough cast render. Pairs of posts support the roof. The floor of the porch has been raised higher by concrete paving probably added c. 1938. The higher porch has removed ventilation from the front wall and caused chronic rising damp. The windows are probably original, timber framed and double-hung.



Figure 5: Verandah detail; added c. 1938.

Other walls are even more problematic. Central walls to the house and some skirtings are concrete. The west side wall is lined with corrugated iron screening the fact that behind it is a wall in very poor condition.

At the base of this wall is a heavy exposed concrete beam probably shoring up this side of the house and adding to the rising damp problems. It may be that the house was first built entirely of bush concrete walls. Then as the walls failed and the house moved, some external walls were bricked, or it may have even been the other way around. The result is an ad hoc construction, severe rising damp and problematic walls such as the west wall that is failing and should be replaced. Overall a very unhealthy building, built poorly from the outset. Its only value being that it infills the street with a compatible façade.



Figure 6 front LH corner showing the end of ground retaining beam or shoring.

Figure 7 Looking down the West side ground beam that is shoring the wall.

Setting

The house is located within a run of well built Federation or 1920s houses. Each of the houses are exemplary examples of Californian Bungalows in face brickwork with double decorative gables in good to excellent condition.



Figure 8 House at 38, 36 and 32 Gladstone in face brick, quality houses, & the house at 34 Gladstone St.

While the house at 34 Gladstone Street is an acceptable infill building contributing in scale and shape to its neighbours, the 1920s bungalows, No 34 is in very poor quality and a very unhealthy house of a later date.

Significance

Statement of Significance

The site is located within in the Mudgee Conservation area.

The Statement of significance for the MCA is as follows:

The settlement of Mudgee, located along the banks of the Cudgegong River, demonstrates the principal characteristic of early government town layout in NSW. Designated land uses include the Anglican and Catholic churches in key central positions, with reserved land for law and order, education, and recreation, following government practice of the day.

Initial settlement occurred in 1822 with many pioneer families still represented in the town today.

The Heritage Conservation Area of Mudgee closely follows the 1884 parish map of the town and retains many key heritage buildings especially in the central business area of Church and Market Streets. Historically significant buildings on corners include the Post Office, the Anglican and Catholic churches, hotels, and banks, all of which help frame the central shopping area. Many impressive commercial, civic, and religious buildings of similar late Victorian style and scale, such as the former Town Hall, banks, hotels and churches, form the core of the Conservation Area, creating an aesthetically significant NSW country town. Remnants of early road works, stone kerbs and gutters, are extant and contribute to the setting.

Two excellent parks, Robertson Park and Lawson Park, set aside in the initial surveys of the town, provide partial boundaries to the commercial core. The town setting is also framed by the backdrop of the hills, reminding residents of the original meaning of Mudgee: the 'nest in the hills'. Mudgee also has a good stock of heritage listed houses beyond the central business area. In a special category are those buildings designed by Mudgee architect Harold Hardwick in the 1890s to 1920s because of their quality.

Heritage impact

The removal of this house, due to their exceptionally poor and unhealthy condition with very little original fabric, will not adversely affect the streetscape of Gladstone Street in the Mudgee conservation Area, as an acceptable infill house has been designed to infill the space. The removal of the existing house will make way for an improved streetscape through a quality and well scaled infill, that echoes the design characteristics of its neighbours with a will pitched roof, small scale, and front verandah.

Heritage Objectives and the MWRC LEP

The MWRC LEP 2012 provides the following information with respect to the management of Environmental Heritage. The most relevant clauses to this SoHI are in bold.

(1) Objectives

The objectives of this clause are as follows:

- (a) **to conserve the environmental heritage of Mid-Western Regional,**
- (b) **to conserve the heritage significance of** heritage items and **heritage conservation areas, including associated fabric, settings and views,**
- (c) to conserve archaeological sites,

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) **a building, work, relic or tree within a heritage conservation area,**
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(3) When consent not required

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
- (b) the development is in a cemetery or burial ground and the proposed development:
- (d) the development is exempt development.

(4) Effect of proposed development on heritage significance

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

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

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

(6) Heritage conservation management plans.

Comment on the MWRC Heritage Objectives

The MWRC heritage objectives are met through this Statement of Heritage Impact. The proposed removal of the house will not adversely affect the heritage significance of the Mudgee Conservation Area.

The house is a combination of different periods of construction resulting in very poor quality building where repairs are not feasible.

Infill Proposal



Part B STATEMENT OF HERITAGE IMPACT

Address and property description: of the Proposed development, demolition, is at 34 Gladstone Street Mudgee

The affected heritage place is the **Mudgee Conservation Area**

Prepared by:

Barbara Hickson Heritage adviser. PO Box 610 Mudgee NSW 2850

Owner of the proposed development site:

Mr. Peter & Mrs. Marina Segal

A brief description of proposal

The owners of the property propose to remove the existing house and replace it with a modern infill building. The existing house is in very poor condition but is set between a group of quality bungalows. The house was built in many stages with very little original fabric and, due to poor repairs and changes, is an unhealthy and unstable building.

STATEMENT OF HERITAGE IMPACT

<p>1. why the item is of heritage significance.</p>	<p>The residence proposed to be demolished is not a heritage item. The site is however located within the Mudgee Conservation Area which is a heritage item because:</p> <p><i>It retains many key heritage buildings especially in the central business area and on corners. These buildings help frame the central shopping area. There are many impressive commercial buildings of similar late Victorian style and scale, such as the Oriental hotel. It is an aesthetically significant NSW country town.</i></p> <p><i>The conservation area of Mudgee also has a good stock of heritage listed houses beyond the central business area. In a special category are those buildings designed by Mudgee architect Harold Hardwick in the 1890s to 1920s because of their quality.</i></p> <p>The house at 34 Gladstone Street sits between a group of quality late federation houses and, it contributes aesthetically to the streetscape in scale and character by infilling the gap between those houses.</p>
<p>2. As DEMOLITION is proposed, why is it necessary? and what positive impact will the proposed works have on its significance?</p>	<p>Demolition is proposed because the existing house is very poorly constructed and has been altered many times leaving a residence that is unhealthy and structurally deficient. Its west wall is kept in place by a large concrete beam shoring up the side wall. Rising damp is prolific with a front raised pavement, and the west wall ground beam, preventing any ventilation. The west wall is unrepairable in-situ and the poor quality construction are just some of the issues. A mix of bush concrete walls and original brick walls and minimal ventilation are a MAJOR problem.</p> <p>Removal of the existing house will allow for a better planned, quality healthy residence that can have a positive visual and aesthetic effect by CONTRIBUTING to the streetscape.</p>
<p>3. Have options for retention and adaptive re-use been explored?</p> <p>If yes, set out why these options have been discarded?</p>	<p>Originally the owners were planning to retain the house and simply extend it. An inspection by the architect and heritage adviser showed that the house was not fit for healthy living and not repairable in its present form. Essentially only the front and east wall, and front windows are original. Some walls have been rebuilt, external walls have been rendered over, the ventilation to sub floor removed, all except one wall, and the façade and front verandah replaced with a poorly built concrete 'Art Deco' façade. The west wall has been</p>

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What items can be salvaged and reused	<p>hidden by recladding with sheet iron and shored-up with a concrete beam at its base. The single gable has been clad in vertical battens fabric in a style that is a different from the period to the façade.</p> <p>The plans were drawn up to retain the front rooms of this house have been replaced by plans to fully reconstruct a new healthy house. The new house is still very traditional as the choice of the owners was to be compatible with the house they were removing. However all materials will be modern.</p> <p>Existing demolished bricks and windows will be offered for recycle.</p>
4. Has technical advice for demolition been obtained?	The heritage adviser and architect, has advised on demolition.
5. what negative impact will the proposed works have on its significance.	The loss of any residence of the past is a loss to the stock of older houses. However, very little of this house is original and retaining it leaves a poor-quality house that cannot be readily repaired and not of heritage significance.
6. what measures are proposed to mitigate the negative impacts.	<p>A local building designer has been engaged to design the suitable infill building to ensure the continuity of the streetscape is maintained.</p> <p>A photographic record should be made of the existing house, especially to understand better the reasons for its failure.</p>
7. why were more sympathetic solutions are not viable.	Initially plans were drawn up for alterations and additions to this residence. However, as the deteriorated condition of the house became more obvious with detailed inspection it was deemed not a suitable building to retain.
8. archaeology	<p>There are no known deposits. This was an early federation house c. 1909 that was remodelled in the late 1930s.</p> <p>If any relic is disturbed in the ground a heritage adviser and the MWRC to be notified immediately.</p>

Other matters for consideration.

9. Do the proposed works include removal of an unsympathetic item? How does this benefit or impact the areas significance?	The removal of this residence will leave a space in an important streetscape. The future proposal of a new house must meet this need of good infill through scale, setback, general shape and colours and to complement the quality houses in its vicinity.
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10. Does this proposal relate to any future works?	Yes. The demolition will be followed by the proposed new infill building sympathetic with the streetscape as noted above.
11. Are the requirements any local design guidelines to the site considered?	Yes.
12. Will the proposed works result in adverse heritage impact? If so, how will this be avoided, minimised or mitigated	There should be no adverse impact on the local heritage items. The new infill has been designed to be modern yet sympathetic to its neighbours and retain an appropriate and strong streetscape setting.

Works within the Conservation Area

13 Will the proposed works affect the heritage significance of the conservation area?	Initially demolition will create a space on the streetscape. This however will be filled by a new sympathetic residence immediately afterwards.
14 Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?	No. The house proposed to be removed is not of the same period or quality of its neighbours. It does contribute to the streetscape by infilling between houses in the right scale, shape and colours, but not of heritage value.
15. Do the proposed works affect the setting of the Conservation Area, including views. Can the impacts be avoided and/or mitigated?	Yes the existing streetscape is presently contributory to an attractive streetscape with 3 of the neighbouring houses being similar in age, character and quality. The impacts can be fully mitigated by a good infill and a traditional verandahed residence.



Barbara Hickson

RELEVANT DEFINITIONS

Information is sourced from the Heritage Act 1977, Environment Planning and Assessment Act 1979 and The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance.

Consent authority: The person or body with whose approval that act, matter or thing may be done or without whose approval that act, matter or thing may not be done.

Conservation: Conservation means all the processes of looking after a place so as to retain its cultural significance (as defined in The Burra Charter).

Development: The erection of a building, carrying out work, use of or subdivision of land.

Heritage significance: Term used in the assessment and understanding of heritage items that have significance in relation to their historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

Moveable heritage: A moveable object that is not a relic.

Relic: Any deposit, artefact, object or material evidence that is of state or local heritage significance.

Setting: The area around an item, which may include the visual catchment.

State Heritage Inventory or SHI data: An online database containing heritage items and conservation areas on statutory lists in NSW. This includes the State Heritage Register and local government item

MID-WESTERN REGIONAL COUNCIL HERITAGE MEMORANDUM

TO: SARAH HOPKINS, PLANNING CO-ORDINATOR
FROM: GRAHAM HALL, HERITAGE AND URBAN DESIGN ADVISER
REF: DA 0049/2025: 34 GLADSTONE STREET, MUDGEES
DATE: 21 APRIL 2025

THE PROPOSAL

The proposal is to demolish the single storey Federation house on the site and construct a new house reminiscent of an inter war Californian bungalow .

The application is supported by professionally written Statement of Heritage Impact, but on this occasion the description of the house, the analysis of claimed structural problems, the assessment of the house's contribution to the heritage significance of the Mudgees Conservation Area, and the assessment of the quality of the proposed replacement house are not supported.

HERITAGE STATUS OF THE HOUSE

The house is not listed as an item of environmental heritage in Schedule 5 of the LEP, but it lies within the Mudgees Heritage Conservation Area.

SITE INSPECTIONS

The house was occupied by tenants who allowed the Heritage Adviser and Trainee Planner to examine the exterior at the front and each side on 24 October 2024. The Planning Co-ordinator and the Heritage Adviser subsequently inspected the interior in company with the applicants and their designer. The flooring in the front rooms had been removed, but it was not possible to inspect the rear of the house due to the presence of savage dogs.

HISTORY AND DESCRIPTION OF THE HOUSE

The Statement of Heritage Impact (SOHI) suggests that the house was built in 1909. This is consistent with the physical evidence. The house is of one storey and has a front veranda, so can be classed as a late Federation bungalow.

Viewed from the street, it is symmetrical, with a large street-facing gable, central front door with windows on each side and a full width front veranda under a skillion roof.

General Extent Of Original Fabric

The SOHI claims that the house has "very little original fabric" (last para, p.8. **This is simply not correct.** The principal form of the building, the front veranda, all the internal and external walls, the wall finishes, the roof framing, the door and window openings, the windows, and much of the interior fabric is original. The corrugated roofing has been replaced with similar roofing. **In fact, almost all the visible fabric is original.**

Walls

Throughout the SOHI there are claims that the walls are a mix of “bush” (in situ) concrete and solid brick. There is no evidence at all for this claim. Visual inspection confirms that the thickness of the walls is inconsistent with either solid or cavity wall construction. Externally, the walls are coated with cement render with an ashlar-ruled pattern. This treatment is common on Victorian walls but there are occasional examples of its use on Federation style houses in Mudgee.. Internally the walls are plastered, but at the time of the site visit several floors had been taken up. Naturally there is no plaster below skirting board level so that it was possible to ascertain that **there are no brick walls under the main roof. The walls are consistently built of in situ “bush concrete.”**

In this form of construction, concrete footings are poured in trenches in the normal way. Then the walls are constructed by pouring concrete between timber forms, between 100 and 300 mm apart. A small and therefore important percentage of the houses constructed in Mudgee in the early 20th century were constructed with bush concrete. (There is a higher proportion in Rylstone.)

Gable

The SOHI states (p.5), *Physical evidence indicates that around 1938, 30 years later, the house was given a new look with an art deco style verandah, and simple large single gabled facing Gladstone Street.* There is no documentary evidence to support this claim, and no suggestion is provided regarding any earlier appearance.

As claimed in the SOHI the front gable is now clad with modern vertical boarding. But the SOHI suggests that the gable form itself is not original. A photograph provided by the applicant taken inside the roof space clearly confirms that **the gable form and timber framing are original.** Only the cladding has been replaced.

Veranda

The SOHI also suggests that the veranda was added late in the inter war period. No evidence is provided in support of this assertion. Houses of this period, free-standing and set back from the street, invariably had front verandas. The veranda in question has an in situ concrete balustrade, battered (sloping) piers and roughcast finish. **Both the form and the finish are entirely consistent with the construction date.**

CONTRIBUTION OF THE HOUSE TO THE HERITAGE SIGNIFICANCE OF THE CONSERVATION AREA

A heritage conservation area is more than a collection of individual heritage items. It is an area in which the historical origins and relationships between the various elements create a sense of place that is worth keeping.

*A heritage area is identified by analysing its heritage significance and the special characteristics which make up that significance. These may include the subdivision pattern, the consistency of building materials or the common age of its building stock. The least important characteristic is the “look” of the place, although the commonly held community view is that this is the determining factor. (Heritage Office and Department of Urban Affairs and Planning, *Conservation Areas*, 1996, p.3.)*

The SOHI notes (p.3, top) that the house *is not in close vicinity of any heritage listed item however it does form a contributory item within a row of 1920's ‘Californian’ bungalows.* It also notes (Summary, p. 3), *The existing house is contributory when first seen. It goes on,....it has low significance as an unlisted house.*

The house is not individually listed as a heritage item. The issue is not whether it meets the gazetted criteria for significance in its own right, but the contribution it makes to the heritage significance of the conservation area.

The house is clearly contributory, being readily recognisable as dating from the Federation period and having only minor or reversible alterations.

CONDITION

The SOHI and other documentation contain numerous claims that the house suffers from structural defects, poor sub-floor ventilation and rising damp. Past alterations such as the sheeting over the western wall with metal cladding, the presence of a large concrete mass at the base of that wall, and the replacement of particle board flooring have been advanced as evidence of what are claimed to be serious defects.

It is not practicable in the context of this report to address each such instance. At the outset is stressed that

- poor ventilation causing decay in timber, sub-floor water flow, rising damp and structural failure are separate issues
- past attempts to rectify perceived problems may have been misguided
- the applicants have declined to remove the cladding from the western wall, while claiming that it is in poor condition and seeking consent to demolish the entire house.
- On the site visit, the house appeared to be in generally good condition.

Structural condition of the walls generally

The external walls exhibit a small number of irregular hairline cracks. These are consistent with normal shrinkage in concrete and settlement in the footings. They present no danger, and there is no suggestion in the submitted documentation to the contrary.

The western wall

Internally, what appears to have been a crack in the front and western walls had been patched with plaster ready for painting at the time of the site visit. The SOHI claims, *This western wall appears to be failing and a large concrete beam has been laid beside it, presumably to stop the west wall moving out and leaning.*

The applicants have declined to remove the cladding, though this could easily be done. They advise that it was present when they purchased the house and that they are unaware of the condition of the wall behind. In the heritage advisors experience, walls which are in good condition are frequently clad simply to avoid the need for future painting.

For these reasons, the Heritage Adviser cannot accept the contention that the wall exhibits any faults.

As to the so called beam, there is no obvious structural reason to lie a boom in dislocation in order to stop the wall spreading outwards at the base. The weight of the wall acts vertically. The only lateral thrust which causes walls to fail occurs when a roof spreads outwards at the top. It is conceivable that the beam actually extends under the footing with an L shaped section, i.e. that it is underpinning, designed to prevent uneven vertical subsidence. That appears to be unlikely, but if it is the case, then it has been successful.

It may simply be a rough concrete path. It is most unlikely that it is a misguided attempt to stop water flowing under the house from the west, because the existing wall and footing simply must prevent this if it were indeed to occur.

Subfloor ventilation

During the site visit, the owners advised that they had more than once replaced particle board floors which had decayed due to dampness in the air under the floors. This would seem to have been an unwise procedure. However it does provide evidence that there can be an excessive concentration of port water vapour in the air under the floor. It was noted that the floor framing was clear of the ground surface underneath, although it was less clearance than currently prescribed by the Building Code of Australia. This would be the case with many, indeed perhaps the majority of, houses in the Conservation Area. Most of these would not have had the flooring replaced. In the present case, the flooring cannot have been replaced at anything like the intervals between the last two attempts.

The reasons why flooring normally survives, as long as it is not in contact with the ground, are twofold:

- adequate subfloor ventilation, and
- ensuring that water from the roof, flowing across the site, and flowing beneath the soil surface does not flow under the house.

In the present case, there appears to be rather more water flowing under the house from one of these sources than is usually the case. The owners advised that the storm water system is functioning and discharges all roof water to the street gutter, but they may be mistaken in this regard. As noted previously it was not possible to inspect all the guttering and roof plumbing, due to the presence of savage dogs in the back garden.

The ground floor is below St level and while surface water does not appear to enter the house, subsurface water will be doing so. There are several locations in the area where former water courses have been filled in, but the soil is sufficiently porous for subsurface flows to occur. If this is the case, and an agricultural drain running across the direction of flow would intercept such excessive water.

Once any such introduced excessive water is removed, the question of subfloor ventilation still needs to be addressed. It is possibly inadequate, but can easily be addressed by the insertion of additional openings in the side walls, and internal also if necessary. The flow can be augmented by the installation of inexpensive low powered electric fans.

Rising damp

On the site inspection only one very small area of possible rising damp was also observed. Rising damp is unrelated to the question of subfloor ventilation. It occurs when water in the soil at the base of a wall migrates upwards through the wall by capillary traction. In masonry walls, a damp proof course, a thin layer of impermeable material, is inserted into the base of the wall. This prevents water rising further up the wall. Damp proof courses can fail if they are fractured or bridged.

It is of course not normal practice to insert a damper of course in an in situ concrete wall. The concrete itself is normally impervious. (It is normal practice to lay a waterproof membrane under a concrete floor slab, but this is to contain the concrete when it is wet, not to prevent subsurface water from penetrating it.) It is true that occasionally a bush concrete wall will not be sufficiently dense to provide a complete barrier, and that is claimed to be the case in the present situation. If this is so, and the wall is sufficiently permeable to allow the passage of water, it is equally capable of absorbing a low pressure injected damp proof course. (

Note that this has been confirmed with Mr. Barrie Cooper, a world expert on rising damp and part author of several publications on the topic by the Heritage Councils of NSW and Victoria.) Indeed Mr. Cooper has occasion to visit Mudgee occasionally and would be available to advise further if desired.

THE PROPOSED REPLACEMENT HOUSE AND ALTERNATIVES.

The application includes a proposal for a replacement house. Since the application to demolish the existing house is not supported, no comment is necessary on the proposed replacement.

The applicant might be advised that any proposal to demolish additions at the rear of the house and to extend or otherwise develop at the rear could well satisfy then aids and would of course be given careful consideration.

RECOMMENDATION

The application should be refused

GRAHAM HALL

B Arch, M Bldg Sc, MBA, Grad Cert Herit Cons, FRAIA
Nominated Architect (NSW ARB No. 2600)

Graham Hall and Partners
Architects and Heritage Consultants

HERITAGE AND URBAN DESIGN ADVISER
MID WESTERN REGIONAL COUNCIL

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**Letter to Mid-Western Regional Council,
Attention General Manager, Mr. Brad Cam
and
Council's Heritage Adviser Mr. Graham Hall**

Request for Demolition of the residence at 34 Gladstone Street Mudgee.

Prepared by Barbara Hickson Heritage Adviser

Date 25 Jan 2025

Dear Sirs,

Re Proposed demolition of 34 Gladstone Street Mudgee.

On behalf of the owners of 34 Gladstone Street I provide the following information in support of their request for permission to demolish the residence at 34 Gladstone Street Mudgee and replace it a suitable infill house.

In summary

- The existing house does not appear as a ruin. It has been repaired frequently with many faults covered over.
- The house is not a listed heritage item, and after close examination it has very low or no level of significance.
- The house was poorly constructed initially in porous concrete and has been incorrectly repaired since.
- It is essentially irreparable without significant replacement of the west wall, front verandah, front porch pavement, and front fibro clad gable.
- As a residence the building is unsuitable; unhealthy due to an unrepairable drainage problem, long-term rising damp, cracking, and rotting timbers.
- The house contributes to the streetscape in that its shape, scale and general character aesthetically fits with its neighbours. A new in-fill building can replace it.

Recently panels from the side wall were loosened to better understand the reason for the west wall coverup. This metal cladding was installed with a large concrete beam at ground level in a vain attempt to eliminate water reaching and pooling under the house. The previous engineers report by Barnson agrees with this finding and states:

'it is believed that there may have been a rising damp issue on the Western side, which prompted the installation of the Trimdek cladding and the concrete strip to divert stormwater away from the wall.'

The 'Trimdek'¹ metal cladding was fixed to the whole west wall with Tek screws. Each sheet laps the last. It isn't possible to refix them securely as there are no wall plugs and 'refixing' is into loose render.

This false wall has eliminated ventilation and enhanced retention of dampness under the house.

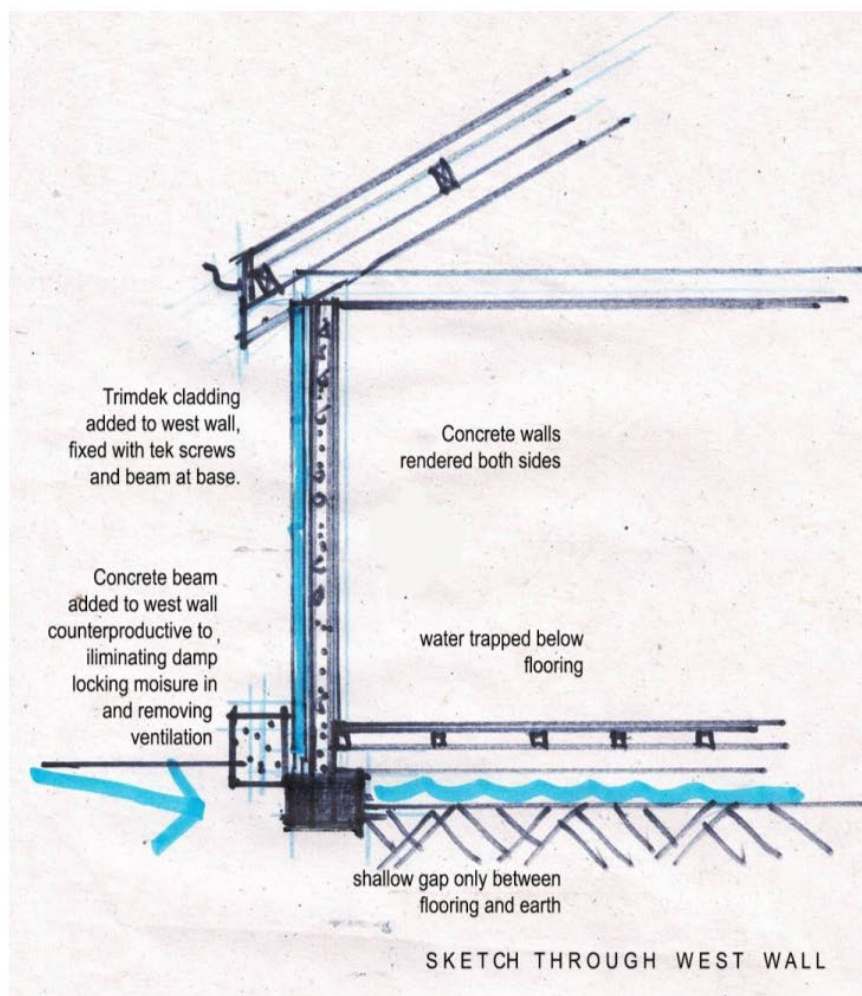


Figure 1 Sketch by Barbara Hickson Jan 2025

Further discussion

1) The house has little or no cultural significance

- a) The house on this land was first built in c. 1908 by a retiring publican. It was an early federation house and built with bush concrete walls, presumably a cost-saving measure. The concrete walls may be the only fabric dating from that earliest period. The house appears as a bungalow built in the 1930s.
- b) In the late 1930s the house was subject to considerable changes including.
 - i) A new front verandah was built, covering the existing front verandah pavement with a new concrete pavement and lifting it to a new level. This detail adds to the trapped water under the house and there is no ventilation to the underside of the house from the front.
 - ii) The verandah was given an Art Deco half height dual post constructed verandah popular at that time. Concrete was the masonry core and this was clad in rough cast stucco render. The stucco is failing and the poor construction beneath is spalling. Later the extent of the render was extended by blocking in windows sills and bottom sashes.
 - iii) The house was extended overall with a large new gable roof and exposed eaves rafters. The gable was clad with fibro.
- c) In the 1960s – 80s additional changes occurred.
 - i) In an attempt to eliminate water under the building the whole west was clad with a Trimdek metal sheet. This acted as formwork for a deep and wide concrete beam installed at the base of the wall.
The metal sheeting is held in place by Tek screws, without wall plugs, and the concrete ground beam. Once loosened it cannot be refixed in a secure manner. This concrete beam has not eliminated water accumulating under the house and probably assists in retaining it there.
 - ii) Replacement of rotted flooring in LHS rooms. (More than once)
 - iii) The fibro sheet on the gable was clad over with sheet metal, resembling vertical boarding.
 - iv) Rising damp and cracks are regularly patched.

2) The house is of exceptionally poor workmanship

- a) The concrete walls are of poor quality and porous. They are fragile, not flexible, and many cracks have occurred.
- b) There is inadequate clear depth between the framed floors and ground level,
- c) Water accumulates under the house and rises regularly up the walls which have been repatched many times. Outlets for drainage may have been established

- initially, but front and west side ventilation has been eliminated by subsequent changes. The timber floors have rotted out several times. No cross ventilation.
- d) The front verandah tapered walls were extended in plaster, covering in the base of timber windows at the ends of the verandah and elsewhere which leads to rot.

HERITAGE BACKGROUND

When heritage studies were carried out the most significant buildings were chosen for listing. Usually, these buildings had a degree of significance because of their craftsmanship, design, integrity, and/or level of historical or social significance. This house was not listed, and nor should it be in retrospect.

Later the Heritage Conservation Areas were formed especially to encapsulate the settings of these heritage listed houses and other buildings and help retain their curtilage and streetscape appeal of heritage periods of the past.

However, the total built environment contained in a Heritage Conservation Area is not of the same quality and needs to be treated with common sense. It is not practical to keep all places within the HCA. Those unlisted places of low significance should be able to be removed when issues such as unsound health, structural issues or other problems with longevity predominate.

New infill buildings can, by their design, provide the streetscape with coherence through sympathetic scale, materials, setbacks, forms, fencing and landscaping.

CONCLUSION

The present house is a poorly built and poorly repaired residence, with low or no significance. It is unhealthy and unsuitable for living in.

Based on all the above considerations of heritage significance, physical construction and integrity, we request that demolition be allowed to enable replacement of the house at 34 Gladstone Street Mudgee.

In the process of demolition, a full documentation of materials and construction can be made through a photographic record, and any sound materials can be offered for reuse. An infill building that complements the streetscape is offered.

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LIC NO. 180311C

Monday 24th March, 2025

Subject: Professional Commentary on Property Issues and Proposed Development of 34 Gladstone Street Mudgee

Dear Brad Cam, Graham Hall and MWRC representatives,

As a licensed building contractor with extensive experience in heritage, restoration, and remediation, I believe I can contribute a valuable, practical perspective to this discussion.

I have carefully reviewed Barbara Hickson's letter to the MWRC dated 25 January 2025 and have conducted a visual inspection of the property in question. I concur with the contents of the letter in its entirety.

In my professional experience, addressing the remedial works required for a property of this nature often presents significant challenges. For instance, a critical factor such as the height of the floor relative to the surrounding and sub-floor ground level cannot be modified without incurring substantial disruption to the structural integrity and aesthetic balance of the architecture. Sub floor excavation exaggerates the issue instead of resolving it. Consequently, the dwelling is unlikely to ever achieve full compliance with current building codes regarding sub-floor ventilation and crawl space clearance.

Our Building company has performed rising damp treatment using the chemical injection method to more than ten properties across the region. In a pertinent case, we undertook treatment of a porous poured concrete wall dwelling located to the northwest of Dunedoo, which proved to be the most challenging treatment we have encountered to date. The highly porous and cavity-prone nature of poured concrete wall (such as is found in the property in question) complicates the treatment process, resulting in inconsistent outcomes.

To further comment on the recurring issue of groundwater, it is important to note that a dwelling with a bearer and joist floor system will invariably struggle to manage substantial groundwater due to its reliance on isolated points of support, which may settle or swell based on the geological profile. Additionally, timber floor construction is perpetually at risk of rot. In contrast, modern raft or waffle raft concrete slabs mitigate such issues by distributing loads over a broader area. In severe cases, the incorporation of drilled piers beneath the slab enables loads to be supported by deeper, more stable

subsoil. Furthermore, modern raft slabs are largely impervious to subsoil water, thanks to the use of plastic underlayments and the enhanced impermeability of modern concrete.

Any damp and structural rectification and remedial measures inevitably contend with existing substandard conditions. These works need to have a wholistic approach which is impossible in the given site conditions and in this case cannot be guaranteed wholly successful in the long term. I believe any potential methods employed here will only yield temporary solutions rather than permanent fixes.

Thank you for considering my insights on this matter.

Yours sincerely,
Benjamin Kubowicz

OPERATIONS MANAGER

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8.3 ME0034/2025 - Modification to DA0140/2024 - Alterations and Additions to Federal Hotel and Hotel/Motel Accommodation - 34-42 Inglis Street Mudgee NSW 2850

REPORT BY THE PLANNING COORDINATOR
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, DA0140/2024

RECOMMENDATION

That Council:

- A. receive the report by the Planning Coordinator on Section 4.55(1A) ME0034/2025 - Modification to DA0140/2024 - Alterations and Additions to Federal Hotel and Hotel/Motel Accommodation - 34-42 Inglis Street Mudgee NSW 2850;
- B. approve the Section 4.55(1A) Modification (ME0034/2025) to DA0140/2024 Alterations and Additions to Federal Hotel and Hotel/Motel Accommodation - 34-42 Inglis Street Mudgee NSW 2850 subject to the following amended conditions and Statement of Reasons (in blue):

APPROVED PLANS

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

Title / Name:	Drawing No / Document Ref	Revision / Issue:	Date:	Prepared by:
Cover sheet & site location	DA000	A	13/9/2023	Bergstrom Architects Pty Ltd
Site analysis	DA001	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing photographs	DA002	A	13/9/2023	Bergstrom Architects Pty Ltd
Lot consolidation plan	DA003	A	25/9/2023	Bergstrom Architects Pty Ltd
Existing ground floor plan	DA010	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing level 1 plan	DA011	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing roof plan	DA012	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing elevations - sheet 01	DA050	A	13/9/2023	Bergstrom Architects Pty Ltd
Existing elevations - sheet 02	DA051	A	13/9/2023	Bergstrom Architects Pty Ltd
Demolition plan - ground	DA090	A	13/9/2023	Bergstrom Architects Pty Ltd

Demolition plan - level 1	DA091	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Proposed lower ground floor plan	DA100	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Proposed ground floor plan	DA101	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Proposed level 1 plan	DA102	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Proposed roof plan	DA103	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Proposed elevations - pub	DA500	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed elevations - hotel	DA501	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed elevations & external finishes - bottle shop	DA502	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Proposed signage details	DA503	A	13/9/2023	Bergstrom Architects Pty Ltd
Proposed sections	SHEET 01 DA510	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Proposed sections	SHEET 02 DA511	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Proposed sections	SHEET 03 DA512	A	13/9/2023	Bergstrom Architects Pty Ltd
3d views sheet 01	DA520	A	13/9/2023	Bergstrom Architects Pty Ltd
3d views sheet 02	DA521	A B	13/9/2023 17/02/2025	Bergstrom Architects Pty Ltd
Landscape plans	DWG 2401 - SHEETS 1 – 5	A	28/9/2023	Paddock Studio Pty Ltd
Civil concept drawings	NDY-CIV-001	2.0	22/02/2024	NDY (ANNOTATIONS OF PLANS DA100 AND DA101)
Hydraulic drawings	NDY-HSK-001	4.0	22/02/2024	NDY (ANNOTATIONS OF PLANS DA100, DA101, DA102 AND DA103)

Mechanical concept drawings	NDY-CSK-001	1.0	20/10/2023	NDY
Statement of environmental effects	-	REV 4	12/10/2023	Canberra Airport Group
Statement of heritage impact	-	-	October 2023	Sue Rosen Associates
Traffic and parking impact assessment	-	2.0	5/10/2023	SCT Consulting
Noise impact assessment	rp230705c0029	3.1	5/9/2023	NDY
Tree assessment report		1.0	5/10/2023	McArdle and Sons Arboricultural Services Pty Ltd
BCA Fire Safety Upgrade Report	Report 2024/1221	1.1	13 December 2024	Steve Watson & Partners

[MODIFIED BY ME0034/2025]

- For clarity, this development consent provides approval for demolition works, alterations and additions to the existing Federal Hotel, new drive through bottle shop, 38 room hotel accommodation building, business identification signage and ancillary works including landscaping and fencing of the site.

GENERAL

- This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate for building works have been obtained, along with the appointment of a Principal Certifier.
- All building work must be carried out in accordance with the Building Code of Australia.

Note: Prescribed condition pursuant to section 4.17(11) of the Environmental Planning and Assessment Act 1979.

- All demolition works are to be carried out in accordance with AS 2601-2001 "Demolition of structures", with all waste being removed from the site. Hazardous waste such as asbestos cement sheeting etc, shall be handled, conveyed and disposed of in accordance with guidelines and requirements from SafeWork NSW. Disposal of asbestos material at Council's Waste Depot requires prior arrangement for immediate landfilling.
- All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.
- This section applies to a development consent for development that involves excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land, including a structure or work in a road or rail corridor.

It is a condition of the development consent that the person having the benefit of the development consent must, at the person's own expense—

- a) protect and support the building, structure or work on adjoining land from possible damage from the excavation, and b.**
- b) if necessary, underpin the building, structure or work on adjoining land to prevent damage from the excavation.**

This section does not apply if—

- a) the person having the benefit of the development consent owns the adjoining land, or**
- b) the owner of the adjoining land gives written consent to the condition not applying.**

- 8. This section applies to a development consent for development involving building work, subdivision work or demolition work.**

It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—

- a) showing the name, address and telephone number of the principal certifier for the work, and**
- b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and c. stating that unauthorised entry to the work site is prohibited.**

The sign must be—

- a) maintained while the building work, subdivision work or demolition work is being carried out, and**
- b) removed when the work has been completed.**

This section does not apply in relation to—

- a) Building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or**
- b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.**

- 9. Stormwater drainage is to comply with the Mid-Western Regional Council Development Control Plan 2013 and the standards referenced in Appendix B and D.**

- 10. The footpath and driveway levels are not to be altered outside the property boundary without Council's permission. Driveways installed over public footpaths must match the existing footpath profile.**

- 11. Fill placed in residential or commercial lots shall be compacted in accordance with AS3798-2007 Guidelines on Earthworks for Commercial and Residential Developments.**

- 12. The only waste derived fill material that may be received at the development site must be:**

- a) Virgin excavated natural material, within the meaning of the Protection of the Environment Operations Act 1997; and**
- b) Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the Protection of the Environment Operations (Waste) Regulation 2014 that is permitted to be used as fill material.**

13. Notwithstanding the approved plans the structure is to be located clear of any easements and/or 1.5 metres from any water and sewer mains in accordance with Council Policy.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

14. Prior to the issue of any Construction Certificate, evidence that the lots making up the subject site have been consolidated into a single allotment and registered with NSW Land Registry Services is to be submitted to Council and the Certifier (if applicable). The lots to be consolidated into a single parcel include:
- a) Lot 16 Section 43 DP 758721
 - b) Lot 17 Section 43 DP 758721
 - c) Lot 18 Section 43 DP 758721
 - d) Lot 10 DP 1275386
15. Application shall be made to Council under Part B, Section 68 of the Local Government Act 1993 to carry out Water Supply, Stormwater and Sewerage Works. The application shall contain details demonstrating compliance with the Plumbing and Drainage Act 2011 and/or the Plumbing Code of Australia. The Section 68 application shall be considered and approved by Council prior to the release of any Construction Certificate for the development.
16. Prior to issue of any Construction Certificate, a Liquid Trade Waste approval is to be obtained from Mid-Western Regional Council.
17. The developer shall obtain a Certificate of Compliance under the Water Management Act 2000, from Council prior to issue of any Construction Certificate.
Note: Refer to Advisory Notes in relation to payment of contributions to obtain a Certificate of Compliance noting that further information regard floor areas must be supplied to Council's Water and Sewer Department for confirmation of the applicable Contribution amount payable. Please contact Council's Water and Sewer Department for further information.
18. Prior to the issue of a Construction Certificate, the developer shall pay a long service levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$250,000 or more.

Note: The amount payable is currently based on 0.25% of the cost of work. This is a State Government Levy and is subject to change.

Note: Council can only accept payment of the Long Service Levy as part of the fees for a Construction Certificate application lodged with Council. If the Construction Certificate is to be issued by a Private Certifier, the long service levy must be paid directly to the Long Service Levy Corporation or paid to the Private Certifier.

19. In accordance with the provisions of Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Mid-Western Regional Contributions Plan 2019, a levy based on the value of works shall be paid to Council in accordance with this condition for the purpose of local infrastructure, prior to issue of any Construction Certificate.
The value of works is to be calculated in accordance with Section 2.9.3 and the procedure outlined in Section 4.3 of the Contributions Plan. A report regarding value of works and any necessary certification is to be submitted to Council. Council will calculate and advise of the levy amount following submission of the documents.

Note: the contribution amount will be adjusted by the Consumer Price Index, if not paid in the same financial year the development consent was issued.

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

20. Prior to issue of a Construction Certificate for the new two (2) storey accommodation building, suitable privacy screens are to be detailed on the plans for all Level 1 windows on the northern and western elevations. The screens may consist of louvers or similar devices with a maximum visual permeability of 20 per cent and install to a minimum height of 1.6m from finished floor level of the upper storey to prevent direct overlooking from rooms to adjacent private open space areas. Alternatively, obscured glazing may also be incorporated to a minimum height of 1.6m for each window. Full details are to be submitted for approval to the Certifier (i.e. Council or a private Certifier) prior to the issue of any Construction Certificate.
21. The acoustic treatment required by the Acoustic Report prepared by NDY Group Details shall be included on all plans submitted with the Construction Certificate application. The plans including acoustic treatments must be certified by the acoustic consultant and written evidence submitted to the Principal Certifier prior to the issue of any Construction Certificate for the hotel accommodation and bottle-shop. Where mechanical plant or condensers are to be included on the western elevations of the buildings, this plant must be suitably enclosed with acoustic treatment or relocated away from the western elevation of the development, prior to issue of any Construction Certificate.
22. Prior to issue of any Construction Certificate for the hotel accommodation or bottle shop buildings, the western boundary fence proposed as a timber fence between the subject land and 44 Inglis Street is to be increased from 1.8m to 2m in height to match the height of the existing boundary fence.
23. A Schedule of Conservation Works, prepared by a suitably qualified conservation architect, including but not limited to the matters listed in the Statement of Heritage Impact, be submitted to and approved by Council's Heritage Adviser before the issue of a Construction Certificate.
24. Prior to issue of a Construction Certificate, details demonstrating compliance with the Disability (Access to Premises – Buildings) Standards 2010 shall be submitted to and approved by the Certifier (i.e. Council or a private Certifier).
25. A schedule of existing and proposed fire safety measures is to be submitted to the Certifier (i.e. Council or a private Certifier) with the application for the Construction Certificate.
26. ~~Pursuant to section 64 of the Environmental Planning and Assessment Regulation 2021, the existing buildings are to be brought into conformity with the following Performance Requirements of the BCA, Volume 1.~~
 - ~~a) C1P2 – Spread of Fire~~
 - ~~b) D1P4 – Exits~~
 - ~~b) D1P6 – Paths of Travel to Exits~~
 - ~~c) E1P1 – Fire Hose Reels~~
 - ~~d) E1P2 – Fire Extinguishers~~
 - ~~e) E1P3 – Fire Hydrants~~
 - ~~f) E4P1 – Visibility in an emergency~~

- ~~g) E4P2 – Identification of exits~~
- ~~h) E4P3 – Emergency warning and intercom systems.~~

~~Plans and specifications demonstrating compliance are to be submitted to and approved by the Certifier prior to the issue of a construction certificate.~~

Pursuant to section 64 of the Environmental Planning and Assessment Regulation 2021, the existing building are to be brought into conformity with the recommendations and actions nominated within the BCA Fire Safety Upgrade Report prepared by Steve Watson & Partners, Report No 2024/1221, R1.1 dated 13 December 2024 while noting that all other aspects of the development are to comply with the BCA. Plans and specifications demonstrating compliance are to be submitted to and approved by the Certifier prior to the issue of a Construction Certificate.

[MODIFIED BY ME0034/2025]

- 27. All finished surface levels shall be shown on the plans submitted for any Construction Certificate.
- 28. Prior to the issue of a construction certificate, detailed plans of all food/beverage preparation, serving and storage areas (including for perishable stock, waste, chemicals and personal belongings) must be prepared by a suitably qualified person.

Plans must be prepared in accordance with the following editions in force on the date of determination and provided to the Certifier (i.e. Council or a Private Certifier):

- a) Food Standards Code (Australia) and Food Safety Standard 3.2.3 – Food Premises and Equipment;
 - b) Food Act 2003 and Food Regulation 2015;
 - c) Australian Standard 4647:2004 (Design, Construction and Fit-out of Food Premises;
 - d) AS 1668.2-2012 – The use of ventilation and air conditioning in buildings;
 - e) Plumbing Code of Australia and Australian Standard/New Zealand Standard AS/NZS 3500 series on Plumbing and Drainage)
 - f) Mid-Western Regional Council's commercial trade wastewater requirements for food premises, and/or
 - g) The Building Code of Australia.
- 29. A detailed engineering design is to be submitted to and approved by Council prior to the issue of a S138 Roads Act Approval and prior to the issue of any Construction Certificate for the Development. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B and D.

A S138 Roads Act Approval is required for but not limited to the following civil works:

- a) Commercial vehicular crossings / driveways in Inglis Street in accordance with Council's Access to Properties Policy.
- b) Removal of any redundant vehicle crossings, laybacks and subsequent rectification works.
- c) Relocation of any affected services.
- d) Reinstatement and turfing of all disturbed footway areas.
- e) Construction of Lyons Lane to the following standard from Lewis Street to Church Street (a distance of approximately 205m):
 - o A 5.5m wide bitumen sealed formation.
 - o A flexible gravel pavement designed by an appropriately qualified Geotechnical Engineer.

- One-way cross fall to a concrete dish drain.
 - Sub-soil and piped drainage as required.
 - Modification and reinstatement of any existing private property accesses within Lyons Lane.
 - Relocation / adjustment of any affected public utilities / services within Lyons Lane.
 - Reinstatement of all disturbed areas within Lyons Lane.
- f) Upgrade to barrier kerb and footpath along the frontage of the development, both Lewis and Inglis Street subject to heritage assessment.

Note - no works can commence prior to the issue of the S138 Roads Act Approval.

30. Prior to the issue of any Construction Certificate for the development, application shall be made to Council under Section 68 of the Local Government Act 1993 to carry out Stormwater Drainage Works. A detailed engineering design is to be submitted to and approved by Council prior to the issue of a Section 68 approval. The engineering design is to comply with Council's Development Control Plan and the Standards referenced within Appendix B and D.

The work required for but not limited to the following civil works:

- a) Full details of the proposed relocation of the sewer main within the subject site.
- b) Details of any required connection points to serve the proposed development.
- c) Details of any capping to existing mains / connection points.
- d) Details of an appropriately sized connection and water meter serving the subject site.
- e) Details of an appropriately sized fire service main for the subject site.
- f) Confirmation sufficient pressure exists within the existing water mains to adequately serve the proposed development.

The Section 68 application shall be considered and approved by Council prior to the release of the first Construction Certificate for the development.

31. A Drainage Report prepared in accordance with the Institution of Engineers publication Australian Rainfall and Run-off shall be submitted to and approved by the Certifier (i.e. Council or a private Certifier) prior to the issue of the Construction Certificate. The drainage report and design must comply with the following requirements:
- a) Drainage design for the proposed below ground detention system must be accompanied by fully detailed runoff calculations and a structural design prepared and certified by a suitably qualified professional Engineer.
 - b) Drainage design must also incorporate suitable and appropriate water quality controls to prevent pollution or contamination of downstream environments.
 - c) Drainage report and design must demonstrate that stormwater runoff from the site is not increased beyond the existing undeveloped state up to and including a 1.5/5/20/50/100-year event.
 - d) Drainage design must ensure that no stormwater runoff is permitted to discharge over adjoining properties. Discharge of runoff onto adjoining properties and any works associated with the control of stormwater discharge over and adjoining property must not occur without the consent of the owner of any affected property.
32. An Erosion and Sediment Control Plan is to be submitted to and approved by the Certifier (i.e. Council or a private Certifier) prior to the issue of a Construction Certificate. The Erosion and Sediment Control Plan for the development is to be prepared and implemented in accordance with the LANDCOM guidelines and

requirements as outlined in the latest edition of “Soils and Construction – Managing Urban Stormwater”. Points to be considered include, but are not limited to:

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

33. Details of the internal circulating driveway, car parking spaces and waiting bays are to be submitted to and approved by the Certifier (i.e. Council or a private Certifier), prior to the issue of any Construction Certificate. These details shall comply with the requirements of AS/NZS 2890.1:2004 – Parking Facilities – Part 1: Off-street Car Parking and the relevant conditions of this development consent.

The plans shall include the provision of the following:

- A total of 38 off-street car parking spaces, including 3 accessible car parking spaces.
- Details of the required signage, physical barriers and pavement markings to delineate the customer car parking area from the service vehicle entry off Lyons Lane.
- This consent does not constitute approval for the use of Lyons Lane by any vehicle other than those delivery vehicles required to serve the proposed development. Conflict between customer and service delivery vehicles is also to be appropriately managed through the provision of the above-mentioned physical means as well as a Plan of Management for the site.

34. Consent from Council must be obtained for all works within the road reserve pursuant to Section 138 of the Roads Act 1993, prior to the issue of any Construction Certificate. The accesses are to be designed and constructed in accordance with Council’s Access to Properties Policy.

35. Vehicular entrances comprising kerb laybacks (where roll kerb and gutter does not exist) and concrete footway crossings are to be provided to each lot at a suitable location. These should be constructed in accordance with Aus-Spec #1 and Council’s “Access to Properties” Policy. Concrete must not be poured until the excavation, formwork and reinforcing has been inspected by Council. The contractor/owner must arrange an inspection by contacting Council’s Operations Department between 8.00am and 4.30pm Monday to Friday, giving at least twenty four (24) hours’ notice. Failure to have the work inspected may result in the access being removed and reconstructed at the contractors / owners expense.

36. A copy of the Contractor’s public liability insurance cover for a minimum of \$20,000,000 (twenty million dollars), is to be provided to Council, prior to issue of any Construction Certificate for all work on public land or infrastructure. The insurance cover shall include the following:

- a) Mid-Western Regional Council is to be indemnified against any works carried out by the contractor.
- b) Public Liability Insurance is to include Mid-Western Regional Council as an interested party.
- c) The copy of the Contractor’s public liability insurance cover is to include the Certificate of Currency.

37. The registered proprietor of the land shall prepare a Plan of Management for the car parking area, drive thru bottle shop facilities and service delivery vehicles within the development.

The Plan of Management shall set out all required operational parameters for these facilities including the following:

- **Details of the on-site management of all deliveries and waste collection services associated with the development.**
- **Deliveries and waste collection must ideally occur outside normal operating hours and must not occur during the typical peak periods of midday to 1pm and 5pm to 7pm daily. Deliveries and waste collection services occurring during business hours shall be managed by appropriately trained staff to ensure no conflict with other vehicles occurs.**
- **Details of the management of the service delivery areas and entry off Lyons Lane to ensure inappropriate use by private vehicles does not occur.**
- **Queued vehicles must under no circumstances be allowed to affect the driveway entry to the site or impact upon the circulating carriageway of the car parking areas. Detailed management methods for the operation of the drive thru including queue length management are to be provided.**

The plan shall be submitted to and approved by Council prior to the issue of any Construction Certificate.

- 38. The registered proprietor of the land shall prepare a Plan of Management for the OSD facilities within the development. The Plan of Management shall set out all design and operational parameters for the detention facilities including design levels, hydrology and hydraulics, inspection and maintenance requirements and time intervals for such inspection and maintenance. The plan shall be submitted to and approved by Council prior to the issue of any Construction Certificate.**
- 39. Prior to the issue of a Construction Certificate, the applicant must prepare a Construction Management and Traffic Management Plan. The following matters should be addressed in the plan:**
- a) A plan view of the entire site and frontage roadways indicating:**
 - b) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways.**
 - c) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.**
 - d) The locations of proposed work zones in the frontage roadways.**
 - e) Location of any proposed crane, concrete pump, truck standing areas on and off the site.**
 - f) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries.**
 - g) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.**
 - h) An on-site parking area for employees, tradespersons and construction vehicles as far as possible.**
 - i) The proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period.**
 - j) How it is proposed to ensure that soil/excavated material is not transported onto surrounding footpaths and roadways.**
 - k) The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a Chartered Civil Engineer.**
 - l) During excavation, demolition and construction phases, noise generated from the site must be controlled.**

- m) All site works must comply with the occupational health and safety requirements of the New South Wales WorkCover Authority.
- n) During excavation, demolition and construction phases, toilet facilities are to be provided on site, at the rate of one (1) toilet for every twenty (20) persons or part of twenty (20) persons employed at the site.
- o) All traffic control plans must be in accordance with the RMS publication Traffic Control Worksite Manual and prepared by a suitably qualified person (minimum 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each stage.

Approval is to be obtained from Council for any temporary road closures or crane use from public property. Applications to Council shall be made a minimum for six (6) weeks prior to the activity proposed being undertaken.

- 40. Details of any proposed mechanical exhaust systems, detailing compliance with the relevant requirements of Clause F6D6 or F6D12 of the Building Code of Australia 2022 and AS 1668 Parts 1 and 2 (including exhaust air quantities and discharge location points) are to be provided to the Certifier (ie Council or a private Certifier) prior to the issue of a Construction Certificate.
- 41. Prior to the issue of a Construction Certificate, a survey plan prepared by a registered surveyor is to be submitted to the Certifier, verifying the proposed building footprint does not extend over the property boundary into the neighbouring property.
- 42. Application shall be made to Council under Section 68 of the Local Government Act 1993 to Install a domestic oil or solid fuel heating appliance (other than a portable appliance). The application shall contain details demonstrating compliance with the Building Code of Australia and the manufacturers details/specifications. The Section 68 application shall be considered and approved by Council prior to the installation of the appliance or release of any Construction Certificate for the development.
- 43. Prior to issue of any Construction Certificate, the requirements of Essential Energy, including the following, shall be achieved:
 - a) The Applicant must meet the minimum safety clearance requirements for the development in accordance with AS/NZS 7000.
 - b) The Applicant must meet the requirements of AS2067 for the substation in relation to fire safety. Clearances will be dependent on the building classification. Minimum separation / clearances and segregation for fire risk from the substation to any building, fence, planting, landscaping, retaining walls or other development must be maintained at all times. Refer to AS2067, Essential Energy's policy CEOM7098 Distribution Underground Design Construction Manual and the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. The Applicant may want to seek assistance with this from a fire engineer to determine they meet the required clearances.
 - c) The easement area for the substation must remain clear of all obstructions. Surface treatment should be grass or wood chip material only and must be lower than the concrete plinth of the substation.
 - d) The easement area must be accessible at all times by Essential Energy (24 hours a day / 7 days a week).
 - e) Any proposed driveway access and/or exit (concrete crossovers) must remain at least 1.0 metre away from any electricity infrastructure (power pole, streetlight) at all times, to prevent accidental damage.

- f) The Applicant will also need to engage the services of an Accredited Service Provider to ensure adequate provision of power is available to the development in accordance with industry standards.

PRIOR TO THE COMMENCEMENT OF BUILDING WORKS

- 44. In accordance with the provisions of the Environmental Planning and Assessment Act 1979 construction works approved by this consent must not commence until:
 - a) A Construction Certificate has been issued by the Certifier (i.e. Council or an accredited certifier); and
 - b) A Principal Certifier has been appointed by the person having benefit of the development consent in accordance with the Environmental Planning and Assessment Act 1979; and
 - c) If Council is not the Principal Certifier, notify Council no later than two (2) days before building work commences as to who is the appointed Principal Certifier; and
 - d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.
- 45. Before demolition work commences, a demolition management plan must be prepared by a suitably qualified person. Standard 2601 – The Demolition of Structures, the Code of Practice – Demolition Work, and must include the following matters:
 - a) The proposed demolition methods
 - b) The materials for and location of protective fencing and any hoardings to the perimeter of the site
 - c) Details on the provision of safe access to and from the site during demolition work, including pedestrian and vehicular site access points and construction activity zones
 - d) Details of demolition traffic management, including proposed truck movements to and from the site, estimated frequency of those movements, and compliance with AS 1742.3 Traffic Control for Works on Roads and parking for vehicles
 - e) Protective measures for on-site tree preservation and trees in adjoining public domain (if applicable) including in accordance with AS 4970-2009 Protection of trees on development sites
 - f) Erosion and sediment control measures which are to be implemented during demolition and methods to prevent material being tracked off the site onto surrounding roadways
 - g) Noise and vibration control measures, in accordance with any Noise and Vibration Control Plan approved under this consent
 - h) Details of the equipment that is to be used to carry out demolition work and the method of loading and unloading excavation and other machines
 - i) Details of any bulk earthworks to be carried out
 - j) Location of any reusable demolition waste materials to be stored on-site (pending future use)
 - k) Location and type of temporary toilets onsite
 - l) A garbage container with a tight-fitting lid.
- 46. Before demolition work commences involving the removal of asbestos, a standard commercially manufactured sign containing the words 'DANGER: Asbestos removal in progress' (measuring not less than 400mm x 300mm) must be erected in a prominent position at the entry point/s of the site and maintained for the entire duration of the removal of the asbestos.

47. Prior to the commencement of construction work impacting upon tree canopies located along the common boundary of the subject site and 44 Inglis Street, the adjoining land owner must be formally notified and consulted prior to any tree trimming commencing. Any trees that have not been considered under the Arborist Report dated 5 October 2023 and that require trimming are to be reinspected in consultation with the adjoining land owner to ensure there are no adverse impacts to adjoining land as a result of the approved development.
48. A sign must be erected in a prominent position on any work site on which involved in the erection or demolition of a building is carried out;
- stating that unauthorised entry to the work site is prohibited, and
 - showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
 - the name, address and telephone number of the principal certifying authority for the work,
 - The sign shall be removed when the erection or demolition of the building has been completed.
49. The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials. **NOTE: ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE.**
50. The licensed demolition contractor and/or principal contractor must comply with the following specific requirements in respect of the proposed demolition works:-
- Demolition work is not be undertaken until:
 - Council has been provided with a copy of any required Hazardous Substances Management Plan;
 - The licensed demolition contractor and/or principal contractor has inspected the site and is satisfied that all measures are in place to comply with the provisions of such Plan;
 - The removal, handling and disposal of any asbestos material (in excess of 10m²) is to be undertaken only by an asbestos removal contractor who holds the appropriate class of Asbestos Licence, issued by WorkCover NSW, and in accordance with the requirements of WorkCover NSW, the Work Health and Safety Act 2011 and Australian Standard 2601-2001
 - All asbestos and other hazardous materials are to be appropriately contained and disposed of at a facility holding the appropriate license issued by the NSW Environmental Protection Agency;
 - Seven working days' notice in writing is to be given to Council prior to the commencement of any demolition works. Such written notice is to include the date demolition will commence and details of the name, address, contact telephone number and licence details (type of licences held and licence numbers) of any asbestos removal contractor and demolition contractor.
51. The removal of any asbestos material (less than 10m²) during the demolition phase of the development is to be in accordance with the requirements of the Workcover Authority and disposed of at an approved waste facility.
52. If the work involved in the erection/demolition of the building;
- is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - involves the enclosure of a public place, then

a hoarding or fence must be erected between the work site and the public place. If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

53. Prior to the commencement of works on site, the applicant shall advise Council's Operations Department, in writing, of any existing damage to Council property.
54. The developer shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.
55. Any necessary alterations to, or relocations of, public utility services to be carried out at no cost to Council and in accordance with the requirements of the relevant authority including the provision of easements over existing and proposed public infrastructure.
56. Runoff and sediment erosion controls shall be installed prior to commencement of works with the development site to the satisfaction of the Certifier (i.e. Council or the Principle Certifier) and incorporate:-
 - a) diversion of uncontaminated up-site runoff around cleared and/or disturbed areas and areas to be cleared and/or disturbed;
 - b) sediment control fences at the downslope perimeter of the cleared and/or disturbed area to prevent sediment and other debris escaping from the land to pollute any stream or body of water; and
 - c) maintenance of all erosion control measures at maximum operational capacity until the land is effectively rehabilitated and stabilized beyond the completion of construction.

DURING WORKS

57. Demolition or Construction work noise that is audible at other premises is to be restricted to the following times:
 - Monday to Saturday - 7.00am to 5.00pmNo construction work noise is permitted on Sundays or Public Holidays.
58. All plumbing and drainage work must be carried out by a licensed plumber and drainer and must comply with the requirements of the Plumbing & Drainage Act 2011 and the Plumbing Code of Australia.
59. All building work must be carried out in accordance with the provisions of the National Construction Code, the Environmental Planning & Assessment Act 1979 and Regulations and all relevant Australian Standards.
60. All mandatory inspections required by the Environmental Planning & Assessment Act and any other inspections deemed necessary by the Principal Certifying Authority being carried out during the relevant stage of construction.
61. This approval does not provide any indemnity to the owner or applicant under the Disability Discrimination Act 1992 with respect to the provision of access and facilities for people with disabilities.

62. Prior to the pouring of any in-situ concrete, the building/s shall be set-out by a registered land surveyor in the position as approved by Council. A copy of the identification survey shall be provided to the Principal Certifier at time of any pier/footing/slab inspection.
63. The civil works associated with the S68 and S138 approvals are to be inspected by Council to monitor compliance with the consent and the relevant standards of construction, encompassing the following stages of construction:
 - a) Installation of sediment and erosion control measures;
 - b) Water and sewer mains installation prior to backfilling;
 - c) Inspection and proof rolling of subgrade and each subsequent pavement layer;
 - d) Prior to pouring of any kerb or concrete dish drain;
 - e) All sub-soil and piped drainage prior to backfill;
 - f) Formwork and steel in place, prior to pouring of any concrete and
 - g) Practical Completion.
64. Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority (e.g. Office of Environment and Heritage (OEH), SafeWork NSW, Council, Fire and Rescue NSW etc) is notified, and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority. Note - such materials cannot be disposed of to landfill unless the facility is specifically licensed by the EPA to receive that type of waste.
65. In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.
66. The development site is to be managed for the entirety of work in the following manner:
 - a) Erosion and sediment controls are to be implemented to prevent sediment from leaving the site. The controls are to be maintained until the development is complete and the site stabilised with permanent vegetation;
 - b) Appropriate dust control measures;
 - c) Construction equipment and materials shall be contained wholly within the site unless approval to use the road reserve has been obtained;
 - d) Toilet facilities are to be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
67. The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
68. All public footways, foot paving, kerbs, gutters and road pavement damaged during the works are to be restored to match existing conditions at the Developer's / Demolisher's expense.
69. Transportation of contaminated fill or materials from the site on public roads must be carried out in accordance with the requirements of Australian Dangerous Goods Code and Australian Standard 4452 Storage and Handling of Toxic Substances. This must include relevant incident management strategies for transportation on public roads.

70. The developer is to grant Council unrestricted access to the site at all times to enable inspections or testing of the water, sewer and stormwater works.
71. The developer is to extend and meet the full cost of water reticulations to service the development plus the cost of connecting to existing services. All water supply work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act 1993) and in accordance with the National Specification – Water Supply Code of Australia. Note: Council does not permit other bodies to insert new junctions into ‘live’ water and/or sewer mains. Please contact Council’s Operations Water and Wastewater Department by calling ☎ 1300 765 002 or 02 6378 2850 or by emailing council@midwestern.nsw.gov.au to obtain a quote for the connection of sewer (Private Works Order).
72. The developer is to extend and meet the full cost of sewer reticulations to service the development plus the cost of connecting to existing services. All sewerage work is required to be carried out in accordance with the requirements of Mid-Western Regional Council (as the Water Supply Authority under the Local Government Act 1993) and in accordance with the National Specification – Sewerage Code of Australia. Note: Council does not permit other bodies to insert new junctions into ‘live’ water and/or sewer mains. Please contact Council’s Operations Water and Wastewater Department by calling ☎ 1300 765 002 or 02 6378 2850 or by emailing council@midwestern.nsw.gov.au to obtain a quote for the connection of sewer (Private Works Order).

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

73. Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifying Authority appointed for the erection of the building.
74. Prior to occupation or the issue of the Occupation Certificate the owner of the building must cause the Principal Certifier to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Section 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for each measure listed in the schedule. The certificate must only be in the form specified by Section 86 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.
75. Prior to use of the development and/or issue of an Occupation Certificate, a satisfactory final inspection report from the Council must be received by the Certifier, verifying that all works have been completed in accordance with the relevant Section 68 (Local Government Act 1993) approval/s.
76. Prior to use of the development and/or issue of an Occupation Certificate, all works included in the Trade Waste Approval are to be completed.
77. Prior to use of the development and/or issue of an Occupation Certificate, the excavated and/or filled areas of the site are to be stabilised and drained, to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the building is to be graded to prevent ponding of water, and to ensure the free flow of water away from the building and adjoining properties.

78. Before the issue of an occupation certificate, a suitably qualified person must provide details demonstrating compliance to the principal certifier which demonstrates that the mechanical exhaust ventilation system has been constructed and installed in accordance with the approved plans.
79. Prior to issue of the Occupation Certificate, a Certificate of Compliance is to be provided to the Principal Certifier for the illuminated signage to certify that the signage is installed in accordance with AS4282-2019.
80. Before the issue of an Occupation Certificate, the food premises shall be inspected by an Authorised Officer of Council under the Food Act 2003, to determine compliance with the Food Act 2003, Food Safety Standards and Australian Standard 4674:2004: Design, Construction and Fit-out of Food Premises.
81. Before the issue of an Occupation Certificate, council and any other appropriate enforcement agency must be notified of the food business in accordance with the NSW Food Act 2003 and the Australia New Zealand Food Standards Code – 3.2.2 – Food Safety Practices and General Requirements.
82. All landscape works are to be undertaken in accordance with the approved landscape plan and conditions of Development Consent, prior to use of the development and/or issue of an Occupation Certificate.
83. The Schedule of Conservation Works are to be executed to the satisfaction of Council's Heritage Adviser before the issue of an Occupation Certificate.
84. Prior to commencement of use of the development and/or issue of an Occupation Certificate, all car parking and associated driveway works are to be completed in accordance with the relevant Section 138 Roads Act approval/s.
85. Prior to the issue of an Occupation Certificate, 3m wide easements benefiting Council, including associated Section 88B instruments, are to be created over any existing or newly constructed sewer mains located within the subject property.
86. The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.
87. Following completion of the development, work-as-executed plans (WAE) are to be provided to Council in the following formats:
 - a) PDF; and
 - b) Dwg format or "AutoCAD Compatible"
 - c) MapInfo tab files with individual layers, supplied in individual tables

All work-as-executed plans shall bear the Consulting Engineer's or Consulting Surveyor's certification stating that all information shown on the plans is accurate.

To accompany the WAE Drawings, Council also requires the completion of Asset Data Excel Spreadsheets (to be provided by Council) prior to the issue of the Occupation Certificate.

88. Prior to issue of the Occupation Certificate, all acoustic measures required by the Acoustic Report and the conditions of this consent shall be completed in full.

OPERATIONAL / ONGOING

- 89. The development shall only operate in accordance with the following hours:**
- Bottle Shop:**
- 10am to 10pm, seven days.
- Hotel Accommodation:**
- A check-in desk operated in accordance with the Federal Hotel liquor licence with any after hour check-in prearranged with Federal Hotel staff only.
- Federal Hotel:**
- In accordance with the existing Federal Hotel liquor licence, only.
- 90. The development must comply with the requirements of the Liquor Act 2007 and all requirements imposed by Liquor and Gaming NSW at all times.**
- 91. All windows and retractable portion of the roof within the beer garden addition to the hotel must not be open during the night time periods of operation (after 10pm).**
- 92. No deliveries or waste collections are permitted to occur during the evening / night-time period between 10pm and 7am, daily.**
- 93. All vehicles are required to enter and leave the site in a forward direction at all times. Signage to this effect is to be appropriately located within the site. Signage identifying the driveway and car park as low speed environments is also to be appropriately located within the site.**
- 94. All loading and unloading in connection with the premises shall be carried out wholly within the site.**
- 95. All car parking spaces, loading and unloading areas, vehicle manoeuvring, and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.**
- 96. All line-marking for the on-site car parking spaces and footpath areas are to be maintained in a visible condition, at all times.**
- 97. For every 12-month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of NSW Fire Brigades with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.**
- 98. Where any essential services are installed in the building a copy of the final Fire Safety Certificate (together with a copy of the current fire safety schedule) is to be given to the Commissioner of Fire and Rescue NSW. A further copy of the Certificate (together with a copy of the current fire safety schedule) is to be prominently displayed in the building.**
- 99. The premises shall, at all times, be operated and maintained in accordance with Food Safety Standards 3.1.1, 3.2.2 and 3.2.3 prescribed in chapter 3 of the Australia and New Zealand Food Standards Code.**
- 100. No display or sale of goods is to take place from public areas fronting the premises.**

101. All general waste generated by the proposed development shall be disposed of to a suitably licenced waste facility able to accommodate such wastes.
102. Garbage areas and mechanical plant are to be adequately screened from public view with an opaque fence and/or adequate landscaping. All waste must be secured in enclosed containers at all times.
103. All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 "Control of the Obtrusive Effects of Outdoor Lighting".
104. There being no interference with the amenity of the neighbourhood by reason of the emission of any "offensive noise", vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.
105. The development is to be maintained in a clean and tidy manner, at all times.
106. All approved signage is to be maintained in good condition at all times.
107. The signage is to be securely affixed and is not to flash, move or be objectionably glaring.
108. Measures, such as raised kerb edges or bollards, are to be installed and maintained around all approved landscape areas in order to prevent vehicles driving over them. Landscaping is to be maintained for the life of the development.

COUNCIL ADVISORY NOTES

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

Please be advised that as a precondition to the granting of a Compliance Certificate, the following is to occur:

- a) A monetary contribution, as to be formally confirmed by Councils Water and Sewer Department following supply of further information must be paid to Council in full (including indexation, where applicable). A current estimation based on the DA plans is provided as follows:
 - water contributions – 14.88 ET = \$144,607.14
 - sewer contributions – 16.90 ET = \$74,947.90
- b) The adjustment of existing services or installation of new services and meters, as required, in compliance with Australian Standard 3500: National Plumbing and Drainage Code. All costs associated with this work shall be borne by the developer.

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

2. The removal of trees within any road reserve requires the separate approval of Council in accordance with the policy "Tree Removal and Pruning - Public Places".

3. The land upon which the subject building is to be constructed may be affected by restrictive covenants. This approval is issued without enquiry by Council as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this approval. Persons to whom this approval is issued must rely on their own enquiries as to whether or not the building breaches any such covenant.
4. The erection of dividing fences under this consent does not affect the provisions of the Dividing Fences Act 1991. Under this Act, all relevant parties must be in agreement prior to the erection of any approved dividing fence/s under this consent. Council has no regulatory authority in this area and does not adjudicate civil disputes relating to the provision of, or payment for, the erection of dividing fences. If there is a neighbour dispute about the boundary fence and you are seeking mediation, you may contact the Community Justice Centre, or if legal advice or action is required, you may contact the Chamber Magistrate.
5. Division 8.2 of the Environmental Planning and Assessment Act 1979 (EP&A Act) gives you the ability to seek a review of the determination. This request is made to Council and must be made and determined within 6 months after the date on which you receive this notice.
6. If you are dissatisfied with this decision section 8.7 of the EP&A Act gives you the right to appeal to the Land and Environment Court pursuant to section 8.10(1)(b).
7. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.

ESSENTIAL ENERGY ADVISORY NOTES

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
2. Any existing encumbrances/easements in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
3. In addition, Essential Energy's records indicate there is electricity infrastructure located within the properties and within close proximity of the properties. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
4. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).
5. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.

STATEMENT OF REASONS

The determination decision was reached for the following reasons:

1. The proposed development generally complies with the requirements of the applicable environmental planning instruments and Mid-Western Regional Development Control Plan 2013.
2. The proposed development is considered to be satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning & Assessment Act 1979.
3. The matters raised within submissions have been addressed in the following manner:
 - Conditions have been imposed to manage fencing, acoustic treatment for mechanical plant and condensers, along with tree trimming of trees along the western boundary.

STATEMENT OF REASONS (ME0034/2025)

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 proposed development is considered to be satisfactory in terms of the matters identified in Section 4.55 of the Environmental Planning & Assessment Act 1979.
4. The matter raised within the submission is not a consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.

Executive summary

OWNER/S	Investment Management Group Hotels Pty Ltd
APPLICANT	Mr Andrew Connor
PROPERTY DESCRIPTION	Lot 100 DP1313280 34-42 Inglis Street, Mudgee NSW 2850 (Previously Lot 10 DP1275386 and Lots 16, 17 and 18 Section 43 DP758721)
PROPOSED DEVELOPMENT	Alterations and additions to Federal Hotel and Hotel / Motel Accommodation
ESTIMATED COST OF DEVELOPMENT	\$14,164,366.00
REASON FOR REPORTING TO COUNCIL	Modification to application (cost of works >\$3 million) previously reported to council with 1 submissions of objection received.

Council is in receipt of a Section 4.55(1A) Application ME0034/2025 to modify Development Application DA0140/2024 for demolition works, alterations and additions to the existing Federal Hotel, new drive through bottle shop, 38 room hotel accommodation building, business identification signage and ancillary works including landscaping and fencing of the site, approved by Council on the 20 March 2024 at 34-42 Inglis Street, Mudgee NSW 2850.

The modification application proposes the following:

- retain the existing accommodation on the first floor, thereby deleting / surrendering various demolition works and alteration works to the first floor currently approved. It is also proposed to delete the lift access to the first floor.

- Add a fire sprinkler system to the Federal Hotel, this will be serviced by a pump room, located in the rear portion of the approved Hotel drive through bottle shop.
- Modification to Condition 26 relating to upgrades to the existing building pursuant to Section 64 of the Environmental Planning and Assessment Regulation 2021 to be in accordance with a BCA report submitted with the application.
- A number of minor modifications to the layout of the development to reflect the changes to the BCA report and design refinements as part of preparing the Construction Certificate drawings.

The proposed modification application was notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 13 March 2025. During the notification period, 1 submission was received.

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

The application has been referred to Council for consideration as it exceeds staff's *Delegation of Authority*, in that the value of the application exceeds \$3 million and the modification relates to an application previously reported to Council.

The application is recommended for Approval.

Disclosure of Interest

Nil.

Detailed report

PRECEDING APPROVED DEVELOPMENT

Council granted consent to Development Application DA0140/2024 for Alterations and Additions to the Federal Hotel and Hotel/Motel Accommodation located at 34-42 Inglis Street MUDGEES NSW 2850, Lots 16, 17, 18 Sec 43 DP75821 and Lot 10 DP1275386. The original application was determined by Council at its ordinary meeting on 20 March 2024.

Specifically, the approval included demolition works, alterations and additions to the existing Federal Hotel, new drive through bottle shop, 38 room hotel accommodation building, business identification signage and ancillary works including landscaping and fencing of the site.

PROPOSED MODIFICATION

Council is in receipt of a Section 4.55(1A) Application (ME0034/2025) to modify Development Application DA00140/2024.

The modification application proposes to make the following amendments to the development:

- Retain the existing accommodation on the first floor, thereby deleting / surrendering various currently approved demolition works and alteration works to the first floor. Current approved plans proposed to convert this area to private dining rooms, staff room and storage. The lift access to the first floor is also proposed to be deleted. Figure 1 shown the current approved layout and Figure 2 shows the proposed layout.

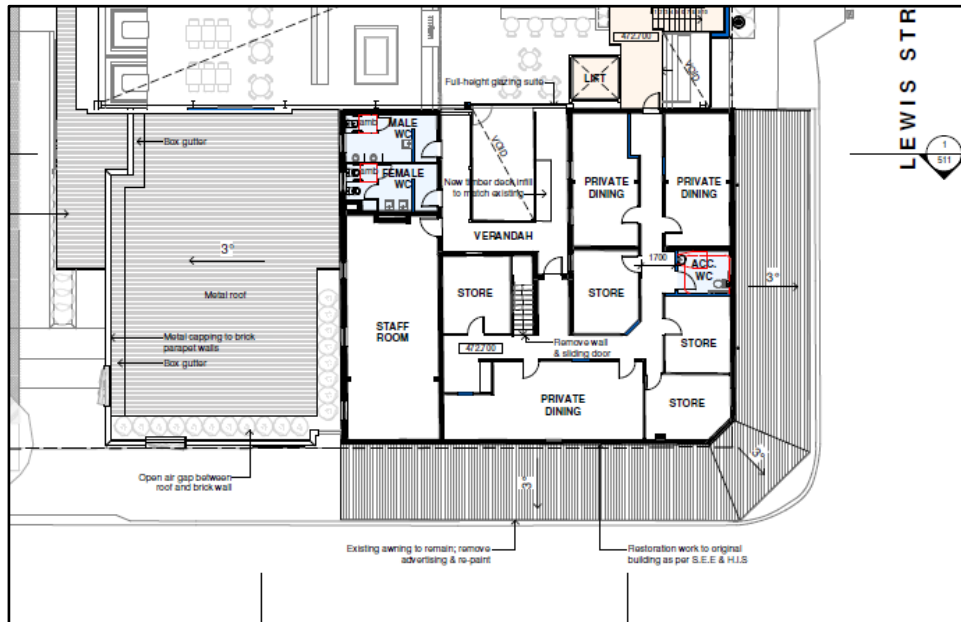


Figure 1: Extract from approved Upper Level 1 Plan of DA0140/2024 showing upper floor of Federal Hotel

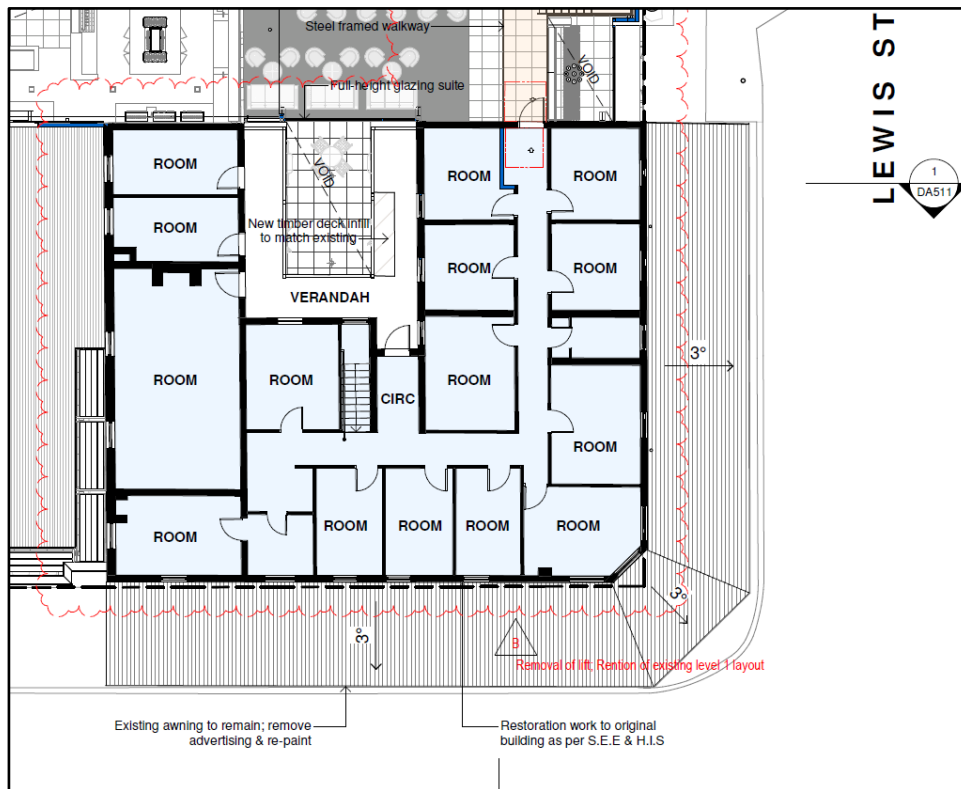


Figure 2: Extract from Upper Level 1 Plan of proposed modification plans showing upper floor of Federal Hotel with existing accommodation to be retained.

- Introduction of a fire sprinkler to the Federal Hotel. The fire sprinkler will be serviced by a pump room to be located in the rear portion of the drive through bottle shop.
- Modification of Condition 26 relating to fire safety upgrades amended to read:

Pursuant to section 64 of the Environmental Planning and Assessment Regulation 2021, the existing building are to be brought into conformity with the recommendations and actions nominated within the BCA Fire Safety Upgrade Report prepared by Steve Watson & Partners, Report No 2024/1221, R1.1 dated 13 December 2024 while noting that all other aspects of the development are to comply with the BCA. Plans and specifications demonstrating compliance are to be submitted to and approved by the Certifier prior to the issue of a Construction Certificate.

This is supported by a BCA Report available in **Attachment 1**

- A number of minor refinements to the approved plans.

A full list of all the proposed amendments to the plans is provided below and is also shown clouded on the proposed modification plans provided in **Attachment 2**:

- Federal Hotel – Lower Ground Floor
 - Staff room and accessible WC has been removed.
- Federal Hotel – Ground Floor
 - Deletion of passenger lift.
 - Addition of platform lift for accessibility.
 - Deletion of secondary door access from lounge to smoking area.
 - Deletion of door access between smoking and cocktail lounge.
 - Deletion of one WC in gaming area.
 - Addition of coffee bar and wine room.
 - Minor layout changes to amenities area.
 - Minor layout changes to kitchen.
 - Beer garden & kids play levels raised by 150mm. Alteration of stair and walkway to accommodate.
 - Minor layout changes to waste room and addition of cleaners cupboard.
 - Deletion of compartment separation between pub and BOH.
- Federal Hotel – Level 1
 - Maintaining existing layout and use of accommodation rooms.
 - Storeroom converted to comms room.
 - Removal of passenger lift and adjustment to steel walkway to accommodate.
- Hotel Building
 - Minor changes to layout within BOH & services areas.
 - Acoustic metal louvres have changed location to address DA conditions.
- Bottle Shop
 - Relocation of external MSB cupboard and squaring off of external wall in lieu of the nook.
 - Deletion of waste room and staff kitchen/cupboard.
 - Deletion of step ramps and kerb across entry to make everything on one level.
 - Addition of stock storage area behind glazing (in drive through area).
 - Removal of FHR as not required.
 - Addition of Pump Room and underground sprinkler tank.
 - Minor layout changes to BOH store to address compartment sizing.
 - Change to roof design to reflect ground floor layout changes.
- External works
 - Interlocking pavers have been change to concrete with coloured pigment.
 - Addition of OSD tank between Hotel and Pub buildings
 - Addition of gas storage area with bollards.
 - Relocation of hydrant valves.

LEGISLATIVE REQUIREMENTS

The application has been assessed in accordance with Section 4.55 and 4.15 of the *Environmental Planning & Assessment Act 1979*. The main issues are addressed below as follows.

4.55(1A) Modifications involving minimal environmental impact

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

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

Comment The proposal includes modifications to the internal layout of the development including a reduction in the extent of internal demolition works to the Heritage Item. The modification is not considered likely to result in significant additional environmental impacts from that considered under the original consent. Accordingly, the development is considered to be of minimal environmental impact.

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

Comment Based on a full assessment of the application, it is considered that the proposed modification is substantially the same development as the original consent relating to alterations and additions to the Federal Hotel and hotel/motel accommodation.

(c) *it has notified the application in accordance with* (i) *the regulations, if the regulations so require, or (ii) a development control plan,*

Comment The S4.55 Application was notified to adjoining neighbours with one submission received during the notification period.

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

Comment One submission was received during the notification period. The concerns raised in the submissions are further discussed within the body of this report and a copy of the submission is included within *Attachment 3*.

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

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

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

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

State Environmental Planning Policy (Transport and Infrastructure) 2021

The modification application was referred to Essential Energy pursuant to Section 2.48 of this SEPP who had no comments to make as to the potential safety risks arising from the proposed development. The existing conditions and advisory notes imposed on the original consent relating to Essential Energy assets will be retained.

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

The original development was considered against the Mid-Western Regional Local Environmental Plan 2012. Reconsideration of the modified proposal is required against the following clauses of the MWLEP 2012:

Clause 5.10 Heritage Conservation

The proposal includes works involving a Local Heritage listed item (Federal Hotel) and the site is located within the Mudgee Heritage Conservation Area, consideration must be given to the relevant heritage significance, in accordance with Clause 5.10(4).

The proposed modification proposes to surrender or remove the proposal to demolish part of the upper floor of the existing hotel and retain the existing accommodation. The current approved plans proposed to modify the upper floor for the purpose of private dining, amenities, staff room and storage.

The modification application was accompanied by a professionally prepared Heritage Impact Letter. The application has been reviewed by Council's Heritage Advisor who supports the proposal stating that the heritage impact, which was acceptable under the original proposal, will now be reduced.

(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 4.4 Signs

No impact – no changes to the approved signage proposed.

Part 4.5 Commercial Development

The proposed modification will not impact on the compliance of the development with the relevant development standards under this Part.

Part 5.1 Car Parking

Under the original approval for DA0140/2024, a variation of 78.2% deficiency in parking was accepted.

With the proposed modification, the upper floor accommodation will be retained changing the use of this area from private dining rooms, staff room, stores and amenities as approved under the original application.

No changes to the number of car spaces or the layout of the approved car parking is proposed, as part of the modification.

As per the DCP, the car parking spaces required will be:

Pub	Within the Commercial Core B3 zone, car parking study required. All other areas, 1 space per 5m2 of public/licensed area plus 2 spaces per 3 guest rooms plus 2 spaces per 3 employees.
-----	--

EXISTING USE	Area / number	Car Parking Required
Licensed floor area	340m ²	68
Employees	7	4.7
Accommodation	15	15
Drive Through Bottle shop	3 currently provided	3
Total		91

PROPOSED USE	Area / number	Car Parking Required
Licensed floor area	791m ²	158.2
Employees	10	6.7
Accommodation	53	53
Drive Through Bottle shop	8 proposed	8
Total		226

The proposed development includes a total of 46 car park spaces, resulting in a shortfall of 180 spaces. This represents a deficiency of 79.64% when compared to the requirements outlined in the DCP – which equates to an increase in 15 spaces from the original approval – DA0140/2024.

The car parking variation for this application has been assessed by Council's Development Engineers who concluded that the proposed parking arrangement, despite its variation from DCP standards, was acceptable without the need for additional conditions/carparking. This was based on two key considerations: Development Engineering Assessment and On-street parking availability as follows:

Development Engineering Assessment

As per the DCP, the Federal Hotel site requires a total of 226 parking spaces. The modification proposal includes only 46 parking spaces (38 marked spaces; 8 spaces within the drive-through bottle shop) resulting in a 79.64% deficiency compared to DCP standards. The original consent approved a 78.2% deficiency through a heritage incentive. The proposed modification increased this by just 1.45% which is considered to be minimal and does not warrant any additional engineering changes to the existing approved design.

On-street parking availability

The on-street parking plan for DA0140/2024 indicated the availability of a minimum of 25 parking spaces along the hotel's frontage on Inglis and Lewis Street. When combined with the 38 marked off-street spaces (excluding the 8 in the bottle shop), this results in a total of 63 parking spaces.

The Federal Hotel employs 10 staff members and has 53 accommodation rooms, creating a demand for 63 spaces (at a 1:1 ratio). The available parking sufficiently matches this demand, satisfying parking requirements in combination with on-street availability.

Taking into account the previously approved heritage incentive variation and the availability of on-street parking, the variation to the carparking requirement is therefore considered acceptable.

Part 5.3 Stormwater Management

The modification includes the addition of a second OSD tank located between the Hotel and Pub buildings. The OSD tank is proposed to be located 1.5m away from the sewer main and the footing/foundation of the OSD tank is shown to extend below the zone of influence of the sewer main. This is considered acceptable, no changes to existing conditions required.

Part 5.4 Environmental Controls

All the relevant considerations have been discussed elsewhere in this report or dealt with through conditions of consent.

Section 7.11 Contributions

MID-WESTERN REGIONAL CONTRIBUTIONS PLAN 2019

The original application was levied with Section 7.12 contributions. No changes required to the existing condition.

Section 64 - Water/Sewer Developer Services Charges

The original application was levied with Section 64 contributions. The modification does not give rise to any additional Section 64 contributions as confirmed by Council's Water and Sewer department.

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

No Planning Agreements are applicable.

Regulations –4.15(1)(a)(iv)

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2021

Pursuant to Section 64 of the Environmental Planning and Assessment Regulation 2021 Condition 26 was imposed under the original consent as follows:

Pursuant to section 64 of the Environmental Planning and Assessment Regulation 2021, the existing buildings are to be brought into conformity with the following Performance Requirements of the BCA, Volume 1.

- a) C1P2 – Spread of Fire b) D1P4 – Exits*
- b) D1P6 – Paths of Travel to Exits*
- c) E1P1 – Fire Hose Reels*
- d) E1P2 – Fire Extinguishers*
- e) E1P3 - Fire Hydrants*
- f) E4P1 – Visibility in an emergency*
- g) E4P2 – Identification of exits*
- h) E4P3 – Emergency warning and intercom systems.*

Plans and specifications demonstrating compliance are to be submitted to and approved by the Certifier prior to the issue of a construction certificate.

The application proposes to modify Condition 26 to the following:

Pursuant to s.64 of the Environmental Planning and Assessment Regulation 2021, the existing building are to be brought into conformity with the recommendations and actions nominated within the BCA Fire Safety Upgrade Report prepared by Steve Watson & Partners, Report No 2024/1221, R1.1 dated 13 December 2024 while noting that all other aspects of the development are to comply with the BCA. Plans and specifications demonstrating compliance are to be submitted to and approved by the Certifier prior to the issue of a Construction Certificate.

The applicant submitted a number of reports to support the modification. A copy of the BCA Fire Safety Upgrade Report can be found in **Attachment 1**.

Council's Health and Building Manager has reviewed the modification and stated:

Upon review of the abovementioned report, it is considered that the building will be capable of satisfying the requirements of s64 of the EPA Reg, in that:

the measures contained in the building will be adequate –

- (i) to protect persons using the building, if there is a fire, or
- (ii) to facilitate the safe egress of persons using the building from the building, if there is a fire, or
- (iii) to restrict the spread of fire from the building to other buildings nearby.

Noting that partial conformity is satisfactory depending on the circumstances of the existing building.

In this regard, condition no.26 can be amended as proposed.

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

The proposed changes to the development have been assessed and it is determined that the modified development sought is unlikely to have any adverse impacts in the site or locality.

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 notified, in accordance with Mid-Western Regional Community Participation Plan 2019, for a period of 14 days, ending 13 March 2025. During the notification period, one submission/s were received.

The submission raised concerns relating to the current significant downturn to business accommodation providers in Mudgee and regional NSW as a result of cost of living / visitor decrease and increase in accommodation availability. A copy of the submission can be found in **Attachment 3**. Competition / viability of a proposed use is not included under the heads of consideration for planning applications under Section 4.15 of the Environmental Planning and

Assessment Act 1979. Accordingly, no further consideration can be undertaken in relation to this concern.

(B) SUBMISSIONS FROM PUBLIC AUTHORITIES

The application was referred to Essential Energy, which has been discussed previously in this report.

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.

CHANGES TO CONDITIONS

Amend Condition 1 to refer to amended plans

As discussed throughout this report, there is no objection to the amendments to the proposed plans. The modifications are generally minor changes to reflect detailed design undertaken to prepare for Construction Certificate or to reflect the BCA Report requirements. The changes have been referred to Council's Building and Engineering departments who have raised no concerns. Modifications to retain the existing accommodation on the first floor of the Heritage Federal Hotel building will reduce the extent of demolition and are acceptable.

Amend Condition 26

As discussed previously in this report, Council's Health and Building Manager has reviewed the proposed changes to this condition relating to fire safety measures and has raised no objections. The BCA report referenced in this condition will be added to the approved plans and documents set out in Condition 1 of the consent.

A review of the remaining conditions has confirmed no further changes are required as result of the proposal.

CONSULTATIONS

(A) HEALTH AND BUILDING

Council's Health & Building Surveyor has not raised any concerns with the proposal, supporting the proposed modification to Condition 26. No further conditions required modification.

(B) TECHNICAL SERVICES

Council's Development Engineer has reviewed the application and has not raised any concerns with the proposed modification. No changes to existing engineering conditions required.

(C) HERITAGE ADVISOR

Council's Heritage Advisor has reviewed the proposal and has not raised any concerns.

CONCLUSION

The proposed modifications in application ME0034/2025 have been assessed and are considered acceptable. The proposed modifications do not alter compliance with relevant development standards and requirements for the proposed development.

Community Plan implications

Theme	Good Government
Goal	Strong civic leadership
Strategy	Provide accountable and transparent decision-making for the community

Strategic implications

Council Strategies

Not Applicable

Council Policies

Mid-Western Regional Development Control Plan 2013

Mid-Western Regional Community Participation Plan 2019

Legislation

Environmental Planning & Assessment Act 1979

Environmental Planning & Assessment Regulation 2021

Mid-Western Regional Local Environmental Plan 2012

Financial implications

Should the applicant seek to appeal the decision of Council to the Land and Environment Court, the costs associated with an appeal will be required to be funded by Council.

Associated Risks

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

SARAH HOPKINS
PLANNING COORDINATOR

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

24 April 2025

Attachments:

1. BCA Fire Safety Upgrade Report. (separately attached)
2. Proposed Modified Plans. (separately attached)
3. Copy of submission (redacted). (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.4 ME0042/2025 - Modification to DA0229/2024 - Provision of Accessible Toilet in Farm Building - 686 Queens Pinch Road, Mullamuddy

REPORT BY THE DUTY TOWN PLANNER
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, DA0229/2024

RECOMMENDATION

That Council:

- A. receive the report by the Duty Town Planner on ME0042/2025 - Modification to DA0229/2024 - Provision of Accessible Toilet in Farm Building - 686 Queens Pinch Road, Mullamuddy;
- B. that ME0042/2025 - Modification to DA0229/2024 - Provision of Accessible Toilet in Farm Building - 686 Queens Pinch Road, Mullamuddy be approved subject to the following conditions (with amendments shown in blue text):

CONDITIONS

- 1. **Approved plans and supporting documentation**
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 / Issue:	Date:	Prepared by:
Site Plan	-	-	16 February 2024	Navigate Planning
Ground Floor Plan	Drawing No. 02	C	11.6.24 28 March 2025	No author Navigate Planning
Mezzanine Floor Plan	Drawing No. 03	C	11.6.24	No author
Elevations	Drawing No. 04	C	11.6.24	No author
Building Code of Australia Category 1 Assessment Report #1	-	-	5 June 2024	BCA Performance
Proposed Disabled Amenities	3938-A01	A	Mar 2025	Giselle Denley Drafting Services

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

MODIFIED BY ME0042/2025

- 2. **Clarification of approved use of the building**

For clarity, this development consent provides approval for the use of the building as a farm building ancillary to the agricultural use of the land, all required building works in accordance with the stamped approved plans and conditions of this consent, only.

The 'farm admin', 'utility room' and 'storage' spaces of the building is to be used solely in conjunction with the approved use of the farm building by the landowner and is not to be adapted or used for any other purpose. The separate use or occupation of these spaces is also not permitted by this consent nor the introduction of new facilities such as a kitchen or portable cooking facilities. *Note: This consent does not authorise any plumbing or drainage works as part of the use of the building as a farm building.*

3. Non-reflective finishes

Metal roof/wall cladding shall be provided in a non-reflective/non-glary colour scheme such as "Colourbond" steel sheeting.

4. Building not to be used for habitable uses

The building must not be adapted nor used for habitable, recreational, retail or industrial purposes at any time.

5. Imported waste derived fill material

The only waste derived fill material that may be received at the development site must be:

- a) Virgin excavated natural material, within the meaning of the Protection of the Environment Operations Act 1997; and
- b) Any other waste-derived material the subject of a resource recovery exemption under cl.91 of the Protection of the Environment Operations (Waste) Regulation 2014 that is permitted to be used as fill material.

6. Waste Disposal

All waste generated by the development is to be disposed of to a Council approved waste facility. All fees and charges for disposal are to be borne by the developer.

7. Hazardous Substances Storage

Storage of hazardous substances is to be located within an appropriate storage facility in accordance with requirements of the relevant Material Safety Data Sheet.

8. No ponding of stormwater

All earthworks, filling, building, driveways or other works are to be designed and constructed (including stormwater drainage if necessary) to ensure that at no time any ponding of stormwater occurs on the subject site or adjoining land as a result of this development. Design must also ensure that no diversion of runoff onto other adjacent properties occurs.

9. Water Storage

To service this development minimum water tank storage of 60,000 litres is required, of which a minimum of 20,000 litres static water supply is to be retained for firefighting purposes.

10. Occupation Certificate

Prior to the occupation of a new building, or occupation or use of an altered portion of, or an extension to an existing building, an Occupation Certificate is to be obtained from the Principal Certifier appointed for the erection of the building

11. Commencement of works

This consent does not permit commencement of any site works. Works are not to commence until such time as a Construction Certificate has been obtained and the appointment of a Principal Certifier.

12. Erection of signs

1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out—
 - a) showing the name, address and telephone number of the principal certifier for the work, and
 - b) showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c) stating that unauthorised entry to the work site is prohibited.
3. The sign must be—
 - a) maintained while the building work, subdivision work or demolition work is being carried out, and
 - b) removed when the work has been completed.
4. This section does not apply in relation to—
 - a) building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b) Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

13. Outdoor Lighting – obtrusive effects

All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property or roadways, in accordance with Australian Standard 4282 “Control of the Obtrusive Effects of Outdoor Lighting”.

14. Annual Fire Safety Statement

For every 12 month period after the issue of the Final Fire Safety Certificate the owner/agent of the building must provide the Council and the Commissioner of Fire and Rescue NSW with a copy of an Annual Fire Safety Statement certifying that each specified fire safety measure is capable of performing to its specification.

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

15. Long Service Levy

Prior to the issue of a Construction Certificate, the developer shall pay a Long Service Levy at the prescribed rate to either the Long Service Levy Corporation or Council, for any work costing \$250,000 or more.

Note - The amount payable is currently based on 0.25% of the cost of work. This is a State Government Levy and is subject to change.

Note – Council can only accept payment of the Long Service Levy as part of the fees for a Construction Certificate application lodged with Council. If the Construction Certificate is to be issued by a Private Certifier, the Long Service Levy must be paid directly to the Long Service Levy Corporation or paid to the Private Certifier.

- 16. Section 64 Upgrade – Fire Safety - Building Code of Australia**
Pursuant to section 64 of the Environmental Planning and Assessment Regulation 2021, the existing buildings are to be brought into conformity with the following Performance Requirements of the BCA, Volume 1.

- a) D1P4 – Exits
- b) E4P1 – Visibility in an emergency
- c) E1P2 – Fire Extinguishers

Plans and specifications demonstrating compliance are to be submitted to and approved by the Certifier prior to the issue of a Construction Certificate.

BEFORE WORK COMMENCES

- 17. Pre-construction notifications**

In accordance with the provisions of the Environmental Planning and Assessment Act 1979 construction works approved by this consent must not commence until:

- a) A Construction Certificate has been issued by the Certifier (i.e. Council or an accredited certifier); and
- b) A Principal Certifier has been appointed by the person having benefit of the development consent in accordance with the Environmental Planning and Assessment Act 1979; and
- c) If Council is not the Principal Certifier, notify Council no later than two (2) days before building work commences as to who is the appointed Principal Certifier; and
- d) At least two (2) days before commencement of building work, the person having benefit of the development consent is to notify Council as to the intention to commence building work.

- 18. Construction waste enclosure**
The site shall be provided with a waste enclosure (minimum 1800mm X 1800mm X 1200mm) that has a lid or secure covering for the duration of the construction works to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. Council encourages the separation and recycling of suitable materials.

NOTE - ALL WASTE GENERATED FROM THE CONSTRUCTION PROCESS IS TO BE CONTAINED ON-SITE

- 19. Existing damage to council property**

Prior to the commencement of works on site, the applicant shall advise Council's Operations Department in writing, of any existing damage to Council property.

- 20. Relocation of services**

The developer shall be responsible for all costs incurred in the necessary relocation of any services affected by the required construction works. Council and other service authorities should be contacted for specific requirements prior to commencement of any works.

21. Sediment erosion controls

Sediment erosion controls shall be installed within the development site, to the satisfaction of the Certifier (i.e. Council or the Principal Certifier), prior to the commencement of works.

DURING WORK

22. Mandatory inspections

All mandatory inspections required by the Environmental Planning and Assessment Act 1979 and any other inspections deemed necessary by the Principal Certifier shall be carried out during the relevant stage of construction.

23. Aboriginal material found during construction

In the event of any Aboriginal archaeological material being discovered during earthmoving/construction works, all work in that area shall cease immediately and the Office of Environment and Heritage (OEH) notified of the discovery as soon as practicable. Work shall only recommence upon the authorisation of the OEH.

24. Management of Development Site

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

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

25. Hours of work

Site work must only be carried out between the following times –

- 8am to 5pm Monday to Saturday

No site work is permitted on Sundays or Public Holidays.

Site work is not to be carried out outside of these times except where there is an emergency, or for urgent work directed by a police officer or a public authority.

26. Procedure for critical stage inspections

While building work is being carried out, the work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

27. Decommissioning works required

Prior to the issue of any Occupation Certificate, the chimney stack and fireplace is to be permanently decommissioned and/or removed from the building (with the wall reinstated accordingly) to the written satisfaction of Council.

28. OSMS – Inspection for Onsite Sewage Management System

Prior to the use of the premises for the purposes approved by this consent, and prior to the issue of an Occupation Certificate, a satisfactory final inspection report from the Council must be obtained, verifying the associated onsite wastewater management system has been supplied and installed in accordance with the approval under Section 68 of the Local Government Act 1993.

29. Finish of Surface Around Site

Prior to use of the development and/or issue of an Occupation Certificate, the excavated and/or filled areas of the site are to be stabilised and drained, to prevent scouring onto adjacent private or public property. The finished ground around the perimeter of the building is to be graded to prevent ponding of water, and to ensure the free flow of water away from the building and adjoining properties.

30. Stormwater clear of building and OSSM

Prior to use of the development and/or issue of an Occupation Certificate, roof water from the building and any rainwater tank overflow shall be piped clear of all buildings and clear of the sewage wastewater disposal area - without creating any nuisance on the property, or to adjoining properties.

31. Car Parking and Driveway

Prior to commencement of use of the development and/or issue of an Occupation Certificate, all approved car parking and associated driveway works are to be completed.

32. Fire Safety Certificate

Prior to occupation the owner of the building must cause the Certifier to be given a fire safety certificate (or interim fire safety certificate in the case of a building or part of a building occupied before completion) in accordance with Section 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 for each measure listed in the schedule. The certificate must only be in the form specified by Section 86 of the Regulation. A copy of the certificate is to be given to the Commissioner of the New South Wales Fire Brigade and a copy is to be prominently displayed in the building.

OCCUPATION AND ONGOING USE

33. All car parking within site

All parking associated with the use is to be contained wholly within the site.

34. Driveways to be maintained

All access crossings and driveways are to be maintained for the life of the development.

35. No interference with amenity

There being no interference with the amenity of the neighbourhood by reason of the emission of any “offensive noise”, vibration, smell, fumes, smoke, vapour, steam, soot, ash or dust, or otherwise as a result of the proposed development.

36. Clean and tidy condition

The development is to be maintained in a clean and tidy manner, at all times.

37. Ongoing use of the building

The development is not permitted to operate in any other manner other than as a farm building, being used ancillary to the agricultural use of the land, only. The building is not permitted to be utilized at any time for habitable, recreational, retail or industrial purposes.

STATEMENT OF 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 satisfactory in terms of the matters identified in Section 4.15 of the Environmental Planning and Assessment Act 1979, subject to compliance with conditions of consent.
3. Four submissions were received in response to public notification of the proposed development which have been addressed in the following manner:
 1. The application is for a farm building, ancillary to the agricultural use of the land. The conditions imposed seek to ensure that the future use of the building is consistent with this requirement.
 2. A condition is imposed to decommission and/or remove the chimney stack and fireplace from the building prior to occupation.
 3. Essential fire safety measures are required to be installed in the farm building as the classification of the building has been confirmed by the applicants Building Code of Australia Report to be a class 7 or 8 building (farm building).
4. The proposed modification is considered to result in minimum environmental impact and is substantially the same development as the originally approved development – thereby satisfying the requirements of Section 4.55(1A)(a) and (b) of the *Environmental Planning and Assessment Act 1979*.
ADDED BY ME0042/2025

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 via the NSW Planning Portal and must be made and determined within 6 months after the date on which you receive this notice. Please contact Council’s Planning and 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.
5. To ascertain the extent to which the consent is liable to lapse, refer to Section 4.53 of the EP&A Act.

Executive summary

OWNER/S	Mr Timothy Sutton
APPLICANT:	Mr Mark Hitchenson
PROPERTY DESCRIPTION	686 Queens Pinch Road, Mullamuddy Lot 39 DP 756870
PROPOSED DEVELOPMENT	Modification to Farm Building – Provide Accessible Toilet Facilities
ESTIMATED COST OF DEVELOPMENT:	Not applicable
REASON FOR REPORTING TO COUNCIL:	Application seeks to modify a development consent that was originally determined by Council.
PUBLIC SUBMISSIONS:	Nil

A modification of consent application under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* was lodged with Council on 7 April 2025. The proposed modification of Development Consent DA0229/2024 seeks to add an accessible bathroom within one of the existing rooms within the farm building. No other changes are proposed. Changes are required to Condition 1 in response to the proposed provision of an accessible bathroom.

The original development consent was determined by Council. This modification of consent application is required to be determined by Council.

The modification of consent application was not placed on public exhibition because the amenity impacts associated with the proposed modification are no greater than the approved development. All changes are internal to the building. No submissions were received.

The proposed modification is recommended for approval.

Disclosure of Interest

Nil

Detailed report

Original Approval

The original development consent, approved by Council on 17 July 2024, was for the continued use of a farm building at 686 Queens Pinch Road, Mullamuddy. The consent was issued as a deferred commencement consent, seeking a Building Information Certificate for works that had been undertaken without approval. Building Information Certificate BIC0104/2025 – BIC-32598 was issued by Council on 2 December 2024. The development consent became operational on 13 December 2024.

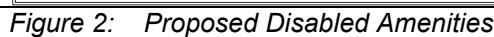
Previous Modification

There have been no other modifications to the original consent.

This Section 4.55(1A) application to modify Development Consent DA0229/2024 was submitted to Council on 7 April 2025.

[illegible]

Figure 1: Amended Floor Plan



Section 4.55 Modification Legislation

- The bathroom fit out will be contained within one existing room of the farm building, depicted in the approved plans (DA0229/2024) as “Future Washroom”
- There are no changes to the remainder of the farm building.
- There are no external changes to the approved farm building.

This modification of consent application did not require consultation with any public authorities or approval bodies.

Notification and Submissions

This modification of consent application was not required to be notified or advertised in accordance with Council's *Community Participation Plan October 2019*. Applications to modify development consents pursuant to 4.55(1A) do not need to be exhibited, where Council is satisfied that the development will have the same or lesser impact on the amenity of adjoining property owners as the original application.

No submissions were received during assessment of the application.

MATTERS FOR CONSIDERATION

The consent authority is required to consider the relevant matters outlined in Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

As the proposed modification does not seek any major changes to the approved farm building, the majority of the matters for consideration under Section 4.15 are not relevant. The relevant considerations are summarised as follows:

a) The provisions of any environment planning instruments.

Mid-Western Regional Local Environmental Plan 2012 (MWRLEP 2012)

The proposed modification does not alter the proposal's compliance with the relevant development standards contained in MWRLEP 2012.

State Environmental Planning Policies (SEPP's)

The proposed modification does not alter the proposal's compliance with the relevant development standards contained in the applicable SEPP's.

Draft Environmental Planning Instruments

Not applicable.

b) The provisions of any development control plan or Council policy.

Mid-Western Regional Development Control Plan 2013

The proposed modification does not alter the proposal's compliance with all the relevant requirements of the Mid-Western Regional Development Control Plan 2013.

Council Policies

Not applicable. There are no Council policies applicable to the proposed modification.

Contributions

The original approval for the farm building did not attract any developer contributions. The proposed modification will not trigger contributions.

c) The provisions of any planning agreement.

Not applicable.

d) The regulations.

Not applicable.

e) The likely impacts of development.

The proposed modification does not alter the impacts associated with the approved farm building.

f) The suitability of the site for the development.

The proposed modification does not alter the suitability of the site for the approved development.

g) Any submissions received.

No submissions were received during the assessment of the proposed modification.

h) The public interest.

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

CONSEQUENTIAL CHANGES TO CONDITIONS

The proposed modification seeks to alter one of the rooms within the farm building to a disabled bathroom. The subject room was depicted in the approved plans (DA0229/2024) as "Future Washroom". Only Condition No.1 requires amendment to refer to the plans of the disabled bathroom fit out.

Amend Condition 1 to refer to amended plans

There is no objection to the proposed provision of a disabled bathroom within the farm building. Accordingly, it is recommended that Condition 1 be amended to refer to the new plans showing the bathroom fit out.

CONSULTATIONS

Building Surveyor

Council's Building Surveyor notes that no changes to conditions are required, to accommodate the disabled toilet.

CONCLUSION

The proposed modifications in application ME0042/2025 have been assessed and is considered reasonable in the circumstances. The proposed modification does not alter the approved farm building's compliance with relevant development standards and requirements.

The proposed modification is focussed on adding disabled bathroom facilities to one of the rooms within the farm building. Changes are required to Condition No.1 to reflect the bathroom fit out.

Community Plan implications

Theme	Good Government
Goal	Strong civic leadership
Strategy	Provide accountable and transparent decision-making for the community

Strategic implications

Council Strategies

Not applicable

Council Policies

Mid-Western Regional Local Environment Plan 2012
Mid-Western Regional Development Control Plan 2013
Mid-Western Community Participation Plan 2019

Legislation

Local Government Act 1993
Environmental Planning and Assessment Act 1979 (as amended)
Environmental Planning and Assessment Regulation 2021

Financial implications

Should Council refuse the application, and the applicant seeks to appeal this decision through the Land & Environment Court, legal costs associated with an appeal will be required to be funded by Council.

Associated Risks

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

ILIJA SUSNJA
DUTY TOWN PLANNER

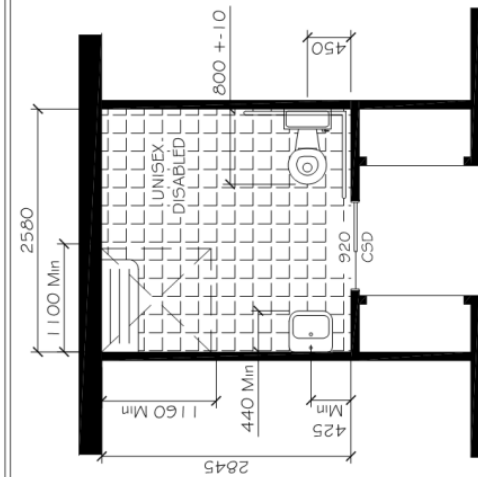
LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

30 April 2025

Attachments: 1. Bathroom Fitout.
2. Floor Plan.
3. Site Plan.

APPROVED FOR SUBMISSION:

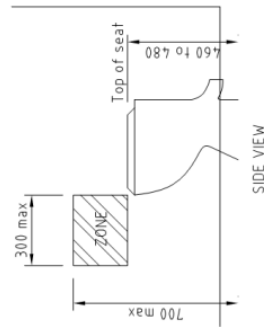
BRAD CAM
GENERAL MANAGER



DISABLED AMENITIES FLOOR PLAN

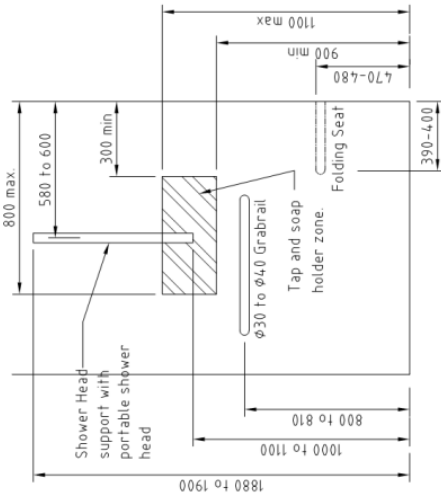
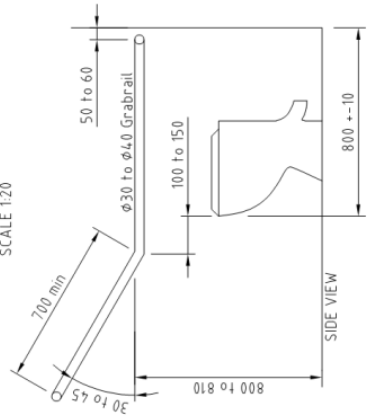
SCALE 1:50

to AS1428.1.2009



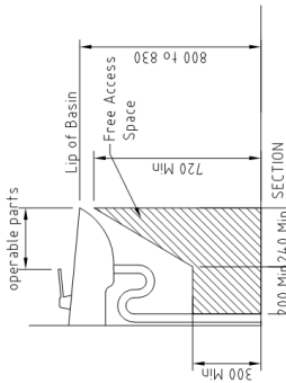
TOILET PAPER OUTLET

SCALE 1:20



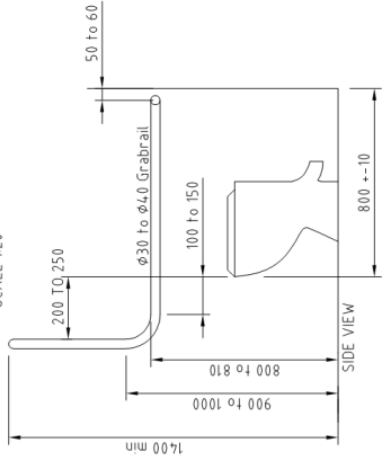
SHOWER RECESS FITTINGS

SCALE 1:20



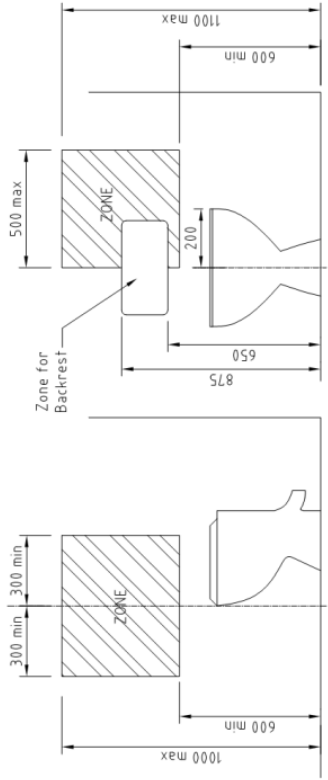
WASHBASIN OBSTRUCTION LIMIT

SCALE 1:20



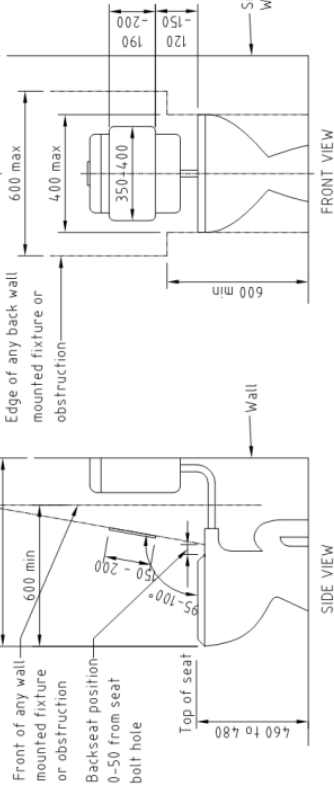
POSITIONS OF GRABRAILS IN WATER CLOSETS

SCALE 1:20



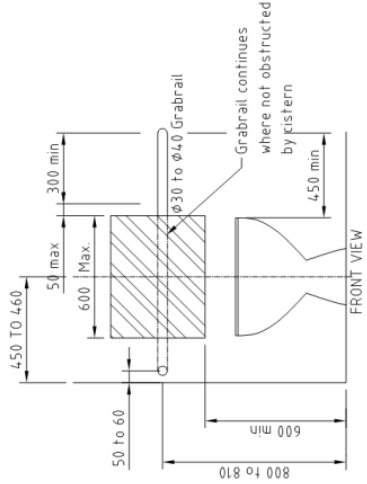
ZONE FOR FLUSHING CONTROL

SCALE 1:20



WATER CLOSET PAN CLEARANCES, SEAT HEIGHT & SEAT WIDTH

SCALE 1:20



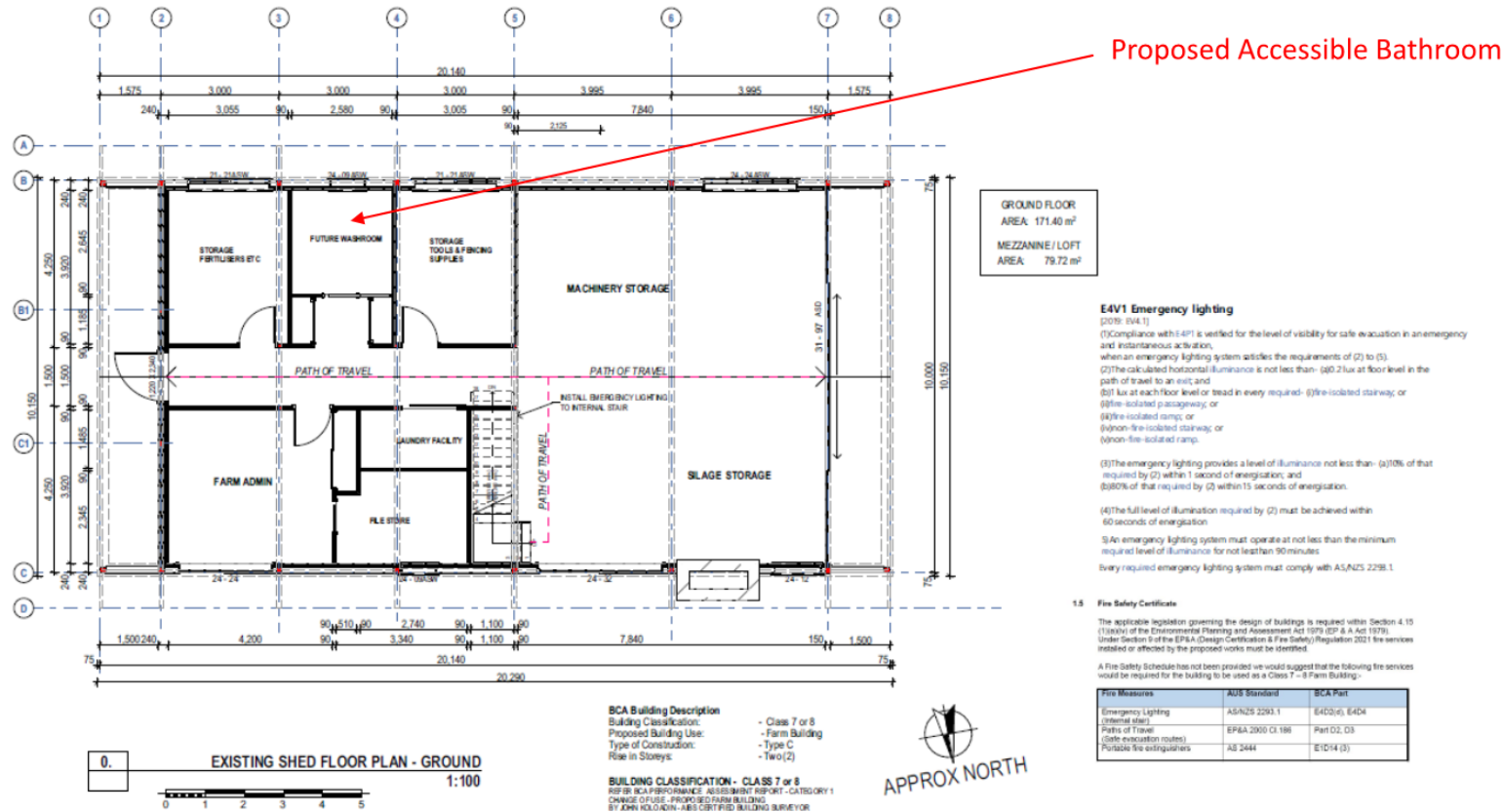
A	MAR 2025	G.D.	ISSUED FOR APPROVAL
REV	DATE	BY	DESCRIPTION





Giselle Denley
Drafting Services
giselle.denley@biscorp.com
0417 688 306
153 Hill Street Drive
Mudgee NSW 2850

CLIENT:		TIM SUTTON	
TITLE:		PROPOSED DISABLED AMENITIES	
		686 QUEENS PINCH RD, MULLAMUDDY	
REV	DWG No	3938-A01	
SCALE: 1:50, 1:20	FILE: 3938-A01		
DRAWN: G.D	DATE: MAR 2025		
CHECK: M.H	DATE: MAR 2025		



Floor Plan, prepared by Navigate Planning, dated 28 March 2025.



Site Plan, prepared by Navigate Planning, dated 28 March 2025, not to scale.

8.5 Mudgee Regional Airport Master Plan 2025-2035

REPORT BY THE BUSINESS DEVELOPMENT COORDINATOR
TO 21 MAY 2025 ORDINARY MEETING
GOV400105, ECO800001, GOV400113

RECOMMENDATION

That Council:

1. **receive the report by the Business Development Coordinator on the Mudgee Regional Airport Master Plan;**
2. **place the Mudgee Regional Airport Master Plan 2025 on public exhibition for 28 days; and**
3. **receive a further report following conclusion of the public exhibition period to consider any submissions received, or if at the end of the public exhibition period, if no submissions are received, adopt the Mudgee Regional Airport Master Plan 2025.**

Executive summary

Having received, exhibited, and accepted the previous Mudgee Regional Airport Master Plan in 2015, Council has prepared a new 10-year Master Plan to meet the current and future challenges of the Mudgee Regional Airport.

It is recommended that the Mudgee Regional Airport Master Plan is placed on public exhibition for 28 days and if no submissions are received, adopt the Mudgee Regional Airport Master Plan 2025.

Disclosure of Interest

Nil

Detailed report

The Mudgee Regional Airport Master Plan 2025 builds upon the 2015 Plan to address the evolving needs of Mudgee Regional Airport. It has been developed through community engagement to ensure alignment with local priorities, future aspirations and engagement of industry experts for specific requirements such as pavement strength and capabilities.

Key Objectives:

- **Assess Current Capabilities:** Evaluate existing infrastructure, operational capacity, and historical usage;
- **Quantify Socioeconomic Impact:** Determine the airport's contribution to the region's economy, employment, and community well-being;

- Envision Future Growth: Project future aircraft movements and passenger traffic to inform strategic planning;
- Prioritise Community Needs: Incorporate community feedback into the development of the Master Plan;
- Explore Technological Advancements: Identify opportunities to leverage emerging technologies and innovative services;
- Optimise Airside Infrastructure: Develop a strategic plan for runway and airfield maintenance, expansion, and safety improvements;
- Safeguard Aviation Environment: Implement measures to protect the airport's operational integrity and surrounding land uses; and
- Implement Action Plan: Outline a detailed implementation strategy to achieve the Master Plan's goals and objectives.

The following recommendations have been presented in the Plan:

Page	Priority	Action Item	Strategy Scenario	Trigger Point
8	1	Attract a Rapid Public Transport Provider	Develop	Cessation of Fly Pelican Services
37	1	Attract & Retain Airport Businesses	Develop	Airport Economic Strategy
37	1	New Taxiway build – Evaluation for commercial lots	Develop	Sale of Lots
41	1	Short term accommodation – Existing cottage	Develop	Airport Economic Strategy
60	1	Storm Water Management – 1 Airside - 04/22 runway safeguarding	Maintain	Storm water Master Plan, Grant Funding
40	2	Potential Industrial Land	Develop	Business case - Survey and town planning costs
61	2	Storm Water Drainage System Easement	Maintain	Storm Water Master Plan
41	2	Convert Terminal to General Aviation Lounge – access via ASIC card details	Utilise	Airport Economic Strategy

60	2	Storm Water Management – 2b – Commercial – Protection of Commercial Tenancies.	Maintain	Storm Water Master Plan
39	3	North Land Airpark	Develop	Business case - Initial cost for Town planning and infrastructure budget would be required
60	3	Storm Water Management – 2 a – Commercial Remediation of RFS site and Commercial lots	Maintain	Storm water Master Plan, Airport Economic Strategy,
60	3	Storm Water Management – 3 Landside	Maintain	Storm Water Master Plan
41	4	Conversion of existing hangar space	Develop	Airport Economic Strategy
41	4	Short term accommodation – 2, 2 bed Accommodation Units	Develop	Airport Economic Strategy
55	5	Runway over lay	Utilise	Business case based on increase public transport flight or larger aircraft utilisation
55	5	East Apron Over lay	Utilise	Business case based on increase public transport flight or larger aircraft utilisation
55	5	04/22 Runway reseal – 15 years – 2035	Maintain	Structural Analysis 2030
55	5	Taxiway Echo reseal – 15 years - 2035	Maintain	Structural Analysis 2030
55	5	Taxiway Alpha Taxiway Echo reseal – 15 years - 2035	Maintain	Structural Analysis 2030
52	6	Additional Grass runway feasibility study	Develop	Business case

Recommendation:

It is recommended that Council place the Mudgee Regional Airport Master Plan 2025 on public exhibition for the specified period. Following the exhibition period, Council should consider any submissions received and, if no significant objections are raised, adopt the Master Plan.

Community Plan implications

Theme	Connecting Our Region
Goal	An active travel network within the region
Strategy	Support viable public transport options across the region

Strategic implications

Council Strategies

Mudgee Regional Airport – Master Plan

Council Policies

Not Applicable

Legislation

Civil Aviation Safety Regulations 1988 (CAR)
Part 139 Manual of Standards (MOS) 2019
The Aviation Transport Security Act 2004
Aviation Transport Security Regulations 2005

Financial implications

The Airport Master Plan outlines a number of strategies and opportunities that will increase potential future income of the airport as well as capital improvements and commercial opportunities. The Plan recommends a financial strategic plan to ensure commercial viability and alignment with market conditions to support investment decision-making and prioritisation.

Associated Risks

- If the Airport Master Plan 2025 is not adopted, the development of a sustainable business may be at risk.
- Future operating budget and plans may not meet the communities' needs and requirements, and changing trends may affect the Airport sustainability.

If capital funds are misdirected, they may be allocated inefficiently, resulting in poor value for the community.

ANDREW BANKS
BUSINESS DEVELOPMENT COORDINATOR
5 May 2025

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

Attachments: 1. Mudgee Regional Airport Master Plan 2025-2035. (separately attached)
2. Mudgee Regional Airport Adjoining Land. (Confidential - separately attached)

APPROVED FOR SUBMISSION:
BRAD CAM
GENERAL MANAGER

8.6 Mid-Western Region Housing Strategy - Post Exhibition

REPORT BY THE MANAGER STRATEGIC PLANNING

TO 21 MAY 2025 ORDINARY MEETING

GOV400103, LAN900177, gov400113

RECOMMENDATION

That Council:

- 1. receive the report by the Manager Strategic Planning on the Mid-Western Region Housing Strategy - Post Exhibition; and**
- 2. adopt the updated *Mid-Western Region Housing Strategy*; and**
- 3. staff to undertake a review of the *Mid-Western Region Housing Strategy* within the first 6 months of adoption, engage with Councillors and report to Council.**

Addendum to report dated 16 April 2025

The *Draft Mid-Western Region Housing Strategy* (Housing Strategy) – Post Exhibition was reported to the 16 April 2025 Council meeting. Council resolved (minute number 93/25) ‘*defer the adoption of Mid-Western Regional Housing Strategy until further discussion and consultation with Councillors, with a report to be brought back to the May Council meeting*’.

Since the 16 April 2025 meeting, further discussion and consultation was undertaken with Councillors in accordance with the recommendation. It is proposed that these discussions and consultation continue during the six months following the adoption of the Housing Strategy to inform a review and make change if deemed necessary. The implementation of the Housing Strategy will also be communicated with the Councillors during this period.

Following the further discussions and consultation with Councillors, it remains important that Council proceed with the adoption of the Housing Strategy, due to receipt of Department of Planning, Housing and Infrastructure, Regional Housing Strategic Planning Fund – Round 3 funding. The funding is for the implementation of the Housing Strategy, specifically, the master planning of residential growth areas and an *Mid-Western Regional Local Environmental Plan 2012* amendment to facilitate lot size diversity (both of these tasks are Actions within the Housing Strategy). Further, the adoption of the Housing Strategy will support current applications for residential land rezoning progression.

Executive summary

The purpose of this report is to consider the submissions received and adopt the updated Housing Strategy, prepared by GYDE Consulting and Council, dated April 2025.

In its simplest form, the Housing Strategy sets clear direction for the future supply and type of housing required within the four towns of the Mid-Western LGA to 2041.

The Housing Strategy has been informed by Mid-Western LGA wide community engagement, in excess of 600 engagements were undertaken across the LGA in various mediums, from one-on-one interviews, industry forums, drop-ins across all towns and an online survey. In addition, the engagement was launched at Council's 2024 Economic Think Tank. Following engagement, a

detailed Engagement Report prepared by The Planning Studio (provided as an appendix to the Housing Strategy) was produced.

The Housing Strategy was placed on public exhibition for a period of 28 days. The public exhibition period was promoted through social media channels, Council's website, the Mudgee Guardian and landowners who had engaged with Council previously on future housing in the LGA were advised in writing. A total of 9 submissions were received: 3 public submissions, 1 Industry Association and 5 from NSW Government Agencies. Matters raised in the submissions, along with staff comment and changes to the draft are provided in the body of the report.

Minor changes have been made to the Housing Strategy in accordance with the industry association and NSW Government Agency submissions. No substantive changes have been made that require the re-exhibition of the Housing Strategy; accordingly, the recommendation is to adopt the Housing Strategy. A detailed breakdown of the amendments can be found in Table 3.

Detailed Report

What is a Housing Strategy?

A housing strategy is a strategic document to promote the efficient use of land and infrastructure to align with housing demand. While housing is linked to planning issues such as employment, a housing strategy focusses solely on housing. Local strategic planning processes also consider issues such as employment, open space, and infrastructure provision. These elements are considered as part of other strategies and drawn together as part of the Local Strategic Planning Statement.

What will a Housing Strategy do?

The Housing Strategy will guide decision making and future actions relating to housing within the Mid-Western LGA. The Housing Strategy sets out current and projected housing needs based on a range of factors including:

- Demographic trends (including projected housing needs associated with major projects within and around the Mid-Western LGA).
- Housing supply and demand.
- Local land use opportunities and constraints.

The above is informed by input from community engagement.

Why are we preparing a Housing Strategy now?

The Mid-Western LGA continues to experience (and is forecast to exacerbate) significant demand on housing from the development of the Central West and Orana REZ, mining operations, and desire to move into the LGA.

Like many other regional towns, current housing supply is generally dominated by large, detached dwellings and larger lot sizes. The delivery of a limited housing typologies has led to housing affordability issues. Further, the NSW state government is driving the increase in dwelling typologies and supply through planning reform (mandating the permissibility of medium density housing in particular zones). The preparation of the Housing Strategy has allowed Council to engage with the community to understand what types and mix of housing typologies is desired.

Strategic Land Use Planning Framework/Hierarchy

To assist in understanding the role of the Housing Strategy, the below strategic land use planning frameworks have been provided.

Local Strategic Planning Statement 2020

Council's first Local Strategic Planning Statement (LSPS) was adopted in 2020. Local planning is informed by, and must be consistent with, the state planning objectives. The LSPS is part of Council's commitment to manage future growth in an environmentally,

socially and economically responsible way. It builds on the Mid-Western Community Plan and Council's current land-use strategy; the Comprehensive Land Use Strategy Parts A, B and C. It describes how the directions and actions in the Central West and Orana Regional Plan will be implemented locally.

Comprehensive Land Use Strategy 2010

The Comprehensive Land Use Strategy (CLUS) was endorsed by the Department of Planning in 2011 following a long and extensive investigation into planning and land use and the desired future direction of the LGA. The CLUS provided the necessary strategic framework to guide planning over the next 25 years for the Mid-Western LGA. The most referenced aspect of the CLUS are the Town Structure Plans. These are maps for Mudgee, Gulgong, Rylstone, and Kandos which visually represent the outcomes of the CLUS. The identified growth areas on the four Town Structure Plans have been included in the preparation of this draft Housing Strategy. Further, this draft Housing Strategy will provide an update to the urban residential components of the CLUS.

Mudgee and Gulgong Urban Release Strategy 2023 Update (URS)

The URS 2023 Update provided an updated overview of housing supply and demand in Mudgee and Gulgong. The URS considered both currently zoned land and land identified within the CLUS. It should be noted, the URS discussed a land supply shortfall, however with the demand and supply review undertaken during the preparation of the draft Strategy, land zoned and identified under the CLUS will meet the forecast demand to 2041.

Mid-Western Regional Local Environmental Plan 2012 (MWLEP)

The CLUS provided the basis for the *Mid-Western Local Environmental Plan 2012 (MWLEP2012)*. The primary purpose of this LEP was to consolidate the Mid-Western Regional Interim LEP 2008, Rylstone LEP 1996 and Merriwa LEP 1992 into the Standard Instrument LEP format. The intent of the MWLEP2012 was to provide the statutory framework consistent with the standard template LEP enforced by the Department of Planning, Housing and Infrastructure, at the time. To meet the demand driven by the resource boom at the time, Council led the rezoning of land identified on the Mudgee and Gulgong Town Structure Plans. The MWLEP has had 29 text amendments and 13 mapping amendments since adoption to respond to current and changing community and council needs.

Further, an action of the Housing Strategy is to amend the MWLEP to facilitate the delivery of varied housing typologies and lot sizes. Accordingly this supports the delivery of additional housing on land currently zoned and identified.

Structure of the Housing Strategy

The Housing Strategy identifies residential land supply and outlines the housing typologies needed for the four towns of Gulgong, Kandos, Mudgee and Rylstone to ensure sufficient supply is available to meet demand until 2041.

Public Exhibition

The Draft Housing Strategy was placed on public exhibition for 28 days, from Friday 21 February 2025 and concluded Friday 21 March 2025. The Draft Housing Strategy was available on Council's website and was promoted through social media channels, the Mudgee Guardian and landowners who had engaged with Council previously on future housing in the LGA were advised in writing.

A total of 9 submissions were received and have been provided as Attachment 1.

Of the 9 submissions received, 3 were public submissions, 1 Industry Association (Community Housing Industry Association NSW) and 5 from the following NSW Government Agencies:

- Department of Climate Change, Energy, the Environment and Water (DCCEEW)

- Transport for NSW
- Department of Primary Industries and Regional Development (DPIRD)
- WaterNSW; and
- Department of Planning, Housing and Infrastructure (DPHI)

Council referred the Draft Housing Strategy to the NSW Government Agencies to ensure those with the specific technical skills reviewed the draft document and provide comment.

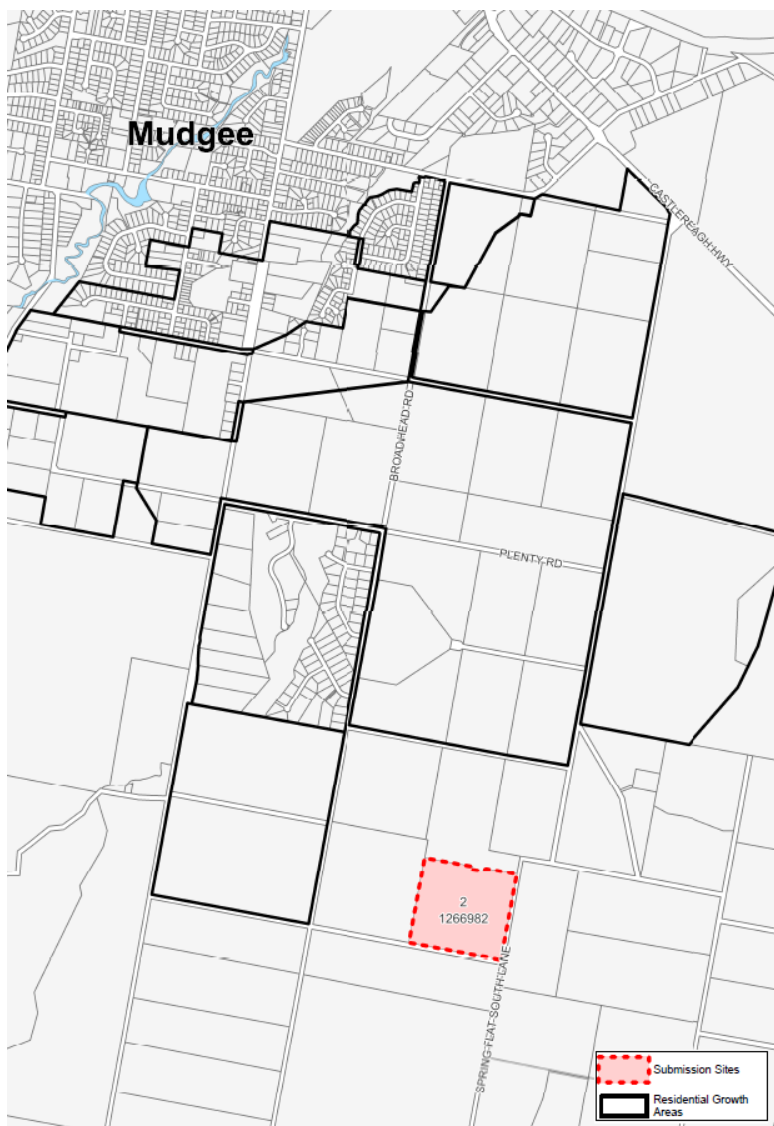
The issues raised in the submissions have been summarised in the two tables following and a staff comment has been provided and detail changes made.

Public submissions

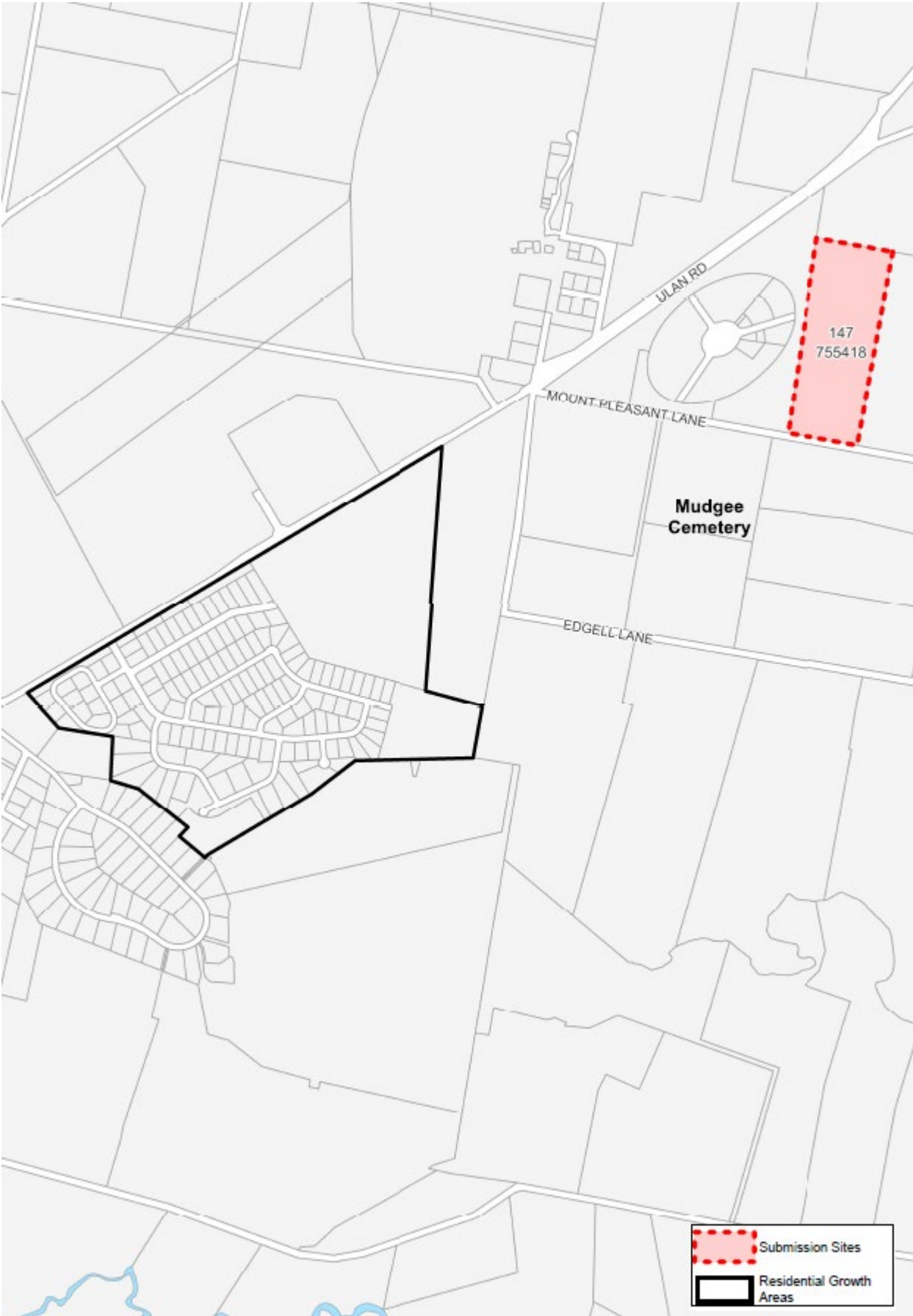
Of the 9 submissions received, 3 were public submissions. A locational plan has been provided for the three site specific public submissions. Table 1 provides a summary of these submissions and a staff response.

A copy of the public submissions have been provided as Attachment 1.

Submission site: 106 Spring Flat South Lane, Spring Flat – Lot 2 DP1266982



Submission site: 99 Mount Pleasant Lane, Buckaroo – Lot 147 DP 755418



Submission site: “Thornbury” 2589 Castlereagh Highway, Gulgong – Lot 8 & 11 DP 1172228

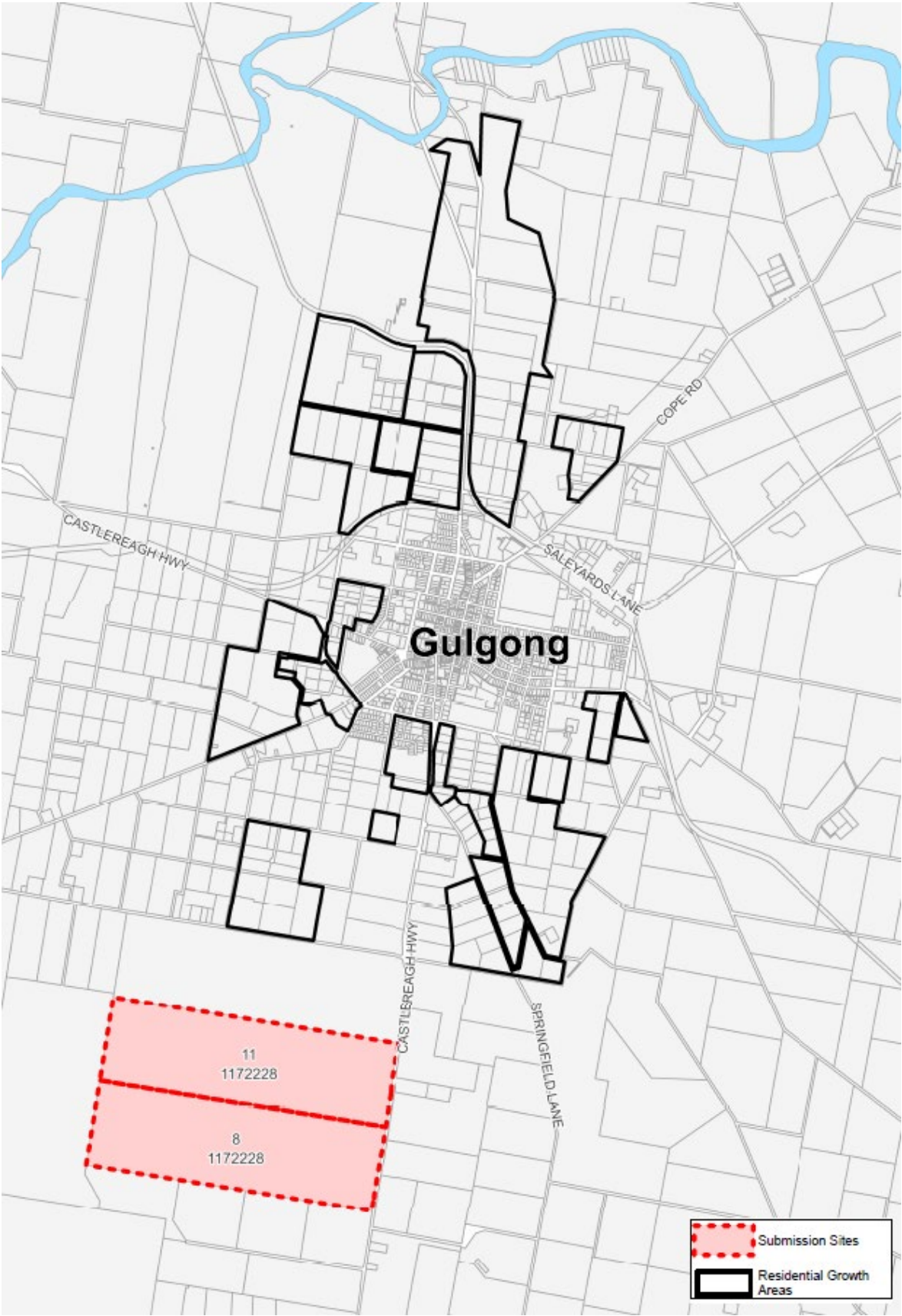


Table 1: Public Submissions Summary and Staff comment

Site	Issue raised in the submission	Staff comment
106 Spring Flat South Lane, Spring Flat – Lot 2 DP1266982	<p>Requests inclusion of the property (106 Spring Flat South Lane, Spring Flat) in the Housing Strategy as a growth area with a minimum lot size of 2ha or 5ha. Describes the land as well positioned in terms of the new St Matthews Catholic High Schools and in terms of similar subdivisions such as the Broadhead Road subdivision.</p> <p>The submission notes that there is existing infrastructure in the area including power, water, and sewer services, and acknowledges that a road upgrade would be required to facilitate future development.</p> <p>The submission describes the terrain of the subject site as more favourable than previously developed sites, given the sites “flat to undulating terrain”. The submission notes the site to the west of this property may be utilising the natural topography of the land for drainage purposes and raises concerns of the neighbouring property potentially burdening the subject property, with no benefit to the landowner.</p> <p>Notes that the site would be surrounded by rezoned areas, and the inclusion of this land would “square off” the Spring Flat area. Submission notes that the employment generating projects due to commence in the Mid-Western LGA in the future will further exacerbate land availability, land demand, and property prices.</p>	<p>The subject site is not surrounded by ‘rezoned areas’. All adjoining lots are zoned R5 Large Lots Residential with a Minimum Lot Size of 12 hectares. The adjoining lots are developed (or can be) with single dwellings. Supporting such a proposal would result in a greater density of unplanned dwelling on the locality.</p> <p>Without a detailed environmental constraints analysis, the lot has the potential to create up to 6, 2 hectare lots, all capable of being developed with a dwelling and secondary dwelling. Supporting density on an isolated site is not sound land use planning and could result in inappropriate amenity impacts to adjoining properties. Increasing density should be considered at a locality level (rather than site specific) to achieve an increased yield/supply for the community and not to just benefit one developer.</p> <p><u>Isolated site</u></p> <p>The subject site does not adjoin the urban edge. Council has previously rezoned sites for 2 - 5 hectares where they adjoin the urban area. If this site were included in the Housing Strategy, it would represent a ‘leapfrog’, as it does not adjoin any growth area. Such a decision to include would result in unplanned amenity impacts on the locality and an upgrade and subsequent maintenance by and financial burden on Council of the road network. One of Council’s current criteria for rezoning land is to maximise lot yield on road frontage, this proposal is inconsistent with this approach.</p> <p>The subject site located approximately 2.6 kilometres from St Matthews Catholic High School, the site is not identified for any cycle of pedestrian pathway connection, accordingly access to the High School would likely rely on vehicle dependency.</p> <p><u>Environmental considerations</u></p> <p>Darkeys Gully and its potential localised flooding has not been explored. This would be better done at a locality level to better determine potential flooding implications.</p> <p>With regard to specific environmental constraints, the site contains the following constraints that have not been explored appropriately for inclusion in the Housing Strategy; groundwater vulnerability, scattered biodiversity, class 4 land and soil capability and visually sensitive land.</p> <p>It’s important to consider that these constraints can impact the development potential of land zoned or identified for future residential development.</p> <p><u>Infrastructure</u></p> <p>Council’s reticulated water and sewer infrastructure is not required to be provided to 2 - 5 hectares subdivision. Council’s water reticulation to subdivisions with such minimum lot sizes can’t maintain the required water quality.</p> <p><u>Supply</u></p>

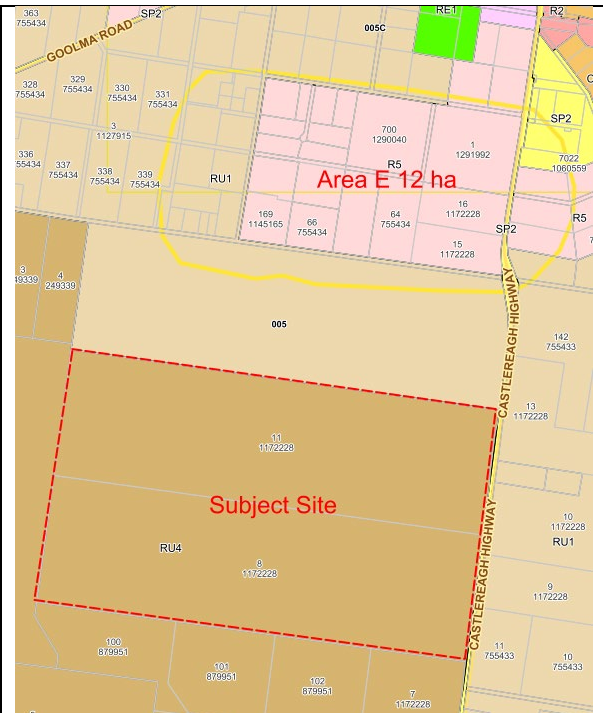
		<p>As noted in Table 16 of the draft Housing Strategy, the existing lot supply capacity provides a greater yield than what is required for the total anticipated demand. Further, as noted in Section 9 of the Housing Strategy, there is a 20% contingency built into the expected housing demand to account for existing stock accommodating short term rental accommodating catering to visitors in the LGA (including potential visitors associated with anticipated employment generating projects). This contingency has been adopted to balance the need to prepare for uncertainties in dwelling demand and account for market factors, whilst avoiding over-provision. The identification of any additional sites for future development would result in a contingency greater than 20% and would result in an over-supply of housing.</p> <p>Additionally, if Council were wanting to identify greater than required, priority would be given to feasible sites adjoining existing or proposed growth areas and should be done at a town or locality level rather than site specific.</p> <p><i>For the above reasonings, it is recommended that this site remains excluded from the Housing Strategy.</i></p>
<p>99 Mount Pleasant Lane, Buckaroo – Lot 147 DP 755418</p>	<p>Requests the inclusion of the property (99 Mount Pleasant Lane, Buckaroo) in the Housing Strategy with consideration for a future R2 Low Density Residential Zoning.</p> <p>The submission notes the sites close proximity to Bombira, ease of extension of services, and the unique adjoining land zones (including the cemetery, airport, and other land uses) which would not present as a land use conflict. Further, the submission notes that there are numerous other lots in the immediate area that are less than 20ha which are unable to be used for uses conducive with the current RU4 Primary Production Small Lots zoning.</p> <p>The submission comments on the area bordered by Lewis, Meares and Lawson Street which is relatively unconstrained and should be considered for higher density residential development in the form of 4 storey residential flat buildings (RFBs). The submission notes that the area is not heavily burdened by heritage considerations, is generally made up of older housing stock, generally made up of existing larger lots resulting in less landowners, and is buffered to other land uses by road reserves, parkland, and the hospital. Further, the submission notes the area is visually buffered to the downtown core by the railway line. The submission notes the close proximity to the hospital, schools, and Mudjee core makes it a unique location for essential worker housing where impacts will be felt the least.</p>	<p>The subject site adjoins the Mudjee cemetery and is located within an established RU4 Primary Production Small Lots with lot size ranging from approximately 10 to 20 hectares, with established dwellings and a variety of other land uses.</p> <p><u>Water and Sewer Infrastructure</u></p> <p>A rezoning to R2 Low Density Residential would see a minimum lot size of 2000m2 with a potential lot yield of 30-40 (noting detailed environmental constraints analysis has not been undertaken). 2000m2 lots are required to be serviced by Council reticulated network.</p> <p>Council have invested significantly in water and sewer servicing strategies to meet housing demand; this site is well beyond the service limit and scope of the servicing strategies. The inclusion of this site in the Housing Strategy would require lengthy mains extensions, ultimately requiring ongoing maintenance and future asset replacement by Council. If Council were to include this site in the Housing Strategy, significant work and cost would be required by Council to the benefit of one developer/landowner.</p> <p>Additionally, if Council were wanting to identify greater land supply than required, priority would be given to feasible sites adjoining existing or proposed growth areas, with specific servicing infrastructure strengths and should be done at a town or locality level rather than site specific.</p> <p><u>Environmental constraints and adjoining land uses</u></p> <p>The site is identified as groundwater vulnerable and has a land and soil capability classification of Class 3 (High). Whilst the site has limited land use constraints, Council is not in agreeance of the appropriateness of the site given its isolation and neighbouring land uses, including the cemetery, airport, and other special precinct land uses operating within proximity to</p>

		<p>Mudgee Airport.</p> <p><u>Supply</u></p> <p>Further, as noted in Table 16 of the draft Housing Strategy, the existing lot supply capacity provides a greater yield than what is required for the total anticipated demand. Additionally, as noted in Section 9 of the Housing Strategy, there is a 20% contingency built into the expected housing demand to account for existing stock accommodating short term rental accommodating catering to visitors in the LGA (including potential visitors associated with anticipated employment generating projects). This contingency has been adopted to balance the need to prepare for uncertainties in dwelling demand and account for market factors, whilst avoiding over-provision.</p> <p>The identification of any additional sites for future development would result in a contingency greater than 20% and would result in an over-provision of housing.</p> <p><u>Higher density housing</u></p> <p>Council have considered the commentary regarding higher density residential development within parts of the Mudgee centre. Figure 11 within the strategy has been updated to include an indicative outline of infill opportunities as well as an indicative outline of the area subject to future strategic work to determine the opportunities (including increased height) and demand future heights of the Mudgee CBD.</p> <p><i>The site has been considered for inclusion within the Housing Strategy. However, for the above reasons it is recommended that this site remains excluded from the Housing Strategy.</i></p>
<p>“Thornbury” 2589 Castlereagh Highway, Gulgong – Lot 8 & 11 DP 1172228</p>	<p>This submission requests the inclusion of the property (“Thornbury” 2589 Castlereagh Highway, Gulgong) in the Housing Strategy, with consideration for R5 Large Lot Residential zoning and a Minimum Lot Size to be determined following additional discussions with Council staff.</p> <p>The submission suggests that a future Planning Proposal would propose 200+ lots averaging 1.0 to 1.2 hectares per lot, with the opportunity for small-scale intensive agricultural activity.</p> <p>The submission suggests that the inclusion and subsequent development of this site would deliver a “unique large lot residential lifestyle development unlike any other offering in the Central West and Orana Region”</p> <p>The submission provides an assessment of the proposal against the relevant local and State prepared Strategic Plans.</p> <p>The submission notes that the site is under the ownership of a willing developer and has the appropriate water infrastructure to support 200+ lots.</p> <p>The submission suggests that all lots would be able to undertake small-scale intensive</p>	<p>The subject site is currently zoned RU4 Primary Production Small Lots with a 20-hectare minimum lot size for subdivision. The subject site measures 263.64 hectares. The developer is proposing 200+ lots averaging 1 – 1.2 hectares.</p> <p><u>Lot size density transition</u></p> <p>Within the Comprehensive Land Use Strategy, Council identified R5 Large Lot Residential opportunities within the 5km radius of the towns (with a 12-hectare minimum lot size). The subject site is located beyond Opportunity Area E, further from the Gulgong town centre. Opportunity Area E has been rezoned, subdivided and sold at 12 hectares.</p>

agriculture pursuits, providing a unique means of farming productivity; however, the submission does detail what this would include.

Note: No Planning Proposal has been lodged with Council. A Scoping report has been lodged with Council (the preliminary stage of rezoning). Council has provided the proponent with comment, including commentary from the Department of Planning, Housing and Infrastructure and Department of Primary Industries and Regional Development. The commentary provide in the adjacent column is the workings Council would normally undertake when assessing a Planning Proposal.

In additional there are further site specific considerations that would require further assessment. Accordingly, the inclusion of a large, high yielding, isolated site is not justified without additional considerations.



Sound land use planning would see lot sizes increase as the distance increases from the urban centre. The proposal is inconsistent with this approach.

Lot type, demand and affordability to 2041

The Housing Strategy determines a future demand of 960 lots to 2041 and stipulates the breakdown, ranging in size:

R1 General Residential (400-1,999m²) 560 Lots

R2 Low Density Residential (2,000m²-1.9ha) 232 Lots

R5 Large Lot Residential (2ha+) 8 Lots

Lot size can determine affordability, accordingly, it is important for Council to ensure a range of lots sizes are provided. It must be highlighted, the proposal is seeking to deliver all lots within the 2,000m² – 1.9ha range at 1-1.2 hectares. Outlined below is the importance of providing a range of lot sizes.

The 2023 URS Update provides a Household Income Affordability Calculator (based on the 2021 Census data). The median household income in Gulgong is \$71,292, with a deposit ranging from \$26,789 - \$35,719, home affordability (house and land) is \$294,682 - \$392,910.

Provided below is a preliminary market insight (of the relevant land only) over the past 12 months. The purpose of this is to demonstrate how lot size provides affordability.

		Gulgong Land Costs		
		Land Only Cost	Comment	
		General Residential (400sqm-1,999sqm)	\$197,500.00	622m2, Millennium Court, sold July 2024
			\$225,000.00	1151m2, Reef Street, July 2024
			\$260,000.00	1,788m2, Fitzroy Street, 2023
		AVERAGE COST	\$227,500.00	
		Low Density Residential (2,000sqm - 1.9ha)	\$360,000.00	6000m2, Grimshaw Lane, sold December 2024
			\$525,000.00	1.84ha, <u>Guntawang</u> Street, sold May 2023
		AVERAGE COST	\$442,500.00	
		Large Lot Residential (2ha+)	\$465,000.00	5.06ha, Black Lead Lane, Sold February 2022
			AVERAGE COST	\$465,000.00
		Accordingly, supporting the proposal of 200+ lots ranging in size from 1.0 – 1.2 hectares is delivering a land supply well above the Gulgong household income given only 50% of Gulgong households earn over the median income.		
		For context, Council monitors land coming to market with various methods, water metre connections are one such. Over the past 5 years (on average) there have been 6 new water metres each year, meaning there have been 6 new dwellings per year (on average). This highlights the significant supply of one particular lot typology the developer is proposing.		
		If Council were to support this proposal they would be giving one developer carriage of a significant supply of land.		
		<u>Land use conflict</u>		
The site adjoins land being used or has the potential to be used for agricultural purposes, the establishment of residences on this site would result in land use conflict. A complaint from a future landowner would compromise the operation of the existing agricultural operations. The establishment of residential receptors needs to account for significant buffers to adjoining agricultural land uses. Once agricultural operations have been restricted by complainants, ultimately Council will feel pressure from landowners for these sites to be urbanised, again highlighting the necessity to appropriately identify sites that will not create conflict with established land uses.				
<u>Inconsistency with strategic land use documents</u>				
The submission states an assessment has been undertaken against relevant strategic documents and draws the conclusions that the proposal is generally consistent with strategic documents. No document highlights a future opportunity for this site.				
Maintaining a single holding, like the current site of 262.25ha is consistent with the CLUS and Central West Orana Regional Plan 2041.				
<u>Loss of agricultural land</u>				
<i>NSW Land and Soil Capability Assessment Scheme (Second Approximation)</i>				
The subject site is mapped as Class 4 and Class 5				

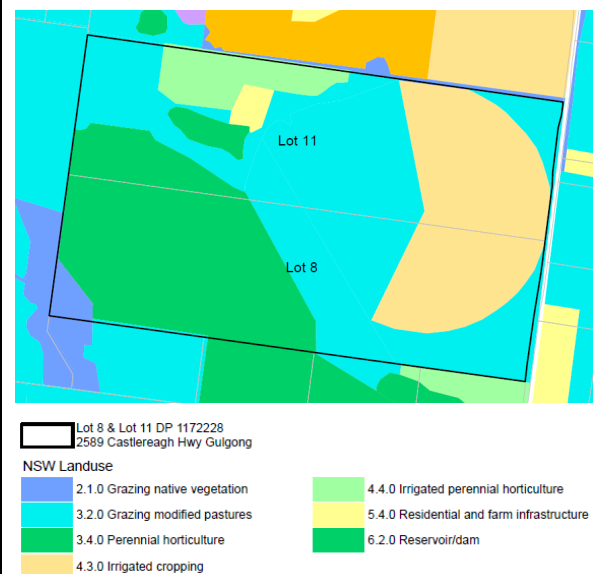
under the Soil Capability Assessment Scheme. Only 13% of land within the LGA is identified as Class 4 land, which is land that has favourable biophysical characteristics for agricultural use. Note, there is no Class 1 within the LGA with Class 2 and Class 3 land making up only 5% of all land within the LGA. The inclusion of this site would result in the loss of agricultural land. This highlights the value of Class 4 to our LGA.

Further, URS 2023 supports meeting demand for residential land by prioritising the development of less capable agricultural land and avoiding land classified as Classes 2-4.

NSW AgTrack - Agricultural and Land Use

The NSW Agricultural Land Use Planning team developed the NSW AgTrack tool to better understand the importance and value of agricultural commodities in a LGA.

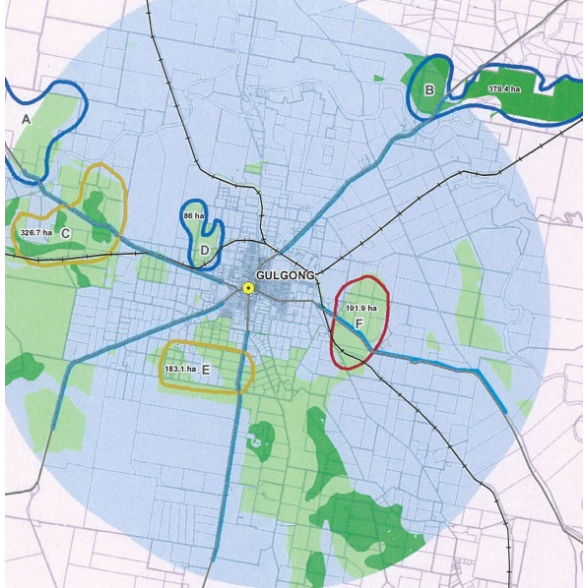
According to the data published by DPHI, in December 2023, the subject site contains the following land use classification: grazing native vegetation, grazing modified pastures, perennial horticulture, irrigated cropping, irrigated perennial horticulture, residential and farm infrastructure and reservoir/dam. As visually displayed below. The submission does not address the economic loss to the LGA from the loss of these land uses.



If Council were wanting to identify additional land for 1-2 hectares, criteria should be established, that includes consideration of what class of agricultural land is acceptable to be lost from the LGA for the delivery of rural lifestyle housing and what the resultant economic impact it places on the community, so an informed decision can be made.

Gulgong Growth Areas

The submission suggests that the Housing Strategy was "restricted by Council to existing Urban Release Areas". This is incorrect, Council conducted an assessment as to the anticipated land demand and then conducted an assessment as to whether land supply already identified in strategic documents could meet this demand. As detailed within the draft

	<p>Housing Strategy, the existing identified sites cater to the anticipated demand until 2041 making it unnecessary to identify additional sites. Therefore, this statement is incorrect.</p> <p>The identification of any additional sites for future development would result in a contingency greater than 20% and would result in an oversupply of housing.</p> <p>Minimum lot size for rural holdings</p> <p>The CLUS identifies land for Rural Lifestyle Opportunities, zoned R5 Large Lot Residential, with a 12-hectare subdivision minimum lot size within a 5km offset radius around Gulgong (and all towns): short term (yellow), medium term (red) and long term (blue)</p> <p>The identification of these sites went through a robust constraints and opportunities analysis, as detailed in Part B of the CLUS. The subject site was not identified for as an opportunity area (green on the map). The purpose of highlighting these opportunities, is to demonstrate that this site is not considered 'unconstrained' and is located beyond the urban boundary, beyond existing 12 hectare zoned areas.</p>  <p><i>For the above reasonings, it is recommended that this site remains excluded from the Housing Strategy.</i></p> <p><i>If Council believes this site has site specific merit above others within the 5km offset radius of Gulgong, they could resolve to include it for consideration and further investigation during the preparation of the future Rural and Scenic Lands Strategy for Rural Lifestyle opportunities, zoned R5 Large Lot Residential with a minimum lot size of 12 hectares.</i></p>
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Agency Submissions

Of the 6 agency submissions received, 1 was from an Industry Association (Community Housing Industry Association NSW) and 5 were from the following NSW Government Agencies:

- Department of Climate Change, Energy, the Environment and Water (DCCEEW)
- Transport for NSW
- Department of Primary Industries and Regional Development (DPIRD)

- WaterNSW; and
 - Department of Planning, Housing and Infrastructure (DPHI).
- Agency submissions have been provided as Attachment 2.

Table 2: Agency Submissions Summary and Response

Agency	Issue raised in the submission	Staff comment & changes made
Department of Climate Change, Energy, the Environment and Water (DCCEEW)	Prioritise identification, avoidance and minimisation of impacts to high environmental value (HEV) and serious and irreversible impact entities via strategic master planning, prior to progressing any planning proposals or development applications.	The following statement has been added to Section 10.6 Land Use Constraints and Opportunities (previously 10.5): Council will look into prioritising the identification, avoidance, and minimisation of impacts on High Environmental Value (HEV) areas and entities at risk of serious and irreversible impacts through strategic master planning before progressing any planning proposals or development applications.
	Indicate areas that likely require further biodiversity investigations to determine suitability of residential intensification. In particular, areas that have been identified through state vegetation mapping as being likely to contain Box-Gum woodland CEEC. This could include, but is not limited to: - Caerleon -Lots south-west of Bruce Road and Robertson Road intersection, Mudgee- 33, 100 and 123 Cudgegong Road, Rylstone- 1841 Bylong Valley Way, Kandos.	The following note has been added to Figures 11-14: Development of residential areas subject to further detailed analysis of environmental constraints such as biodiversity investigations.
	Use a tailored approach to changes in minimum lot sizes (MLS) in areas of HEV. The MLS should reflect the biodiversity values on the land, for example areas more likely to be constrained by presence of biodiversity values should retain a higher lot size.	The following statement has been added to Section 10.6 Land Use Constraints and Opportunities (previously 10.5): <i>Additionally, a tailored approach will be applied to changes in minimum lot sizes in HEV areas, ensuring that minimum lot sizes reflect the biodiversity values of the land.</i>
	Update paragraph 2 of both the Rylstone Supply Gap Analysis (Section 10.9, page 45) and the Kandos Supply Gap Analysis (Section 10.10, page 47) "the [Rylstone/Kandos] investigation areas are largely unconstrained" to better reflect state vegetation mapping that indicates many lots comprise high conservation value woodland and grassland which represent significant biodiversity constraints.	Both paragraphs have been updated as follows: <i>The Rylstone/Kandos investigation areas have some development opportunities; however, many lots contain high conservation value woodland and grassland, representing significant biodiversity constraints. As such, further detailed environmental assessment is required to enable a site-specific yield analysis.</i>
	Update the Mudgee Supply Gap Analysis (Section 10.7, page 41) to include a statement addressing potential biodiversity constraints in western Mudgee and Caerleon Estate.	The following statement has been added to Section 10.8 (previously 10.7): <i>However, it is important to note that there are potential biodiversity constraints in western Mudgee and Caerleon, which may impact the developability of these areas.</i>
	Consider whether flood-related development controls in proposed in Mudgee subject to flooding will be sufficient to manage flooding impacts, or whether these areas should be considered as a development constraint.	Mapped flood levels have been considered as a high level constraint to development in identified residential growth areas. Council's flood-related development controls and more detailed analysis during design stages will ensure that concerns related to flood risk are able to be mitigated.
	Clarify if the proposed stormwater upgrades detailed in the Gulgong Stormwater Drainage Study, or other drainage improvements have been	Mapped flood levels have been considered as a high level constraint to development in identified residential growth areas. Council's flood-related development controls and more detailed analysis during design

	completed since 2009. Consider revising the existing risk of flooding in Gulgong based on the current guidelines (ARR 2019 and the Flood Risk Management Manual 2023) and present-day landscape conditions.	stages will ensure that concerns related to flood risk are able to be mitigated.
Community Housing Industry Association (CHIA)	To ensure that sufficient housing supply is provided across the housing continuum, the draft Strategy needs to set clear targets for net growth in social and affordable housing, based on local housing needs.	New Action 4.5 added: <i>Investigate the potential for establishing targets for net growth in social and affordable housing or explore suitable alternative options.</i>
	CHIA NSW supports Council's commitment to investigate LEP and DCP amendments that could enable greater supply of housing for key workers (Action 5.5). It is recommended that this review considers opportunities to support all forms of affordable housing, not just for key workers.	Action 5.5 updated to state: <i>Investigate LEP and DCP amendments that could enable greater supply of housing for key workers and other forms of affordable housing, such as increased housing densities in proximity to major places of employment for key workers and planning mechanisms that support diverse and inclusive housing options.</i>
	CHIA NSW recommends that Council reviews its local planning settings in consultation with CHPs to ensure they respond to the requirements of affordable housing. This includes:- Consideration of how affordable housing can be incentivised through the adoption of planning concessions, such as floor space bonuses and reduced car parking rates in appropriate locations close to transport and services.- Providing sufficient flexibility so affordable housing can be designed to meet the specific needs of target groups.- Working with Aboriginal CHPs to identify planning settings that will support housing that is appropriate to the social and cultural requirements, living patterns, and preferences of Aboriginal households Council develops a joint delivery plan with the community housing sector, government housing agencies and other partners that identifies all potential opportunities for the delivery of new supply. This needs to include engagement with Aboriginal CHPs and the Aboriginal Housing Office's Regional Aboriginal Housing Committees to better understand Aboriginal housing issues in the LGA, and opportunities identified by Local Aboriginal Land Councils in their Land and Business Plans.	Council agrees and will look to continue to consult with CHPs and all relevant stakeholders as and when local planning settings are reviewed to support the delivery of affordable housing in the LGA.
	Council to undertake a land audit to identify publicly owned land which could support new affordable housing. Several councils, such as Central Coast Council are already starting to undertake this work.	Council has exhausted its land supply, accordingly, Action 5.2 as exhibited is to be maintained. <i>Action 5.2 Respond to emerging opportunities or partnerships that would enable short-term supply of housing for key workers.</i> To respond to emerging opportunities, the action should include; <i>undertaking a land audit of Crown land to identify any future potential opportunities.</i>
	CHIA NSW encourages Council to investigate the potential for establishing an affordable housing contributions scheme in the LGA, such as across residential land	Council acknowledges the importance of the provision of affordable housing in our LGA, however we are not currently resourced to establish an affordable housing contribution scheme. Council is willing to provide

	identified for rezoning.	feedback on any work in this space initiated by the state government.
	CHIA NSW recommends that the draft Strategy includes key performance indicators to assist with the monitoring and review of the housing outcomes sought.	Action 1.6 updated to state: <i>Improve Council's Housing Monitor to better understand dwelling production and take-up rates.</i>
	Council is also encouraged to identify a specific team or officer within Council who will be responsible for the implementation of the Housing Strategy. This would include oversight of development applications and planning proposals to ensure compliance with affordable housing requirements, and identification of opportunities for partnership working with CHPs.	Council's strategic land use planning team takes carriage of this work, noting this is not a specific role that focuses on affordable housing outcomes. Council is committed to supporting the delivery of more social and affordable housing in the LGA. This will be supported by the range of actions identified under Objectives 4 and 5 which include, for example: 4.1 Educate and consult with the community around the importance and provision of social and affordable housing in the LGA, recognising the influence of housing diversity and choice upon affordability; 4.5 Investigate the potential for establishing targets for net growth in social and affordable housing or explore suitable alternative options; and 5.4 Look to invest in a centralised property listing and enquiry service to help key workers to access information about affordable housing options near to major places of employment for key workers.
Transport for NSW	Objective 2: Investigate appropriate forms of housing density in suitable locations Consideration should also be given to opportunities for small-lot housing, where appropriate, which may assist with meeting Objective 4 (Deliver housing that is accessible and affordable).	Objective 2 has been updated to further reference small lot housing where appropriate.
	Objective 10: Facilitate effective housing solutions to support essential industry needs TfNSW encourages Council to work with DPHI and other key stakeholders to develop efficient and well-located temporary workforce accommodation and explore opportunities to minimise transport impacts of these facilities. Provision of workforce transport and staggered shift times may reduce impacts of temporary worker accommodation on the road network.	Council agrees and will continue to collaborate with TfNSW and DPHI to ensure that new development is supported by the necessary roads and infrastructure to ensure safe and sustainable growth.
	With much of Mudgee's future zoned residential land located to the West of the city, reliant on the Castlereagh Highway (HW18), a classified (State) road, consideration should be given to opportunities for Housing Australia Future Fund (HAFF), or other forms of developer contributions to improve efficiency and capacity for travel between Caerleon and the Mudgee CBD.	
	Continued growth around the Caerleon Estate reinforces the need to consider an alternative CBD connection to the Castlereagh Highway (such as an extension off Fairydale Lane). Continued development growth in Mudgee's West may warrant duplication of the Castlereagh	

	Highway between the CBD and Hill End Road to improve capacity and operational efficiencies of the road network.	
	The Draft Mid-Western Housing Strategy has limited analysis on road networks, connectivity within Mudgee and opportunities to consider the hierarchy of the road network. Continuing growth of Caerleon Estate impacts the performance and safety of the Castlereagh Highway and Hill End Road intersection.	
	TfNSW recommends that the Housing Strategy consider other key journeys, such as travel between Mudgee and major cities such as Newcastle and Sydney. With the expected increases in temporary workforces, there is significant potential for Drive In, Drive Out journeys to increase at workforce changeovers, which can impact traffic patterns for popular inter-regional trips.	
	TfNSW is supportive of opportunities to reduce network impacts of temporary worker accommodation, through initiatives such as employee shuttlebuses and staggered shift times. Where short-term population growth is expected, and temporary workforce accommodation is expected to be a large component of population growth, alternatives to private vehicle travel should be prioritised.	The following statement has been added to Central-West Orana Renewable Energy Zone sub-section under Section 7: Initiatives such as employee shuttle buses and staggered shift times may also assist in managing workforce accommodation demand and reducing pressure on local housing supply.
	The definitions of 'Low density residential (standard)' being lot sizes of 2,000-3,999sqm, and 'Low density residential(Large)', being lot sizes of 4,000 sqm to 1.9ha, are not consistent with how these terms are commonly interpreted. 50%of future lots are expected to exceed 1,000 sqm, which results in sprawling conditions, increased costs to provide utilities, footpath networks and increases demand for private vehicle travel. Future land releases should consider the risks of 'sprawling' development patterns, which add significant costs for utilities upgrades and development of road infrastructure. Maximising opportunities within existing Urban Release Areas, and development of high-quality active transport networks can help reduce traffic demand.	The lot size definitions used in the Housing Strategy align with Council's minimum lot size controls. However, the concern regarding potential sprawling development patterns and the associated infrastructure costs is acknowledged. To address this, the Housing Strategy proposes increasing the amount of small lot housing, including lot sizes of 400–450m ² , to provide more diverse and efficient housing options. This approach aims to optimise land use, support more walkable communities, and reduce reliance on private vehicles.
Department of Primary Industries and Regional Development (DPIRD)	The Department is emphasizing the importance of preserving high-value agricultural land and preventing urban development from encroaching on these productive areas.	We understand the Department's emphasis on preserving high-value agricultural land and preventing urban development from encroaching on productive areas. However, it is important to note that the Housing Strategy's growth areas have already been identified in previous Council strategies for residential growth, and no new areas for residential development have been proposed by this Strategy. Council will continue to prioritise thoughtful planning to ensure that development aligns with both agricultural preservation and the need for future residential
	Raises concerns about rural-zoned land (RU1 and RU4) southeast of Mudgee, particularly between Bruce and Plenty Roads, due to its high agricultural potential and its role as part of Mudgee's Sydney	

	Road entry.	growth.
	Recommends deferring development in the Spring Flat area, where possible, to later stages to allow for comprehensive master planning and prioritisation of other areas first.	
	It is requested that the citation for the Planning for Agriculture in Rural Land Use Strategies guide on page 28 of the draft Housing Strategy be amended to reflect DPIRD (Agricultural Land Use Planning team) as author, not DPHI.	This citation has been amended to reference the Department of Primary Industries and Regional Development.
Water NSW	There is currently little information in the Housing Strategy regarding the expected increase in water demand arising from the expected population growth and how this would be sourced. The document may benefit by including contextual information regarding the current sources of water supply for the towns of Mudgee, Gulgong, Rylstone and Kandos, and implications of population growth on water availability and supply for the four towns. Water security issues could also be considered.	Section 10.7 of the Housing Strategy discusses infrastructure and servicing considerations that will influence future residential growth, noting that Council has committed to progressing water and sewer servicing strategies to align with the residential growth areas identified.
	While residential growth areas are identified (Figures 11-14), it is unclear if the land use zoning presented in these figures is showing the current land use zoning of the towns and the residential growth areas or the future intended land use zones. This should be clarified. Areas where rezoning is likely to be required could also be more clearly distinguished. This would then help support the statements made on page 40 regarding how the Housing Strategy identifies residential growth areas including zoned (but not yet developed) land and areas identified for future growth (land not yet zoned).	Figures 11-14 have been revised to clearly indicate current and proposed future residential land use zones.
	The Housing Strategy identifies how a Development Servicing Plan (DSP) details the water and sewer developer charges that apply when new development increases the demand on water supply and sewerage systems. However, it is silent on whether such a document currently exists for the LGA or is required be prepared and, if so, when this would occur (P.40). The document may also benefit by an action committing to the preparation (or updating) of a DSP for the LGA.	Council have committed to delivering a Development Servicing Plan for the LGA by 2026.
	The Draft Strategy identifies how environmental constraints such as flood risk and groundwater vulnerability can impact development potential including future residential development areas (P. 40). The Housing Strategy may benefit by including a high-level environmental constraints and opportunities map for the	High level environmental constraints and opportunities mapping was completed in the preparation of the Housing Strategy and is contained in Council's Mid-Western Housing Strategy Evidence and Options Paper (internal document). This mapping directly informed the yield analysis for each of the residential growth areas.

	four towns showing how the constraints and opportunities (as listed in Section 10,5) relate to the residential growth area maps presented in Figures 11-14	
Department of Planning, Housing and Infrastructure (DPHI)	Some pages within the Housing Strategy cite a projected population of approx. 32k people in 2041, while other pages (including the introduction) cite 33k. These referenced should be clarified.	The Housing Strategy references a range of between 30,000-33,000 people by 2041, with 32,000 as an approximate mid-point. The introduction has been updated to clarify this range.
	The introduction would benefit from commentary stating the rationale for utilising population projections completed by Gyde, rather than 2024 DPHI projections.	The following statement has been added to the Introduction to clarify the data sources that have been relied upon in the creation of the Housing Strategy's population projections: The Housing Strategy's projected housing needs have drawn upon the Department of Planning, Housing and Infrastructure's (DPHI) population projections, and builds off the analysis, data and recommendations from current and available Mid-Western strategic documents and relevant State Government strategies and data sources. This includes the 2023 Mudgee and Gulgong Urban Release Strategy, Managing the impacts of State Significant Development for Mid-Western LGA, Mid-Western Regional Local Strategic Planning Statement (LSPS), Towards 2040: Mid-Western Region Community Plan and the Mid-Western Regional Comprehensive Land Use Strategy (CLUS). NSW State Government Strategies include the Central West and Orana Regional Plan 2041 and the 2022/2024 NSW population projections. Further, Council continually monitors and tracks the projected major project workforce (temporary and permanent) numbers and timing, this information has been drawn upon.
	The Housing Strategy has benefited from the inclusion of contextual information describing settlements. There are other sections of the Comprehensive Land Use Strategy (CLUS) that could be adapted for inclusion in this Strategy to build context around the local setting that has informed the Mid-Western Regional Local Environmental Plan 2012, for example the discussion around Town Gateways, Ridgelines and Rural Views.	New subsections for town gateways and ridgelines and rural views added to Section 7 under Local Character and Regional Lifestyle.
	The Mid-Western LGA at a glance section (page 11) would benefit from the inclusion of a housing monitor performance snapshot. This would provide a baseline for existing housing take up over a nominated period since establishment of the monitor. This could include, for example, the number of houses approved and finalised (i.e. with an occupation certificate issued).	The number of houses approved (demonstrated by water meter connections), as well as rental vacancy rates, has been provided as an annual average over the past five years, providing a snapshot of current housing trends across the LGA.
	It may be of benefit to reference and summarise the findings of the relevant Council supported report which investigated the Central West and Orana Renewable Energy Zone (CWO REZ) impacts (economic and housing impacts) that have informed the bespoke population projections and strategy directions.	A summary of the Managing the impacts of State Significant Development report has been added under the Section 5 of the Housing Strategy.

	<p>The Mudgee and Gulgong Urban Release Strategy 2023 update has been used to inform this Strategy. It would be beneficial to include a clear statement regarding how the strategies are intended to inter-relate.</p>	<p>The following additional statement has been added: This Strategy builds upon and aligns with the Mudgee and Gulgong Urban Release Strategy 2023 Update, ensuring a coordinated approach to housing supply, land release, and long-term planning.</p>
	<p>It would be helpful in this section to provide the status of the housing pipeline for the LGA. This could then be used to inform more detailed discussion in the town sections and would supplement the demand and supply discussion within the later sections of the Housing Strategy.</p>	<p>The housing pipeline is addressed as part of Action 1.6 (to improve Council's Housing Monitor), which will provide a clearer and more detailed understanding of housing supply across the LGA. As this work progresses, it will help inform more detailed discussions in the town sections and supplement the broader demand and supply analysis within the Housing Strategy.</p>
	<p>Increasing the supply of housing in existing areas, in targeted locations is supported. The Housing Strategy would benefit by identifying these locations, or areas where Council will focus its initial investigation.</p>	<p>The Housing Strategy supports increasing housing supply in targeted locations within the existing footprint of towns. Action 2.7 includes master planning for nominated areas. This work will guide future investigations and help identify specific locations for infill development and urban renewal, ensuring a strategic approach to housing growth.</p>
	<p>This section references the minimum lot sizes for rural residential development. As this Strategy intends to repeal the CLUS, the criteria associated with the nominated rural residential allotment size should either be adopted in this Strategy, or alternatively, consider including an action that specifies the intent to adopt the criteria into Council's Development Control Plan.</p>	<p>New Action 3.6 added: Consider the <i>adoption of the criteria associated with the nominated rural residential allotment size into Council's Development Control Plan.</i></p>
	<p>In relation to the CWO REZ (page 28), the Housing Strategy states it will be essential to manage housing market strain, ensuring that housing solutions are bought online in a logical sequence and can transition once projects are complete. The Housing Strategy would benefit from detailing where demand driven by the CWO REZ is expected, and associated sequencing. For example, it could more clearly identify zoned or unconstrained and serviced land, and/or comment on constraints and enabling infrastructure requirements.</p>	<p>The Housing Strategy has accounted for dwelling demand in each of the four towns as driven by the CWO REZ. This demand has been considered in the supply gap analysis. The following statement has been added to Section 10.7 to articulate short-term sequencing of infrastructure in growth areas: Council will continue to focus on the delivery of short-term infrastructure servicing to growth areas at Caerleon and Lower Spring Flat. High level environmental constraints and opportunities mapping was completed in the preparation of the Housing Strategy and is contained in Council's Mid-Western Housing Strategy Evidence and Options Paper (internal document). This mapping directly informed the yield analysis for each of the residential growth areas.</p>
	<p>Council could consider an action to prepare principles for assessing proponent-initiated requests for planning proposals for residential or rural residential development, including out-of-sequence criteria to provide a framework for considering additional growth or urban renewal opportunities that are not identified in the Housing Strategy.</p>	<p>New Action 1.7 added: <i>Prepare principles for assessing proponent-initiated requests for planning proposals for residential or rural residential development, including out-of-sequence criteria to provide a framework for considering additional growth or urban renewal opportunities that are not identified in this Strategy.</i></p>
	<p>It is recommended the final Strategy use the latest 2024 DPHI population and implied dwelling projections throughout. This will help to ensure consistency when comparing the Housing Strategy to other housing strategies which have used NSW Government population projections. Where</p>	<p>Where relevant, including in Section 8.1, we have referenced the 2024 DPHI population and dwelling projections. Section 8.1 also explain show the NSW Government projections were considered. The Housing Strategy's population projections align with the NSW high series, ensuring consistency with</p>

	population figures are included, it is important that the source (and date of release) be referenced. Should Council resolve to retain Council's adjusted data, DPHI's 2024 projections should be referenced including a brief comparison.	broader trends.
	Section 8.1 the Housing Strategy notes: "This Strategy has drawn upon DPHI's projections, and has further revised for significant unaccounted for factors, key drivers of change as outlined in Section 7, that will influence growth in the LGA. In particular, the rise in the number of major projects occurring in the LGA as a result of the Central- West Grana REZ, and an anticipated decline in the mining industry as the nation transitions to renewable energy production. "It would be beneficial to discuss the 'unaccounted for factors' specifically and what they represent in terms of population increase and implied dwelling demand in the short and long term.	The unaccounted-for factors and their impact on population growth and dwelling demand are discussed in more detail in Section 8.2 and Section 9. These sections outline how major projects and industry shifts influence growth projections in both the short and long term.
	As the Housing Strategy refers to 'mid-range' scenario growth, it would be helpful to include details of the low, medium and high growth scenarios created as part of the Housing Strategy, and detail how conclusions regarding the workers associated with major projections have been drawn (i.e. how 1500+ implied demand was calculated). It would be helpful to include an annexure which shows the detail of the projections, and the methodology used to create the predicted growth.	The Housing Strategy references the population growth scenarios as a range of between 30,000-33,000 people by 2041: capturing the low, mid and high projections. Details of each of the population growth scenarios are contained in Council's Mid-Western Housing Strategy Evidence and Options Paper (internal document).
	The Housing Strategy cites (in Section 6.3) that lone households are projected to increase by 45%. It would be beneficial to include projection data showing what the short/peak and long term (2041) projections are for household composition (by way of numbers rather than percentages) and household size. This inclusion would provide a better grounding to assess the effectiveness of strategy response to the projected change.	The text under Section 6.3 has been updated to state: <i>Due in part to an ageing population between 2021 and 2041, lone person households are expected to increase by ↑ 24% by 2041, at around 750 households. All other household types will increase by 17%. This reflects the more recent data available.</i>
	Section 9.1 notes that the Housing Strategy aims to enhance the mix of dwelling types and lot sizes. This aim is supported as it encourages an efficient use of land and infrastructure. While the difficulties in establishing take up for smaller lots, infill and higher density are acknowledged, Council could consider further mechanisms to achieve a mix of dwelling types including smaller minimum lot sizes, a mix of lot sizes or dwelling density controls. Consultation with DPHI can be facilitated to discuss potential mechanisms for delivering a broader range of smaller housing options.	Mechanisms to deliver a mix of dwelling types have been discussed in actions 1.4, 1.7, 2.4, 2.5, 2.6, 2.8, 3.3, 3.4, and 3.7. These actions aim to encourage a diverse range of dwelling types and lot sizes, supporting more efficient land use and addressing the demand for a broader spectrum of housing options. 1.4 Investigate LEP amendments to deliver lot size diversity. 2.7 Continue to prepare a masterplan for Mudgee town centre and surrounds, identifying opportunities where height of building controls might be reviewed, where suitable and appropriate. 2.8 Consider updates to the DCP to set out strong planning and design outcomes for medium density and town centre housing typologies. 3.2 Require that the master planning of growth areas incorporates an appropriate mix of dwelling types and lot sizes to cater

		to a range of housing needs, including small lot sizes of 400-450sqm lots.3.3 Ensure that a diversity of residential lot sizes is delivered as intended. This may occur through mechanisms such as the introduction of maximum lot sizes in the master planning of greenfield developments, or by establishing average dwelling densityrequirements.3.7 Explore planning mechanisms such as provisions in the LEP to deliver a variety of lot sizes.
	The implied dwelling demand projected in the Housing Strategy (14,250 by 2041) allows for a 20% contingency plus 1500+dwelling required to meet demand for a proportion of major projects population increase. This implied dwelling demand figure is lower than the 2024 DPHI projections, which predict an implied dwelling demand of 15,062 by 2041.As the Housing Strategy cites that these major projects and contingencies have not been considered as part of DPHI projections, it is suggested that the Housing Strategy projections and methodology is reviewed to ensure the implied dwelling demand is accurate.	The Housing Strategy works within ranges, with the implied demand to 2041based on the mid-range projection. To clarify this, we have added text to Section 9 stating: <i>The implied demand of 14,250 dwellings is based on the mid-range population projection. Over the next 20 years, this may increase or decrease, potentially by approximately 5%. This margin is generally consistent with the Department's projections.</i> The Housing Strategy further accounts for a 20% contingency buffer across the dwelling supply gap analysis for each of the four main towns.
	It is suggested that the Housing Strategy include a short-term action to set a defined review period of Council's housing monitor and this strategy.	Section 12 updated to state: <i>The actions will also be reviewed and revised annually to address emerging data or updates to State plans and policies.</i>
	The Figures in this section would benefit from more detailed information. In particular, they should identify developed land, current growth fronts and areas of short, medium and long-term supply. Reference is made to the Figures contained within the CLUS Structure Plans which could be revised and used for this purpose. This would assist in the delivery of Objective 1 (and others) seeking to deliver short term supply of land in a prioritised and efficient manner and more clearly show which areas represent the 'long term' growth areas identified in Actions 10.3 and 10.4 (relating to Objective 10 to support essential industry needs).	The mapping in the Housing Strategy has been revised to clearly indicate current and proposed future residential land use zones and provide an indication of growth area sequencing.
	Table 4-8 of the CLUS provides detailed information on the planning considerations for villages and rural centres, this is important context and could be included in the Housing Strategy to inform planning for these communities.	Table added under Section 10.5 to capture Table 4-8 of the CLUS.
	Section 10 of the Housing Strategy identifies the need for Council to manage resistance to denser forms of development by ensuring planned infill areas are clearly identified and communicated. The Housing Strategy does not currently achieve this clarity, and the document would benefit from a map/graphic which clearly identifies areas prioritised for infill and associated master planning for higher and medium	The mapping in the Housing Strategy has been updated to identify indicative areas for infill and associated master planning for higher and medium density development. The following statement has also been added to Section 10.2: <i>Opportunities exist for infill development within the existing footprint of the Mid-Western LGA's four main towns. For example, rear lanes in proximity to the Mudgee Hospital may present opportunities to deliver infill housing in proximity to a key centre for employment (subject to</i>

	density, including infill.	<i>feasibility related to currently unsealed lanes).</i>
	The Housing Strategy includes action to develop masterplans in the short term for growth areas. The Housing Strategy would benefit from a map or graphic indicating the short-term areas prioritised for master planning. It would also be helpful to include a clear statement regarding Council's intention regarding development or rezoning of these growth areas prior to finalisation of masterplans.	The mapping in the Housing Strategy has been revised to clearly indicate current and proposed future residential land use zones, and provide an indication of growth area sequencing
	Section 10.3 discusses Urban Release Areas. The Housing Strategy would benefit from providing more context, so that for each of the Urban Release Areas mapped for the four towns, there is general information about when these areas were identified, and the extent to which each is currently developed.	
	Section 10.7 Mudgee Gap Analysis states Council will undertake master planning for the Mudgee town centre and surrounds. It would be beneficial to discuss and quantify the potential outcome of this work in terms of housing delivery (number of potential dwellings achieved through infill and compatible medium density development in the Mudgee town centre).	Master planning for the Mudgee town centre and surrounds will be undertaken as part of Action 2.7. The identification of the potential number of dwellings that could be achieved through infill and compatible medium-density development would be subject to the identified outcomes and opportunities of that master planning process.
	It is recommended a table or graphic be included in the Housing Strategy to clearly break down which of the growth areas require rezoning or service upgrade, as referenced, to meet short-term housing demand. This would be useful and make it easier to interpret the lot supply capacity outlined. Some discussion around key site-specific environmental constraints (or lack of) and infrastructure is recommended for inclusion. This approach should also be applied to the other three towns. Inclusion of information about the anticipated staging of development, would also be useful.	The mapping in the Housing Strategy has been revised to clearly indicate current and proposed future residential land use zones and provide an indication of growth area sequencing.
	The Housing Strategy would benefit from further discussion around 'the work in planning and servicing' required to develop the supply of R2 and R5 zoned land in Rylstone. This section could reference potential for temporary and immediate housing demand from the CWO REZ. If more detail were provided on studies and services needed, this could inform applications for funding to deliver this work, should it be required to support temporary workers accommodation.	Section updated to state: <i>Furthermore, while this dwelling demand includes anticipated population growth associated with the workforce of major projects in the LGA, including the potential Bowden's Silver Mine and the REZ proposed in close proximity to Rylstone, it is noted that dwelling supply is constrained in the nearby major towns of Mudgee and Gulgong.</i>
	Some of the Gulgong Urban Release Areas are zoned R1 General Residential, but unlike the corresponding section for Mudgee, table 16 (p. 42) does not includes figures for "Townhouse/ villa/ unit". The	Statement added under Section 10.9 to state: <i>Development in R1 zones of Gulgong has typically consisted of low-density detached dwelling typologies.</i>

	Housing Strategy would benefit from the inclusion of information about the type of development that has been occurring within zone R1 and specifically, whether multi dwelling housing or residential flat buildings are being developed.	
	The Housing Strategy speaks towards growth centred around infrastructure committed to by Council. The Housing Strategy would benefit from mapping which clearly shows the extent of existing infrastructure and planned infrastructure upgrades which have been committed to by Council. It should also include staging information regarding future planned upgrades.	The mapping in the Housing Strategy has been revised to clearly indicate current and proposed future residential land use zones and provide an indication of growth area sequencing.
	The Development Servicing Plan (DSP) referenced in 10.5 is supported, however it is unclear from the Housing Strategy whether such plans are already in place or are sought to be created. If it is intended to create DSP as a result of the adopted Strategy, it is suggested that the Housing Strategy include a specific action to create a DSP concurrently with masterplans.	Council have committed to delivering a Development Servicing Plan for the LGA by 2026. This has been clarified in Section 10.7 (previously section 10.5).
	The tables provided in Section 10 should be updated to include '+' signs to identify when there is surplus supply.	The tables in Section 10 have been updated to show surplus with '+'.
	Consider amending this action to a short-term action. This is a core outcome of the Housing Strategy and will facilitate delivery of other short-term action (such as Action 1.1).	
	Consider if delaying the preparation of masterplans would hinder the Housing Strategy's intention to provide diverse housing options in the short-term. It is suggested that areas for intended short-term release be supported by master planning prior to rezoning.	The timeframe for this action has been moved to the short timeframe.
	Consider an action to explore planning mechanisms (LEP provisions - local clauses, lot sizes etc) that would deliver a variety of lot sizes.	New Action 3.7 added: <i>Explore planning mechanisms such as provisions in the LEP to deliver a variety of lot sizes.</i>
	Consider creating an action to produce Development Servicing Plans to support master plans prior to rezoning occurring. This will assist with orderly development and infrastructure planning	New Action 1.8 added: <i>Prepare Development Servicing Plans to support masterplans prior to rezoning occurring where possible. This will assist with orderly development and infrastructure planning.</i>
	Reference is made to the Pattern Book recently released by DPHI which may contribute to delivering this action – NSW Housing Pattern Book I Planning.	Statement added to Action 3.1: <i>The recently released NSW Housing Pattern Book by DPHI may contribute to delivering this action by providing guidance on best practices for diverse and well-designed housing options.</i>
	Council should consider if this action should be achieved prior to Council accepting proposals for rezoning. Master	Action updated to state: <i>Require that the master planning of growth areas incorporates an appropriate mix of dwelling types and lot sizes to cater to a range</i>

	planning should occur prior to rezoning to ensure lot diversity (via minimum lot size controls and other relevant statutory controls.	<i>of housing needs, including small lot sizes of 400-450sqm lots prior to rezoning.</i>
	Is this land identified as a growth area? If not, consider including this site. See previous comments regarding the creation of a staging/sequencing plan for identified growth areas.	Yes, confirming that this land is already identified as a growth area.
	Action 10.3 is supported as it encourages the location of accommodation for ongoing workers (on renewable energy projects) to be located in identified growth areas of Gulgong. The Housing Strategy could also acknowledge that pursuing opportunities to locate housing for the construction workforce in identified growth areas could provide ongoing benefits, including the potential to make ongoing use of infrastructure installed to service such housing. Consider if it would be beneficial to provide a comment that reflects that there is potential for change/that there is potential for other areas of strong demand to present, for example Rylstone. Ensure that the Housing Strategy identifies supply in terms of short, medium and long term so that this action is effective.	Additional statement added: <i>Pursuing opportunities to locate housing for the construction workforce in identified growth areas could provide ongoing benefits, including the potential to make ongoing use of infrastructure installed to service such housing.</i> The mapping in the Housing Strategy has been revised to clearly indicate current and proposed future residential land use zones and provide an indication of growth area sequencing.
	As noted above, the Housing Strategy would benefit from sequencing/staging of land release. It is suggested a sequencing platform part of the Implementation and Delivery Plan section. The staging of release could be linked to tangible triggers like infrastructure delivery/upgrades, growth thresholds etc. It is recommended the Housing Strategy includes clear statements regarding when land identified in the Housing Strategy is planned to be released (i.e. following development x% of the stage, the delivery of a major piece of servicing infrastructure, population growth rate of x, pipeline supply of approved housing lots below x years).	The mapping in the Housing Strategy has been revised to clearly indicate current and proposed future residential land use zones and provide an indication of growth area sequencing. Additionally, the following statement has been added to Section 10.7 to articulate short-term sequencing of infrastructure in growth areas: Council will continue to focus on the delivery of short-term infrastructure servicing to growth areas at Caerleon and Lower Spring Flat.
	Council has identified 24 short term actions with the Housing Strategy. Council should consider creating a subsection of the Implementation Plan to prioritise (or order) the short-term actions for 2025-2030. This will assist in transparently identifying actions which need to occur ahead of others to facilitate orderly development, deliver priority housing outcomes, manage Council resourcing.	Prioritisation of the short-term actions have been added to Section 12 Implementation Plan.

Changes to the document Post Exhibition

As detailed above, various updates were made to the document post exhibition to ensure the wording within the Housing Strategy would be interpreted as it was intended when the Housing Strategy was developed and to respond to the agency submissions received.

As per the recommendations provided in Table 1 above, the Housing Strategy has not been amended based on the public submissions.

A summary of the updates to the Housing Strategy have been broken down per section in Table 3 below.

Table 3: Summary of Changes to the Housing Strategy post-exhibition

Section	Changes made/amendment to Housing Strategy
1 Introduction	Minor amendments to wording. Added clarification as to what types of housing the Housing Strategy addresses.
2 Vision	Minor amendment to refer to Mudgee as a Strategic Centre (as per Central West and Orana Regional Plan 2041).
3 Context	Minor amendments to the map as per the above.
4 Community Engagement	No change.
5 Planning & Policy Context	<p>Amendment to include the changes to the State Environmental Planning Policy (Housing) 2021 relating to accommodation for renewable energy zone construction workers.</p> <p>Include reference to the PWC report Managing the Impacts of State Significant Development 2024.</p> <p>Update to zoning table – removing reference to the zones this Housing Strategy does not address.</p>
6 Mid-Western Regional Snapshot	Amendment to the percentage of lone persons households due to updated data being made available from DPHI.
7 Key Drivers of Change	<p>General amendments to ensure clarity of words.</p> <p>Include reference to rear lanes in relation to 'housing infill'.</p> <p>Inclusion of 'Town Gateways' treatment. Similar to the CLUS, the Housing Strategy aims to preserve the entrances to Mudgee, Gulgong, Rylstone, and Kandos via a number of principles.</p> <p>Inclusion of discussion regarding 'Ridgelines and Rural Views', detailing the visual importance of these elements of the rural landscape and the high value they hold in the community. A number of principles are identified to respond to this.</p> <p>Minor amendments to the text relating to 'Major Projects' (formerly referred too as State Significant Development), which clarify that the Housing Strategy considers the anticipated future decline of the coal industry.</p>
8 Population Projections	Clarification of how population projections were determined. The Housing Strategy's projected housing needs have drawn upon the Department of Planning, Housing and Infrastructure's (DPHI) population projections, and builds off the analysis, data and recommendations from current and available Mid-Western strategic documents and relevant State Government strategies and data sources. Further, Council continually monitors and tracks the projected major project workforce (temporary and permanent) numbers and timing, this information has been drawn upon.
9 Housing Demands	Updated commentary regarding the difference between the dwelling projections within this Strategy and the Departments dwelling projections.

	<p>Updated table headings for greater clarity.</p> <p>Additional commentary for Gulgong, Rylstone, and Kandos as to how the short-term peak population is the same as the 2041 anticipated population.</p>
10 Housing Supply	<p>Added commentary regarding infrastructure and servicing constraints.</p> <p>Amendment to Figures 11, 12, 13, and 14 to provide greater clarity to the reader as to what is currently zoned, what is anticipated to be rezoned, and what is anticipated to be developed. Additionally, indicative infill opportunities have been mapped as well as the indicative Town Centre master planning area.</p>
11 Housing Objectives	<p>Addition of Action 1.7 and 1.8 which relate to assessing planning proposals which would include out-of-sequence infrastructure development, and the delivery of a Development Servicing Plan where possible.</p> <p>Additional commentary added to Action 3.1 about the NSW Housing Pattern Book.</p> <p>Addition of actions 3.6 and 3.7 relating to rural residential allotment size and the exploration of additional clauses within the LEP to deliver a variety of lot sizes respectively.</p> <p>Minor amendment to action 5.2 regarding a Crown Land Audit.</p> <p>Addition of Action 5.6 relating to affordable housing contribution schemes.</p> <p>Minor amendment to the title of Objective 7.</p> <p>Additional commentary provided regarding Objective 10 relating to the location of temporary workers accommodation.</p> <p>The amendments to the Housing Objectives have been made based on feedback received within agency submissions, particularly the Department of Planning Housing and Infrastructure.</p>
12 Implementation and Delivery Plan	<p>Updating table where required to include the new and amended actions identified in Section 11.</p> <p>Minor updates to timeframes of some actions.</p> <p>Prioritisation of the implementation plan to ensure orderly development, efficient resourcing, and the timely delivery of the priority housing outcomes as a result of feedback from the Department of Planning, Industry and Environment. Actions have been categorised by 'High Priority', 'Medium Priority', and 'Low Priority'.</p>

The updated Housing Strategy that includes the above changes has been provided at Attachment 3.

Next Steps

The recommendation is to adopt the updated Housing Strategy. There are staff operational tasks, such as further progressing Planning Proposals that are consistent with the direction of the Housing Strategy that will continue. In addition, the short-term actions contained in the housing strategy will commence.

Disclosure of Interest

Nil

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.

Mid-Western Regional Council Comprehensive Land Use Strategy 2010 Part A, B and C.

Council Policies

The adoption of the Mid-Western Region Housing Strategy, February 2025 will not require the update to any policies.

Legislation

Environmental Planning and Assessment Act 1979.

Mid-Western Regional Local Environmental Plan 2012.

Financial implications

Nil

Associated Risks

Underestimating demand for additional residential land and dwellings/lots could have a negative impact on the community through price increases or dislocation. However, overestimating demand can also negatively impact the community through Council funding additional infrastructure that may not be required.

SARAH ARMSTRONG
MANAGER STRATEGIC PLANNING

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

2 May 2025

Attachments:

1. Public Submissions. (separately attached)
2. Agency Submissions. (separately attached)
3. Updated Mid-Western Region Housing Strategy April 2025. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.7 Events Assistance Applications Period 1: 1 July 2025 - 31 December 2025

REPORT BY THE EVENTS COORDINATOR
TO 21 MAY 2025 ORDINARY MEETING
GOV400103, ECO800009, FIN300052

RECOMMENDATION

That Council:

1. receive the report by the Events Coordinator on the Events Assistance Applications;
2. provide multi-year Events Assistance to the below late applicant (cash amount) for Period 2, January – June in 2024/25, 2025/26 and 2026/27 financial years;

	2024/25	2025/26	2026/27
	Period 2	Period 2	Period 2
Cudgegong Antique Machinery Club Inc – Mudgee Swap Meet and Car Boot Sale	\$1,000	\$1,000	\$1,000

3. provide multi-year Events Assistance funding to the below applicants (includes cash and in-kind amounts) for Period 1, July - December in 2025/26, 2026/27 and 2027/28 financial years; and

	2025/26	2026/27	2027/28
	Period 1	Period 1	Period 1
Cudgegong Cruisers Inc – Motorfest	\$500		\$500
Rylstone Street Feast	\$2,500	\$2,500	\$2,500

4. provide Events Assistance funding to the below applicants (includes cash and in-kind amounts) for Period 1, July – December in the 2025/26 financial year.

	2025/26
	Period 1
Mudgee Triathlon Club – Mudgee Running Festival	\$3,000
AREC – 2025 Mudgee Small Farm Field Days	\$3,000

Executive summary

This report considers applications for Events Assistance under Council's Events Assistance Policy. It relates to events to be held between 1 July and 31 December 2025 and one late application for the period 1 January to 30 June 2025. A total of 5 complete applications were considered.

It should be noted that the following events are already approved in the 2025/26 budget via Events Assistance:

Sculptures in the Garden	\$3,000	Period 1	1 July – 31 December 2025
Henry Lawson Heritage Festival	\$2,500	Period 1	1 July – 31 December 2025
Mudgee Show Jumping Festival	\$2,500	Period 1	1 July – 31 December 2025
Mudgee Rodeo	\$3,000	Period 1	1 July – 31 December 2025
Can Cruise	\$2,500	Period 2	1 January – 30 June 2026
Western Premier League Magic Round	\$1,400	Period 2	1 January – 30 June 2026

Disclosure of Interest

The Acting Director Development, Lindsay Dunstan, declares a less than significant non-pecuniary conflict of interest in regards to Mudgee Triathlon Club, as his wife is on the committee and he himself volunteers at the event.

Detailed report

Council's Events Assistance Program is designed to assist local community events that benefit the local economy and attract visitors to the Region. A maximum of \$3,000 per event per year is recommended.

Under this program, the highest priority should be for events which:

- Attract the largest number of visitors to the Region; and
- Extend the duration of visitation to the Region (i.e. occur over a number of days).

A summary of requests and recommendations can be found in Attachment 1. Full applications for each event can be found in Attachment 2.

Cudgegong Antique Machinery Club Inc (Period 2 2024/25-2026/27)

Mudgee Swap Meet and Car Boot Sale was held on 30 March 2025 at Mudgee Showground. The event had an expected attendance of 2,100 (local and visitors). \$1,000 cash support has been requested for the event to contribute to marketing costs. It is recommended that if council wishes to support the event in 2024/25, 2025/26 and 2026/27 financial years, the amount of funding based on the scoring scale is \$1,000. This is the 20th year that the event has been held, and Council have supported the event continually.

Cudgegong Cruisers Inc (Period 1 2025/26 and 2027/28)

The Cudgegong Cruisers Motorfest will be held on 8 November 2025 at Mudgee Showground. The proposed biannual event has an expected attendance of 1,150 (local and visitors). \$1,330 in-kind has been requested for the venue hire and waste management and \$1,000 cash has been requested for marketing material and prizes. It is recommended that if council wishes to support the event in 2025/26 and 2027/28 the amount of funding based on the scoring scale is \$500 in-kind. This event has been running since 2009, and Council have continually supported it.

Rylstone Street Feast (Period 1 2025/26-2027/28)

The Rylstone Street Feast will be held on 1 November 2025 in Rylstone. The proposed event has an expected attendance of 3,000 (locals and visitors). \$1,769 in-kind support has been requested for the hire of Kandos and Rylstone Hall and \$1,231 cash has been requested for marketing support. It is recommended that if council wishes to support the event in 2025/26, 2026/27 and 2027/28, the amount of funding based on the scoring scale is \$1,769 in-kind and \$731 cash (total \$2,500). This event has been running since 2002, and Council have continually supported it.

Mudgee Running Festival (Period 1 2025/26)

The Mudgee Running Festival will be held on 17 August 2025 at Lawson Park Mudgee. The proposed event has an expected attendance of 1,900 (locals and visitors). \$3,000 in-kind support

has been requested for venue hire and traffic management. It is recommended that if council wishes to support the event in 2025, the amount of funding based on the scoring scale is \$3,000 in-kind assistance. This event has been running since 2001, and Council have continually supported it.

AREC Small Farm Field Days (Period 1 2025/26)

The 2025 Mudgee Small Farm Field Days will be held on 11 July 2025 at AREC. The proposed event has an expected attendance of 12,100 (locals and visitors). \$3,000 cash support has been requested for the event. It is recommended that if council wishes to support the event in the 2025/26 financial year, the amount of funding based on the scoring scale is \$3,000 cash. This event has been running since 1977, and Council have continually supported it.

The Events Assistance scoring system below was used to score applications against set criteria:

LOCAL COMMUNITY/VOLUNTEER PARTICIPATION IN EVENT

SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	Unsatisfactory	No or limited local community/volunteer participation or impact (<100 residents)
1	Poor	Community/volunteer participation or local benefits impacting (100 to 500 residents)
2	Satisfactory	Community/volunteer participation or local benefits impacting between (500 to 1,000 residents)
3	Good	Direct community/volunteer involvement or local benefits impacting (>1,000 residents)

CAPACITY TO ENSURE EVENT CONTINUES AND DEVELOPS IN THE FUTURE

SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	Unsatisfactory	First time event being held, no plans outlined in application, unclear capacity to deliver event
1	Poor	Limited event history (year one), limited plans outlined in application
2	Satisfactory	Event is at least two years old, appropriate planning
3	Good	Well-established event with detailed planning for the future outlined

ECONOMIC ACTIVITY GENERATED FROM EVENT

SCORE	DEFINITIVE ANSWERS	VALUE JUDGEMENT
0	\$0-\$25K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
2	\$25K-\$50K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
4	\$50K-\$100K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
6	\$100K-\$150K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
8	\$150k-\$200K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)

10	\$200K-\$250K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
12	\$250K-\$300K	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)
14	\$300K+	Number of visitors to the region x \$657 (if multi-day event) or \$104 (if single day)

ADDITIONAL POINTS IN-KIND REQUESTS

SCORE VALUE JUDGEMENT

10	All events requesting 100% in-kind assistance receive 10 bonus points. Noting only up to cost of in-kind services will be funded
----	--

Attachment 1 and 2 outline the requests and recommendations for funding.

Community Plan implications

Theme	Building a Strong Local Economy
Goal	An attractive business and economic environment
Strategy	Promote the region as a great place to live, work, invest and visit

Strategic implications

Council Strategies

Applications for Events Assistance are required to have clear linkages to the Community Plan Towards 2040 outcomes. This includes promoting the region as a great place to live, work, invest and visit. Supporting events that provide opportunities for local, and visitor attendance increases visitation to the region and provides social and economic benefits to the region.

Council Policies

Events Assistance Policy – applicants are required to meet the eligibility criteria of the policy including attracting visitors to the region.

Legislation

The Local Government Act 1993, Section 356, states: (1) a council may, in accordance with a resolution of the Council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

Financial implications

Funding of \$50,000 is proposed in the 2024/25 and 2025/26 Operational Plans for Events Assistance. Based on the scoring system above, the recommendation of staff is to provide \$1,000 in Events Assistance for the event to be held in period 2, between 1 January and 30 June 2025 and \$9,000 for events held in period 1, between 1 July and 30 December 2025. An additional \$14,900 has been previously allocated through multi-year funding and from events previously approved in Period 1 and 2 in 2025/26. This leaves a balance of \$25,100 in Events Assistance in the 2025/26 financial year.

Associated Risks

It is important for Council to provide support to these planned events to help encourage visitors to the region and help stimulate the tourism economy. If Council does not support these events, there is a risk that they may not go ahead in the future or that they are held at another location and therefore, there is the potential of further lost economic benefits to the Mid-Western Region.

There is also a risk that an applicant provides false or fraudulent information to benefit from the program. This risk is minimised by the clear and transparent policy, process for approval, and feedback requirements of the program.

JOANNA LINDSAY
EVENTS COORDINATOR

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

10 April 2025

Attachments: 1. Summary of Events Assistance Requests and Recommendations.
(separately attached)
2. Events Assistance Applications. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.8 2025 Monthly Development Applications Processing and Determined

REPORT BY THE ACTING DIRECTOR DEVELOPMENT
TO 21 MAY 2025 ORDINARY MEETING
GOV400103, A0420109, GOV400113

RECOMMENDATION

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

Executive summary

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

Disclosure of Interest

Nil

Detailed report

Included in this report is an update for the month of April 2025 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
ACTING DIRECTOR DEVELOPMENT

2 May 2025

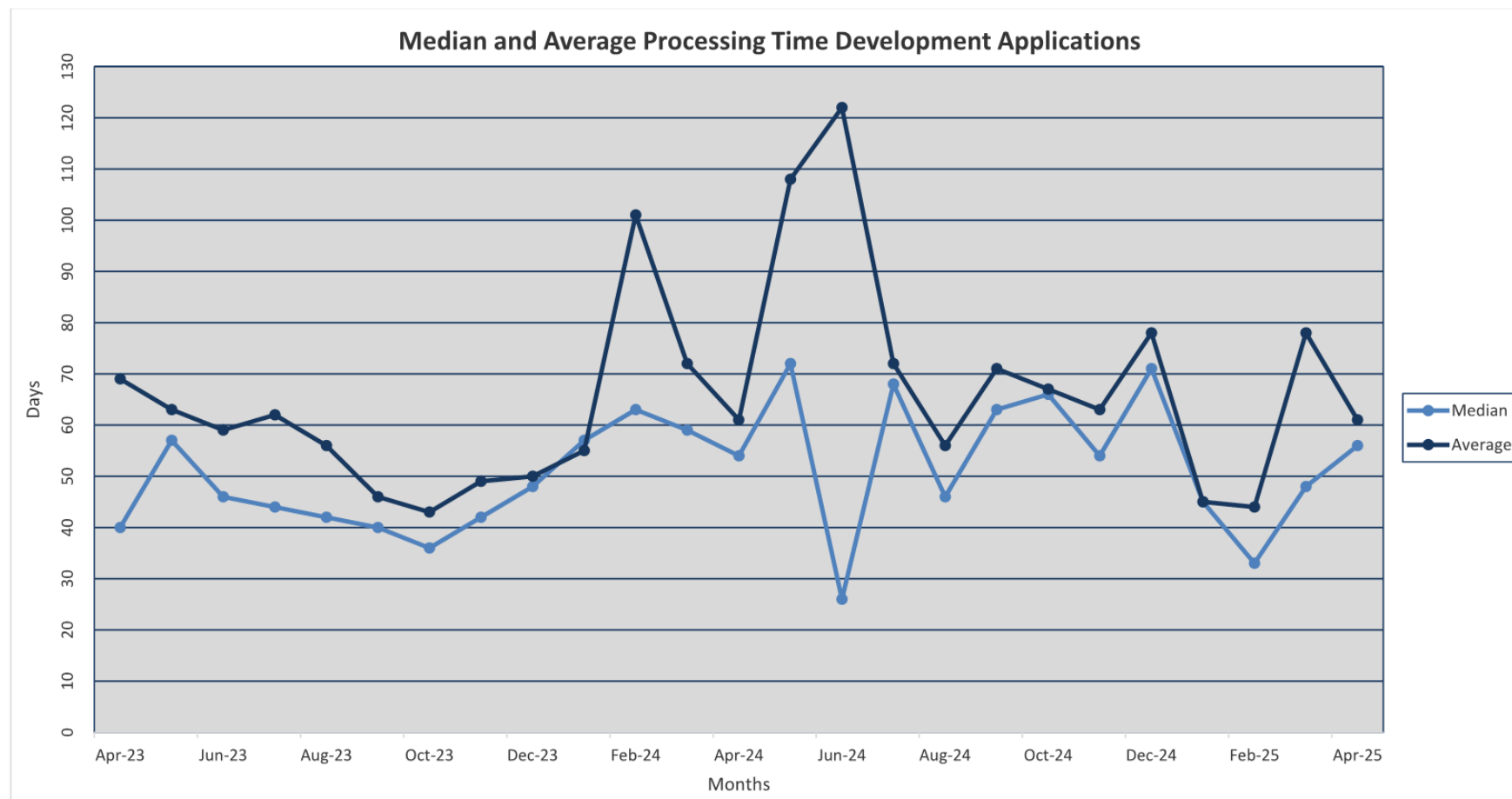
Attachments: 1. Monthly Development Applications Processing and Determined - April 2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

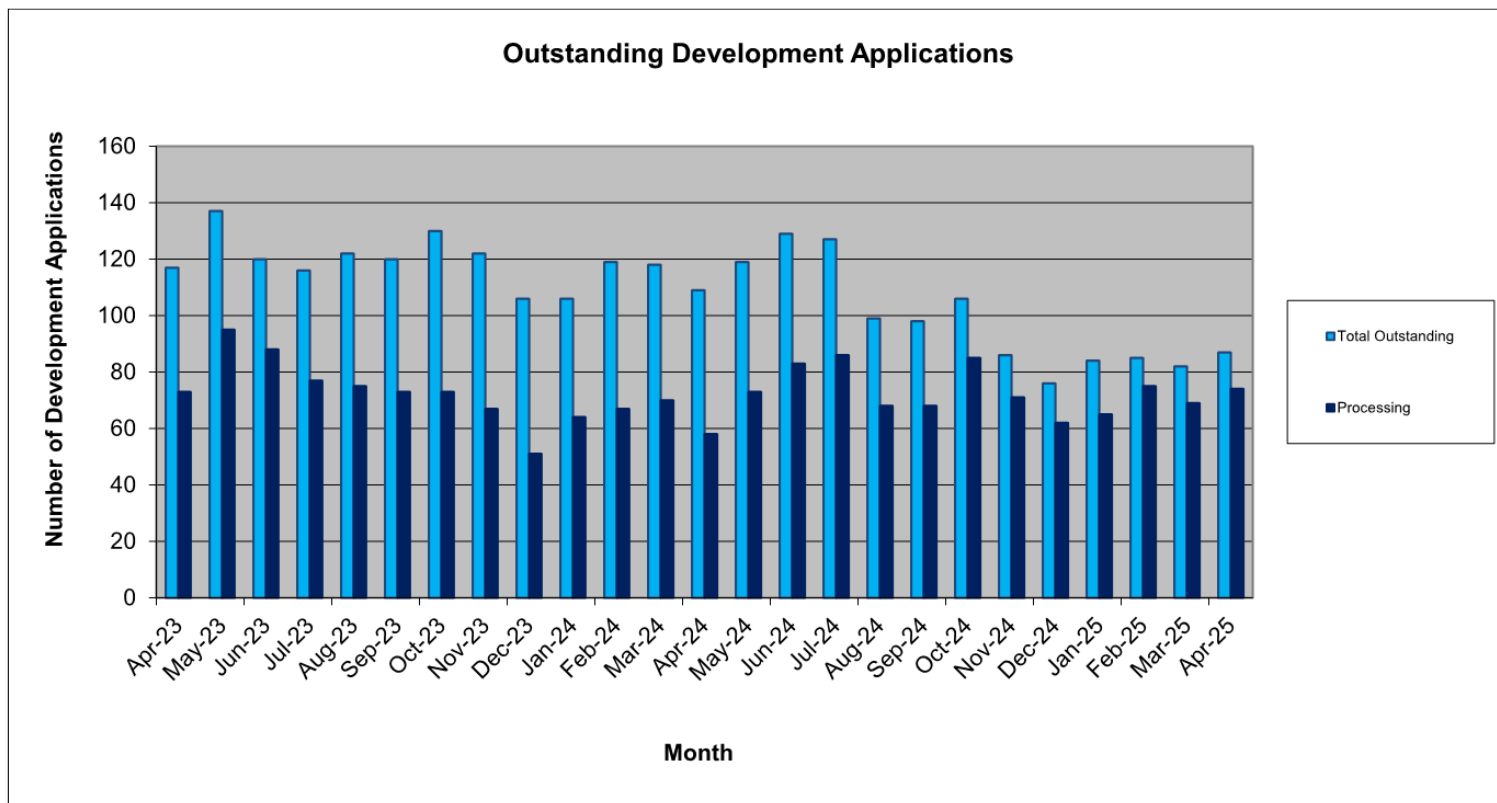
Monthly Development Application Processing Report – April 2025

This report covers the period for the month of April 2025. Graph 1 indicates the processing times up to 30 April 2025 with the month of April having an average of 61 days and a median time of 56 days.



Monthly Development Application Processing Report – April 2025

Graph 2 indicates the total number of outstanding applications; the number currently being processed is 87 and the number on “stop clock” is 13.



The Planning and Development Department determined 16 Development Applications either by Council or under delegation during April 2025.

Monthly Development Application Processing Report – April 2025

Development Applications Determined – April 2025

Appl/Proc ID	Description	House No	Street Name	Locality
DA0024/2025	Storage Premises	5	Lillie Close	CAERLEON
DA0062/2025	Commercial Premises	140	Mayne Street	GULGONG
DA0114/2025	Secondary Dwelling	185	Church Street	MUDGEE
DA0118/2025	Subdivision - Torrens Title	20	Donoghue Street	KANDOS
DA0143/2025	Signage	32	Sydney Road	MUDGEE
DA0155/2025	Dwelling House	189	Montaza Road	TALLAWANG
DA0161/2025	Dwelling House	17	Coomber Street	RYLSTONE
DA0164/2025	Dwelling House	18	Margaret Lane	CAERLEON
DA0165/2025	Alterations & Additions	50	Flirtation Hill Lane	GULGONG
DA0175/2025	Secondary Dwelling	8	Armstrong Street	RYLSTONE
DA0179/2025	Residential Shed	7	Wurth Drive	BOMBIRA
DA0181/2025	Dwelling House	176	Melrose Road	MOUNT FROME
DA0183/2025	Secondary Dwelling	1	McFarlane Street	MUDGEE
DA0184/2025	Shed	30	Aerodrome Road	RYLSTONE
DA0186/2025	Swimming Pool	16	Saleyards Lane	MUDGEE
DA0191/2025	Residential Shed	8	Consadine Grove	SPRING FLAT

***NOTE – 3 Development Applications were approved with a variation to the DCP during April 2025.**

Development Applications currently being processed – April 2025.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0327/2011	Shed	23	Horatio Street	MUDGEE
DA0102/2016	Dwelling House	705	Windeyer Road	GRATTAI
DA0058/2018	Fence	1	Dunphy Crescent	MUDGEE
DA0089/2019	Change of use	2037	Coxs Creek Road	RYLSTONE
DA0263/2019	Camping Ground	40	Grevillea Street	GULGONG
DA0349/2022	Subdivision - Torrens Title	26	Hone Creek Drive	CAERLEON
DA0205/2023	Dual Occupancy	11	McLachlan Street	RYLSTONE
DA0347/2023	Subdivision - Torrens Title	14	Wiradjuri Close	PUTTA BUCCA

Monthly Development Application Processing Report – April 2025

DA0021/2024	Dwelling House	253	Coricudgy Road	OLINDA
DA0126/2024	Transport Depot	18	Industrial Avenue	MUDGEE
DA0129/2024	Dual Occupancy	79	Ilford Road	KANDOS
DA0143/2024	Subdivision - Torrens Title	2232	Bylong Valley Way	RYLSTONE
DA0242/2024	Caravan Park	313	Magpie Lane	GALAMBINE
DA0250/2024	Extractive Industry	2152	Goolma Road	TWO MILE FLAT
DA0343/2024	Subdivision - Torrens Title	39	Rifle Range Road	MUDGEE
DA0016/2025	Subdivision - Torrens Title	11	Quinn Place	MUDGEE
DA0045/2025	Subdivision - Torrens Title	18	Banjo Paterson Avenue	MUDGEE
DA0058/2025	Subdivision - Torrens Title	76	Zimmer Lane	GULGONG
DA0070/2025	Extractive Industry	1848	Castlereagh Highway	TALLAWANG
DA0093/2025	Subdivision - Torrens Title	31	Melton Road	MUDGEE
DA0106/2025	Dwelling House	9	Armstrong Street	RYLSTONE
DA0127/2025	Boundary Adjustment	6	Flirtation Hill Lane	GULGONG
DA0138/2025	Subdivision - Torrens Title	28	Rodgers Street	KANDOS
DA0147/2025	Residential Shed	38	Dewhurst Drive	MUDGEE
DA0148/2025	Retail Plant Nursery	11	Industrial Avenue	MUDGEE
DA0158/2025	Self-storage Units	3	Knott Place	CAERLEON
DA0160/2025	Alterations & Additions	8	Bawden Road	MUDGEE
DA0162/2025	Alterations & Additions	784	Castlereagh Highway	BURRUNDULLA
DA0171/2025	Dwelling House	51	Tinja Lane	EURUNDEREE
DA0172/2025	Vehicle Repair Station	14	Industrial Avenue	MUDGEE
DA0174/2025	Dwelling House	24	Peru Lane	GULGONG
DA0182/2025	Subdivision - Torrens Title	176	Gladstone Street	MUDGEE
DA0185/2025	Dual Occupancy	8	Marshfield Lane	MUDGEE
DA0187/2025	Dwelling House	7	Page Street	BOMBIRA
DA0193/2025	Farm Building	919	Spring Ridge Road	BERYL
DA0195/2025	Alterations & Additions	41	Robert Hoddle Grove	BOMBIRA
DA0197/2025	Community Facility	153	Market Street	MUDGEE
DA0198/2025	Alterations & Additions	214	Mortimer Street	MUDGEE
DA0199/2025	Dwelling House	9	Boronia Road	RYLSTONE
DA0200/2025	Dwelling House	90	Mudgee Street	RYLSTONE
DA0201/2025	Dwelling House	12	Sutherland Grove	MUDGEE

Monthly Development Application Processing Report – April 2025

DA0202/2025	Alterations & Additions	106	Saleyards Lane	MUDGEES
DA0204/2025	Dual Occupancy	521	Ulan Road	EURUNDEREE
DA0205/2025	Subdivision - Torrens Title	6	Davis Crescent	CAERLEON
DA0206/2025	Subdivision - Torrens Title	1188	Wallawaugh Road	HARGRAVES
DA0208/2025	Dwelling House	48	Knox Crescent	CAERLEON
DA0209/2025	Boundary Adjustment	124	Snakes Creek Road	EURUNDEREE
DA0211/2025	Residential Shed	10	Tierney Lane	EURUNDEREE
DA0212/2025	Dwelling House	40	Wurth Drive	BOMBIRA
DA0214/2025	Serviced Apartment	346	Beragoo Road	GRATTAI
DA0215/2025	Dual Occupancy	23	Marskell Circuit	MUDGEES
DA0216/2025	Dwelling House	2933	Goolma Road	GOOLMA
DA0217/2025	Residential Shed	9	Shearman Street	CAERLEON
DA0218/2025	Residential Shed	36	Bywong Lane	YARRAWONGA
DA0219/2025	Residential Shed	6	Nelthorpe Street	BOMBIRA
DA0220/2025	Alterations & Additions	68	Craigmoor Road	EURUNDEREE
DA0223/2025	Residential Shed	14	Wynella Street	GULGONG
DA0224/2025	Child Care Centre	30	Marskell Circui	MUDGEES
DA0225/2025	Subdivision - Torrens Title	155	Bruce Road	MUDGEES
DA0226/2025	Dwelling House	99	Mount Pleasant Lane	BUCKAROO
DA0227/2025	Residential Shed	13	Bawden Avenue	MUDGEES
DA0228/2025	Telecommunications Facility	3326	Hill End Road	HARGRAVES
DA0230/2025	Dual Occupancy	654	Blue Springs Road	STUBBO
DA0231/2025	Vehicle Repair Station	5	Sydney Road	MUDGEES
DA0232/2025	Dwelling House	166	Kaludabah Road	PIAMBONG
DA0233/2025	Subdivision - Torrens Title	533	Killens Road	BUDDEN
DA0234/2025	Dwelling House	56	Charbon Road	CHARBON
DA0235/2025	Dwelling House	26	Webster Street	BOMBIRA
DA0236/2025	Dwelling House	25	Harvey Street	BOMBIRA
DA0237/2025	Subdivision - Torrens Title	35	Marskell Circuit	MUDGEES
DA0238/2025	Subdivision - Torrens Title	37	Marskell Circuit	MUDGEES
DA0239/2025	Residential Shed	20	Queen Street	GULGONG

Monthly Development Application Processing Report – April 2025

Heritage Development Applications currently being processed – April 2025.

Appl/Proc ID	Description	House No	Street Name	Locality
DA0271/2011	Alterations & Additions	87	Short Street	MUDGEE
DA0198/2021	Change of use	110	Church Street	MUDGEE
DA0189/2023	Commercial Alterations & Additions	83	Mortimer Street	MUDGEE
DA0049/2025	Dwelling House	34	Gladstone Street	MUDGEE
DA0053/2025	General Industry	67	Perry Street	MUDGEE
DA0131/2025	Dual Occupancy	40	Gladstone Street	MUDGEE
DA0139/2025	Secondary Dwelling	4	Fisher Street	GULGONG
DA0141/2025	Fence	48	Court Street	MUDGEE
DA0167/2025	Subdivision - Torrens Title	7	Cox Street	MUDGEE
DA0168/2025	Residential Shed	10	Coomber Street	RYLSTONE
DA0188/2025	Alterations & Additions	63	Court Street	MUDGEE
DA0196/2025	Alterations & Additions	82	Douro Street	MUDGEE
DA0203/2025	Take Away Food and Drink Premises	67	Horatio Street	MUDGEE
DA0207/2025	Signage	79	Church Street	MUDGEE
DA0229/2025	Commercial Premises	18	Perry Street	MUDGEE

8.9 Policy Review - Social Media Policy

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, ECO800001

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the Policy Review - Social Media Policy;**
2. **endorse amendments to the Social Media Policy and that the Executive Team be responsible for reviewing and approving requests for new social media accounts, ensuring alignment with Council's strategic communications objectives;**
3. **place the revised Social Media Policy on public exhibition for 28 days; and**
4. **adopt the revised Social Media Policy if no submissions are received during the exhibition period.**

Executive summary

This report proposes an administrative amendment to Council's Social Media Policy to improve operational flexibility and efficiency. Currently, the policy embeds a list of Council-managed social media accounts, which requires formal Council approval for any additions or changes.

To streamline this process and enable timely responses to evolving communication needs, it is recommended that the list of social media accounts be moved to a separate register to the policy. This register would be reviewed as necessary by the Executive Team, removing the need for Council approval for each new account while still ensuring appropriate internal oversight.

This change will reduce administrative burden, enable faster activation of new accounts when needed, and ensure Council's social media presence continues to meet strategic objectives.

Disclosure of Interest

Nil

Detailed report

The current Social Media Policy embeds the list of official Council social media accounts within the policy document. As a result, any addition or removal of accounts requires a formal amendment to the policy and subsequent resolution of Council. This process, while ensuring oversight, creates operational inefficiencies and delays in responding to evolving communication needs.

It is proposed that the Social Media Policy be amended so that the list of Council-managed social media accounts is maintained as a separate register to the policy. This register can be administratively updated as required, subject to approval by the Executive Team.

Under this arrangement:

- The Social Media Policy will continue to outline the principles, responsibilities, and standards for the management of social media;
- The specific listing of accounts will be maintained in a separate register, not requiring formal Council endorsement each time an account is added or removed; and
- The Executive Team will be responsible for reviewing and approving requests for new social media accounts to ensure they align with Council's strategic communications objectives.

Benefits:

- Operational Efficiency: Enables timely establishment of new accounts in response to emerging needs and platforms;
- Executive Oversight: Provides flexibility while ensuring that decisions are still subject to high-level internal approval; and
- Reduced Administrative Burden: Eliminates the need to prepare Council reports for minor administrative updates.

This change will streamline processes while maintaining appropriate oversight and accountability for Council's digital presence.

Further amendment to the Social Media Policy has been made to add the Mudgee Arts Precinct Team as responsible for the Mudgee Arts Precinct social media.

Recommendation is to:

- Endorse amendments to the Social Media Policy and that the Executive Team be responsible for reviewing and approving requests for new social media accounts, ensuring alignment with Council's strategic communications objectives;
- place the revised Social Media Policy on public exhibition for 28 days; and
- adopt the revised Social Media Policy if no submissions are received during the exhibition period.

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

Mid-Western Region Community Plan: Towards 2040

- improve communications between Council and the community and create awareness of Council's roles and responsibilities; and
- encourage community access and participation in Council decision making

Council Policies

Social Media Policy

Media Policy

Mid-Western Regional Council Code of Conduct

Mid-Western Regional Council Electronic Telecommunications – Acceptable Use Policy

Mid-Western Regional Council Community Engagement Strategy

Mid-Western Regional Council Community Engagement Policy

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

Not Applicable

Associated Risks

Without appropriate policies in place to support Social Media there is risk to Council's reputation through unauthorised publishing of content and poor customer service.

MICHELE MINI
MANAGER ECONOMIC DEVELOPMENT

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

5 May 2025

Attachments: 1. Social Media Policy Review.
2. Social Media Register.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY Social Media

*A prosperous
and progressive
community*

ADOPTED	
COUNCIL MEETING MIN	
DATE:	19/03/2025

VERSION NO	1.23
REVIEW DATE	NOVEMBER 2026
FILE NUMBER	GOV400087, GOV400047

Objective

- To provide clear guidelines around the use of Council's social media platforms.
- To provide clear guidelines around the personal social media use for Council staff.
- To provide a framework on when and how Council will be active on social media.

Introduction

Mid-Western Regional Council recognises social media as a primary communications tool. The Social Media Policy provides guidelines for Council staff for business and individual use of social media.

Related policies and plans

- Mid-Western Regional Council Media Policy
- Mid-Western Regional Council Code of Conduct
- Mid-Western Regional Council Electronic Telecommunications – Acceptable Use

Policy

Account management and creation

The Marketing and Communications Coordinator and Digital Communications Officer are responsible for the management of Mid-Western Regional Council's corporate and event social media accounts, and will have administration access to all Council's secondary social media accounts.

Secondary social media accounts are the responsibility of the manager who oversees the team managing the account. Managers are responsible for delegating access to members of their team who are responsible for the daily management of social media accounts.

~~Development of a N~~new social media accounts must be created -approved by the Marketing and Communications Coordinator ~~and Manager Economic Development in consultation with the General Manager.~~ following review and approval by the Executive Team. The Executive will review a register of all accounts when requests are made to create and terminate social media accounts.

Delegation

In the absence of the Marketing and Communications Coordinator and Digital Communications Officer, the Manager Economic Development and Director Development will have delegation and may assume administration responsibilities.

Responsibilities

Council staff who are authorised administrators of Council's social media accounts are responsible for:

- Creating and publishing relevant content in accordance with Council's internal style guide to ensure brand consistency and key messages.
- Removing content that does not comply with House Rules (referred to below).
- Responding to public comments within 24 hours during business hours, if a reply is deemed necessary.
- Managing paid promotions in accordance with delegations.
- Publish emergency information (such as road closures due to motor vehicle accidents, storm events) in accordance with delegations.
- The Marketing and Communications Coordinator and Digital Communications Office are responsible for managing the corporate and event-related Mid-Western Regional Council social media accounts.
- The Library Team is responsible for managing Mid-Western Regional Council Library social media accounts.
- The Community Services Team is responsible for managing Mid-Western Regional Council community services and cultural services accounts.
- The Economic Development Team is responsible for Mudgee Team Training Village, Mudgee Valley Park and Mudgee Riverside Park social media accounts.
- The Waste and Environment Team is responsible for Empower Café social media accounts.
- The Mudgee Arts Precinct Team is responsible for Mudgee Arts Precinct social media accounts.

Conduct

Staff responsible for managing Council social media accounts must:

- Maintain a level a professionalism expected of them in accordance with the Code of Conduct.
- Ensure published content is accurate and complies with relevant legislation, the social channel policies and terms of use.
- Only disclose publicly available information.
- Never engage in behaviour that breaches Council's House Rules or Code of Conduct.
- Provide the equivalent level of customer service as would be provided to any other customer engaging with Council either in person or over the telephone.
- Only publish posts when the page is being monitored.
- Only invite co-hosts to Facebook events that are directly sponsoring or delivering the event.

And must not: _____

- Post as themselves, only under the page handle.
- Post or share on behalf of Council social media accounts into non-Council sites.
- Publish photographs of individuals without their express permission.
- Tag individuals (Council staff or otherwise) in posts to Council social media pages.

Level of service

- Council's Corporate social media accounts will be monitored by the Marketing and Communications Coordinator and Digital Communications Officer out of business hours on an ad-hoc basis to minimise conflict with Council's Social Media Policy and to ensure appropriate use by those posting to the page.
- Council's secondary social media accounts will be monitored between business hours from 8.30am – 4.30pm Monday to Friday.
- Complex enquiries or those requiring personal information and correspondence will not be dealt with on social media and will be moved offline via a referral to Council's Customer Service Team.
- Private messages will be responded to within 48 hours during business hours, Monday to Friday by the Marketing and Communications Coordinator, Digital Communications Officer, Customer Service Team or relevant Page Managers as delegated.

House Rules

The following house rules will be applied to all Council social media accounts.

This site is monitored from 8.30am to 4.30pm Monday to Friday. In times of emergency, we will provide up-to-date information as quickly as possible.

We respect your right to express your opinion and encourage constructive discussion however if your contributions don't comply with Facebook's Terms (<http://www.facebook.com/terms.php>) or the following House Rules then they (and you) may be removed.

1. *Obscene, offensive or defamatory posts will not be tolerated.*
2. *Bullying, harassment and vilification will not be tolerated. This includes other users as well as Council staff.*
3. *Show respect for other people.*
4. *Do not repeat posts or unsolicited ads.*
5. *Keep comments relevant to the page, posts and thread.*
6. *Please be mindful of people's privacy and any personal information about you or others that you may post on this page.*

Removal of comments or posts

Comments or posts that contravene Council's Facebook and social media account House Rules will be removed, that includes comments that are:

1. Obscene, offensive or defamatory.
2. Abusive, threatening, vilifying or harassing.

3. Not relevant to the thread to the page, posts and thread.
4. Breaches individuals' privacy.
5. Infringes the intellectual property of others.
6. Defamatory or libelous.
7. Unsolicited commercial advertisement.

Personal use of social media

This policy does not discourage the personal use of social media by staff, however is intended to highlight the reputational risks and damage to Council that can arise from personal social media use. Staff should understand they are personally responsible for content published to their personal page and must:

- Comply with the terms of use of the social media platform or website, and all relevant legislation including privacy, defamation, discrimination, harassment and any other applicable laws.
- Act in accordance with Council's Code of Conduct and Media Policy.
- Only disclose publicly available information.
- Be respectful to others.
- Alert the Marketing and Communications Coordinator and Digital Communications Officer to any social media comments, posts or threads on a non-Council public page that might otherwise cause damage to Council's reputation or bring it into disrepute.

Staff must not:

- Comment or publish content that might otherwise cause damage to Council's reputation or bring it into disrepute.
- Speak on behalf of Council, nor give the impression they are authorised to do so.
- Publish photographs of another Council staff member in a social media space without their express permission.
- Use their Council email address or any Council logos or artwork that may give the impression of official support or endorsement of their personal comment.
- Disclose any confidential information or personal information obtained as a Council staff member.
- Post threatening, harassing, bullying or discriminatory content directed towards another Council staff member.

Mid-Western Regional Council social media accounts

FACEBOOK

ACCOUNT NAME	URL
Mid-Western Regional Council	https://www.facebook.com/mwrcouncil/
Flavours of Mudgee	https://www.facebook.com/flavoursofmudgee/
Mid-Western Regional Council Library	https://www.facebook.com/MudgeeLibrary/
Mid-Western Regional Youth Council	https://www.facebook.com/midwesternyouthcouncil/
Mid-Western Regional Family Day Care Scheme	https://www.facebook.com/Mid-Western-Regional-Family-Day-Care-Scheme-348740388666559/
Mudgee Arts Precinct	https://www.facebook.com/MudgeeArtsPrecinct
Mudgee Town Hall Cinema	https://www.facebook.com/MudgeeTownHallCinema
Mudgee Valley Park	https://www.facebook.com/mudgeevalleypark
Mudgee Riverside Park	https://www.facebook.com/mudgeeriversidepark
Mudgee Team Training Village	https://www.facebook.com/mudgeevillage
Empower Café Mudgee	https://www.facebook.com/EmpowerCafeMudgee/

INSTAGRAM

ACCOUNT NAME	HANDLE
Choose Mudgee Region	@choosemudgeeregion
Flavours of Mudgee	@flavoursofmudgee
MWR Youth Council	@mwr_youthcouncil
Mid-Western Family Day Care	@midwesternregionalfdc
Mudgee Arts Precinct	@mudgeeartsprecinct
Mudgee Team Training Village	@mudgeevillage
Empower Café Mudgee	@empowercafemudgee

TWITTER

ACCOUNT NAME	HANDLE
MWRC	@MWRCouncil

SNAPCHAT

ACCOUNT NAME	HANDLE
Flavours of Mudgee	@Flavoursmudgee

YOUTUBE POLICY: SOCIAL MEDIA | 1.23 MARCH 2025

ACCOUNT NAME	HANDLE
Mid-Western Regional Council Mudgee Arts Precinct	

LINKEDIN

ACCOUNT NAME	HANDLE
Mid-Western Regional Council	Mid-Western Regional Council

TIKTOK

ACCOUNT NAME	HANDLE
Mid-Western Regional Council	@mwrcouncil
Mudgee Village	@mudgee.village

Mid-Western Regional Council social media accounts

FACEBOOK

Account name	URL
Mid-Western Regional Council	https://www.facebook.com/mwrcouncil/
Flavours of Mudgee	https://www.facebook.com/flavoursofmudgee/
Mid-Western Regional Council Library	https://www.facebook.com/MudgeeLibrary/
Mid-Western Regional Youth Council	https://www.facebook.com/midwesternyouthcouncil/
Mid-Western Regional Family Day Care Scheme	https://www.facebook.com/Mid-Western-Regional-Family-Day-Care-Scheme-34874038866655
Mudgee Arts Precinct	https://www.facebook.com/MudgeeArtsPrecinct
Mudgee Town Hall Cinema	https://www.facebook.com/MudgeeTownHallCinema
Mudgee Valley Park	https://www.facebook.com/mudgeevalleypark
Mudgee Riverside Park	https://www.facebook.com/mudgeeriversidepark
Mudgee Team Training Village	https://www.facebook.com/mudgeevillage
Empower Café Mudgee	https://www.facebook.com/EmpowerCafeMudgee/
Ezyride Mudgee	https://www.facebook.com/electricbikehiremudgee

INSTAGRAM

Account name	Handle
Choose Mudgee Region	choosemudgeeregion
Flavours of Mudgee	flavoursofmudgee
MWR Youth Council	mwr_youthcouncil
Mid-Western Family Day Care	midwesternregionatdc
Mudgee Arts Precinct	mudgeeartsprecinct
Mudgee Team Training Village	mudgeevillage
Empower Café Mudgee	empowercafemudgee

TIKTOK

Account name	Handle
Mid-Western Regional Council	mwrcouncil
Mudgee Village	mudgee.village

YOUTUBE

Account name	URL
Mid-Western Regional Council	https://www.youtube.com/@MidWesternRegionalC
Mudgee Arts Precinct	https://www.youtube.com/@mudgeeartsprecinct9023

LINKEDIN

Account name	URL
Mid-Western Regional Council	https://au.linkedin.com/company/mid-western-regional-council

SNAPCHAT

Account name	Handle
Flavours of Mudgee	flavoursofmudgee

TWITTER

Account name	Handle
MWRC	MWRCouncil

8.10 Acceptance of NSW Government Grant - Changing Places

REPORT BY THE MANAGER ECONOMIC DEVELOPMENT
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, GRA600020

RECOMMENDATION

That Council:

1. **receive the report by the Manager Economic Development on the Acceptance of NSW Government Grant Funding;**
2. **if successful, accept funding from the Changing Places – Tranche 3: 2024-25 for the construction of 'changing places' facility in Lawson Park Mudgee;**
3. **if successful, amend the budget as follows:**
 - 3.1 **2025/26 set an expenditure budget of \$176,692. \$78,804.30 to be funded by grants, and \$97,887.70 to be funded by VPA funds;**
 - 3.2 **2026/27 set an expenditure budget of \$66,073. \$33,036.50 to be funded by grants, and \$33,036.50 to be funded by VPA funds; and**
4. **authorise the General Manager to finalise and sign the funding agreement.**

Executive summary

Council have applied to NSW Government Changing Places - Tranche 3: 2024-25 for the construction of a changing places facility in Lawson Park Mudgee.

It is recommended that if Mid-Western Regional Council is successful in the above application, that Council accepts the grant funding, and authorises the General Manager to sign the funding agreement and amend Council's Budgets for 2025/26 and 2026/27.

Disclosure of Interest

Nil

Detailed report

Changing Places - Tranche 3: 2024-25 aims to improve accessibility in public spaces for people with disability in NSW, through increasing the availability of Changing Places facilities which are larger than standard accessible toilets and have extra features and more space to meet the needs of people with disability and their carers. Changing Places facilities allow individuals with high support needs to take part in all elements of community life, without having to limit their time out.

The following project was identified as relevant and meeting the criteria of the grant fund:

- Construction of a changing places facility in Lawson Park Mudgee total project value \$242,765 with grant funding totalling \$111,840.80 and VPA funding contributing \$130,924.20.

Community Plan implications

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

Strategic implications

Council Strategies

The identified project supports a number of Council strategies as identified in the Community Plan including:

- Support networks, programs and facilities which promote health and wellbeing and encourage healthy lifestyles
- Provide infrastructure and services to cater for the current and future needs of our community
- Provide equitable access to a range of places and spaces for all in the community
- Support the attraction and retention of a diverse range of businesses and industries
- Promote the region as a great place to live, work, invest and visit
- Provide leadership on economic development initiatives and identify resources and infrastructure required to drive investment and economic growth in the region
- Support the expansion of essential infrastructure and services to match business and industry developments in the region
- Support projects that create new jobs in the region and help to build a diverse and multi-skilled workforce
- Pursue excellence in service delivery

Council Policies

Asset Management Policy

Legislation

Local Government Act 1993

Financial implications

Changing Places - Tranche 3: 2024-25 - Construction of a changing places facility in Lawson Park Mudgee

- 2025/26 set an expenditure budget of \$176,692. \$78,804.30 to be funded by grants, and \$97,887.70 to be funded by VPA funds.
- In 2026/27 set an expenditure budget of \$33,036.50 to be funded by grants, and \$33,036.50 to be funded by VPA funds.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	—	—	—
Future Years	—	—	×

Associated Risks

If the grant funding for the above-named project is successful and not accepted by Council, the project may not be able to proceed or may be delayed due to funding restraints. There is a project delivery risk for the project. These risks are managed through Council's policies and procedures.

MICHELE MINI
MANAGER ECONOMIC DEVELOPMENT

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

6 May 2025

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

8.11 Tallawang Solar Farm and Battery Energy Storage System (BESS) Voluntary Planning Agreement

REPORT BY THE ECONOMIC DEVELOPMENT COORDINATOR
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, LAN900133

RECOMMENDATION

That Council:

1. **receive the report by the Economic Development Coordinator on the Tallawang Solar Farm and Battery Energy Storage System (BESS) Voluntary Planning Agreement;**
2. **place the draft Voluntary Planning Agreement and Explanatory Note on public exhibition for 28 days;**
3. **authorise the General Manager to finalise and execute the Voluntary Planning Agreement if no objections are received during the exhibition period; and**
4. **receive a further report following the exhibition period if objections are received.**

Executive summary

The purpose of this report is to provide a copy of the draft Voluntary Planning Agreement (VPA) and Explanatory Note for the Tallawang Solar Farm and Battery Energy Storage System (BESS) project which is to be placed on public exhibition for a period of 28 days in accordance with the requirements of the Environmental Planning and Assessment Act 1979.

Disclosure of Interest

Nil

Detailed report

Tallawang Solar Farm Project Co Pty Ltd, as trustee for the Tallawang Solar Farm Project Trust are the proponent for the State Significant Development, Tallawang Solar Farm and Battery Energy Storage System (BESS). The project has obtained development consent from NSW Department of Planning, Housing and Infrastructure. Council received a report to consider a proposal from Tallawang Solar Farm Project Co Pty Ltd to enter into a Voluntary Planning Agreement (VPA) for this project.

The key terms of the VPA include:

- Payments of \$850 per megawatt of the Solar Energy Capacity Amount per annum, for up to and including the first 35 years of the Project Operational Life. At the time of this Deed, the amount is \$425,000 per annum.
- If the Project Operational Life is extended beyond 35 years, the Annual Development Contribution will be paid at a rate of \$850 per megawatt of the Solar Energy Capacity

Amount per annum, unless the NSW Government has, as at that date, published a guideline or other document that is in force, and which nominates a different contribution rate for solar farm developments. If such a guideline has been published, then the Annual Development Contribution Amount will adopt the rate nominated in that document.

- Monetary Development Contributions to be paid in arrears on each anniversary of the First Operational Day, each year of the Project Operational Life.
- Monetary contributions to be applied towards the following public purposes: projects as identified in the Mid-Western Regional Council Community Plan and Delivery Program.

In April, Council provided in-principal support for the proposed VPA and resolved to commence preparation of a draft VPA and Explanatory Note on these terms. Council has now received a copy of the draft VPA and Explanatory Note (as attached to this report) to be placed on public exhibition for a period of 28 days in accordance with the Environmental Planning and Assessment Act 1979.

It is noted that the proposed VPA is separate to any payments required for the upgrade of local roads or construction of new roads associated with the project. Any upgrades and/or improvements to the local road network required for the project are to be undertaken by the proponent at its own expense prior to the commencement of construction and in accordance with conditions of consent.

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

Mid-Western Region Community Plan - Towards 2040

Council Policies

Nil

Legislation

NSW Environmental Planning and Assessment Act 1979

Financial implications

Should Council enter into a VPA with Tallawang Solar Farm Project Co Pty Ltd this would result in estimated annual contributions of \$425,000 for 35 years.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	—	—	—
Future Years	✓	✗	—

Associated Risks

If Council does not accept the VPA offer made by Tallawang Solar Farm Project Co Pty Ltd, there is a risk that Council will not receive appropriate funding for the impact of this project.

LISA PENSON
ECONOMIC DEVELOPMENT COORDINATOR

LINDSAY DUNSTAN
ACTING DIRECTOR DEVELOPMENT

6 May 2025

Attachments:

1. Tallawang Solar Farm & BESS DRAFT VPA with MWRC_06.05.25. (Confidential - separately attached)
2. Tallawang Solar Farm & BESS Explanatory Notes 06.05.25. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 9: Corporate Services

9.1 Alcohol and Other Drugs Policy

REPORT BY THE WHS AND RISK COORDINATOR
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, PUB600019

RECOMMENDATION

That Council:

- 1. receive the report by the WHS and Risk Coordinator on the Alcohol and Other Drugs Policy;**
 - 2. place the new Policy – Alcohol and Other Drugs Policy on public exhibition for 28 days; and**
 - 3. adopt the Policy - Alcohol and Other Drugs Policy if no submissions are received.**
-

Executive summary

Council has developed a draft Alcohol and Other Drugs Policy to support the Alcohol and Other Drugs Procedure. While the Procedure provides internal guidance, it does not outline expectations for all individuals entering Council sites, including the public. The policy statement addresses this gap and is presented for Council's consideration.

Disclosure of Interest

Nil

Detailed report

During the recent development of Council's new Alcohol and Other Drugs (AOD) Procedure, it was identified that Council does not currently have an overarching policy relating to alcohol and other drugs in the workplace. Establishing such a policy is important to clearly articulate expectations for all individuals entering Council sites or facilities, including members of the public. As these broader expectations are not addressed within the Procedure itself, a draft AOD Policy has been prepared for consideration.

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

Work Health and Safety Policy

Legislation

Work Health and Safety Act 2011

Work Health and Safety Regulation 2017

Financial implications

Not Applicable

Associated Risks

Without a formal Alcohol and Other Drugs (AOD) Policy, Council is exposed to several risks, including unclear expectations for behaviour at Council sites and facilities. This lack of guidance may lead to inconsistent responses to incidents involving alcohol or other drug use, potential safety hazards for staff and the public, and reputational damage. Furthermore, the absence of a policy may limit Council's ability to manage and enforce appropriate conduct, particularly in relation to visitors and members of the public.

VERONIKA BARRY
WHS AND RISK COORDINATOR

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

6 May 2025

Attachments: 1. WHS120 Alcohol and Other Drugs Policy V1.0 DRAFT.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



POLICY

Alcohol and Other Drugs

*A prosperous
and progressive
community.*

ADOPTED		VERSION NO	1.0
COUNCIL MEETING MIN	TBA	REVIEW DATE	TBA
DATE:	TBA	FILE NUMBER	WHS120

Objective

To provide safe and healthy workplaces and other facilities to ensure that all persons entering a Mid-Western Regional Council (Council) work site or Council owned facility are not adversely impaired by alcohol and/or other drugs.

Scope

This policy applies to all persons entering a Council work site or other facility (e.g. facilities used for event hire), including all types of workers, visitors and members of the public.

Legislative requirements

Work Health and Safety Regulation 2017, Part 3.1 Section 35. Council, in managing risks to health and safety, must:

- eliminate risks to health and safety so far as is reasonably practicable, and
- if it is not reasonably practicable to eliminate risks to health and safety—minimise those risks so far as is reasonably practicable.

Related policies and plans

- WHS105 Work Health and Safety Policy
- WHS901 Alcohol and Other Drugs Procedure

Policy

Council is committed to providing a safe and healthy environment for all persons visiting a Council work site or other facility. Specifically:

- Persons shall not enter a Council work site or facility if they are adversely impaired by alcohol and/or other drugs.
- Persons shall not drive a vehicle or other item of mobile plant or use equipment at a Council site or facility if they:
 - exceed the legal blood alcohol concentration limits for the licence class being used; and/or
 - are adversely affected by other drugs.
- Persons shall not bring alcohol onto a Council site or facility unless they have prior written permission from a member of Councils Executive Team to do so.
- Persons shall not bring illicit drugs onto a Council site or facility.
- Persons are permitted to bring alcohol onto a Council facility as part of an event hire arrangement.

9.2 Quarterly Budget Review - March 2025

REPORT BY THE FINANCIAL PLANNING COORDINATOR AND CHIEF FINANCIAL OFFICER
TO 21 MAY 2025 ORDINARY MEETING
GOV400105, FIN300240, GOV400113

RECOMMENDATION

That Council:

1. **receive the report by the Financial Planning Coordinator and Chief Financial Officer on the Quarterly Budget Review - March 2025;**
2. **amend the 2024/25 Budget in accordance with the proposed variations as listed in the Quarterly Budget Review Statement attachment to this report; and**
3. **note the opinion of the Responsible Accounting Officer regarding the satisfactory financial position of Council.**

Executive summary

This report, with its incorporated attachment, makes up the March 2025 Quarterly Budget Review Statement of the 2024/25 Operational Plan.

Proposed budget variations to the Budget with relevant financial implications are included in the attachment.

Disclosure of Interest

Nil

Detailed report

The Quarterly Budget Review Statement presents a summary of council's financial position at the end of each quarter. It is the mechanism whereby councillors and the community are informed of Council's progress against the operational plan and the last revised budget along with recommended changes and reasons for major variances.

Recommended Project change of scope

It should be noted that the previously approved 2024/25 Operational Plan included works for the Aged Care Units on Mudgee Street in Rylstone for the boundary fence replacement. The fence has now been complete with savings of \$4,000. The project is proposed to change in scope to include required internal upgrades to cabinetry and oven for the units which will utilise these savings.

The previously approved 2024/25 Operational Plan also included final works for the Country University Centre Construction including landscaping. The construction has now been complete and minor landscaping to be finalised with expected savings of \$6,000. The project is proposed to change its scope to include sound proofing rooms such as the training rooms and conference rooms which will utilise these savings.

Certification

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulation 2021:

It is my opinion that the attached Quarterly Budget Review Statement for Mid-Western Regional Council indicates that Council's projected financial position as at 30 June 2025 will be satisfactory, having regard to the projected estimates of income and expenditure for the 2024/25 financial year.

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

The recommendation, if approved will amend the 2024/25 Budget. In accordance with the Delivery Program 2022/25, a comprehensive Quarterly Budget Review reporting is required to be completed within two months of period end.

Council Policies

Not Applicable

Legislation

Clause 203 of the Local Government (General) Regulation 2021 requires that:

1. Not later than 2 months after the end of each quarter (except the June quarter), the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the statement of the Council's revenue policy included in the operational plan for the relevant year, a revised estimate of the income and expenditure for that year.
2. A budget review statement must include or be accompanied by:
 - a) a report as to whether or not the responsible accounting officer believes that the statement indicates that the financial position of the council is satisfactory, having regard to the original estimate of income and expenditure; and
 - b) if that position is unsatisfactory, recommendations for remedial action.
3. A budget statement must also include any information required by the Code to be included in such a statement.

Financial implications

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	✓	✓	✗
Future Years	—	✗	✓

Associated Risks

Not Applicable

AMANDA AVNELL
FINANCIAL PLANNING COORDINATOR

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

6 May 2025

Attachments: 1. QBR Attachment March 2025 V3. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.3 Monthly Budget Review - April 2025

REPORT BY THE ACCOUNTANT REPORTING & ANALYSIS
TO 21 MAY 2025 ORDINARY MEETING
GOV400098, FIN300315, GOV400113

RECOMMENDATION

That Council receive the report by the Accountant Reporting & Analysis on the Monthly Budget Review - April 2025.

Executive summary

This report provides Council with Capital works program and Key Operating Projects list in the attachment.

Disclosure of Interest

Nil

Detailed report

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

Community Plan implications

Theme	Good Government
Goal	An effective and efficient organisation
Strategy	Prudently manage risks 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:

- 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
- 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
2024/25	✓	✓	✗
Future Years	—	✗	✓

Associated Risks

Not Applicable

SUMEDHA UPRETI
ACCOUNTANT REPORTING & ANALYSIS

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

6 May 2025

Attachments: 1. Monthly Budget Review - April 2025. (separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

9.4 Monthly Statement of Investments as at 30 April 2025

REPORT BY THE FINANCIAL PLANNING COORDINATOR AND CHIEF FINANCIAL OFFICER
TO 21 MAY 2025 ORDINARY MEETING
GOV400105, FIN300053, GOV400113

RECOMMENDATION

That Council:

- 1. receive the report by the Financial Planning Coordinator and Chief Financial Officer on the Monthly Statement of Investments as at 30 April 2025; and**
- 2. note the certification of the Responsible Accounting Officer.**

Executive summary

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

Disclosure of Interest

Nil

Detailed report

The attachment to this report provides information on the performance of the portfolio and provides a register of all investments held as at 30 April 2025.

It is noted that the March 2025 report presented at the 16 April Council meeting was a draft report as the TCorp managed fund balance was not finalised at the time of publishing the report. The balance has since been finalised. At the time the report was published, draft balances for the TCorp managed funds were \$ 12,088,601. The finalised balances for the TCorp balances at 31 March are also \$12,088,601.

Community Plan implications

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

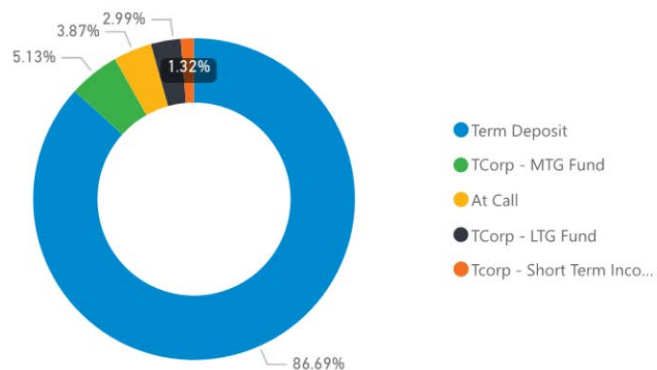
6 May 2025

Attachments: 1. Investment Report - April 2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Investments by Type

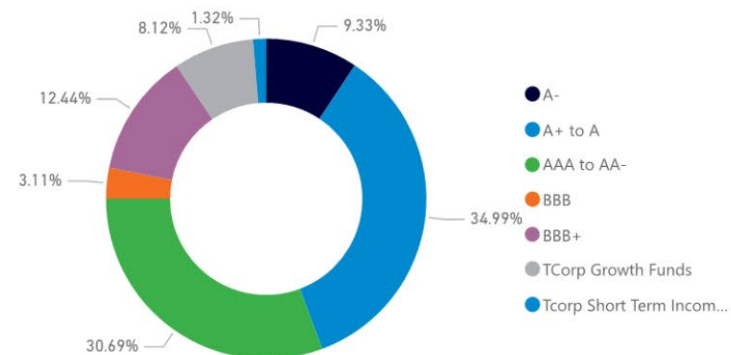


Mid-Western Regional Council Cash and Investments as at 30 April 2025

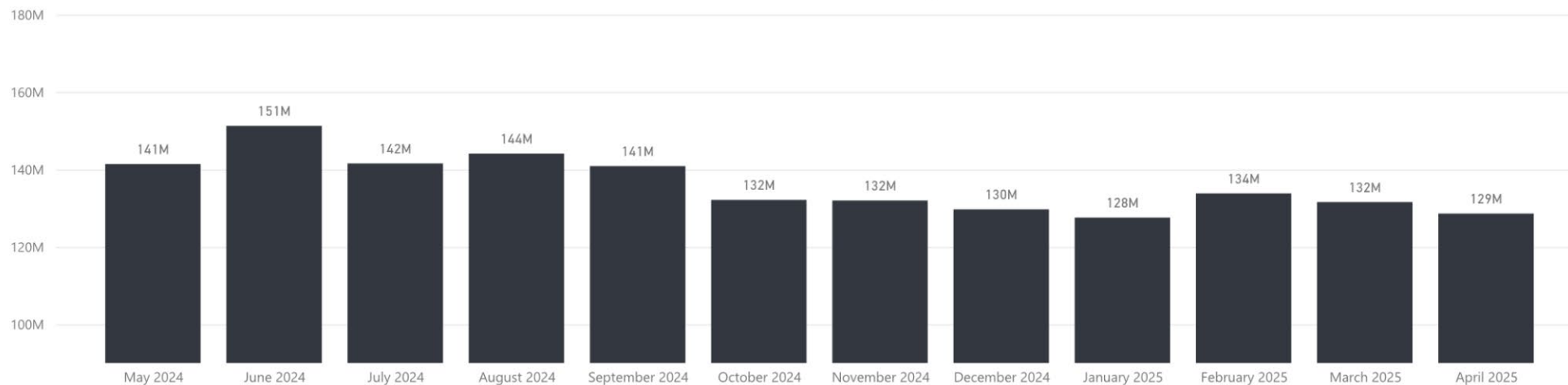
Total Investment Portfolio (\$)

128.61M

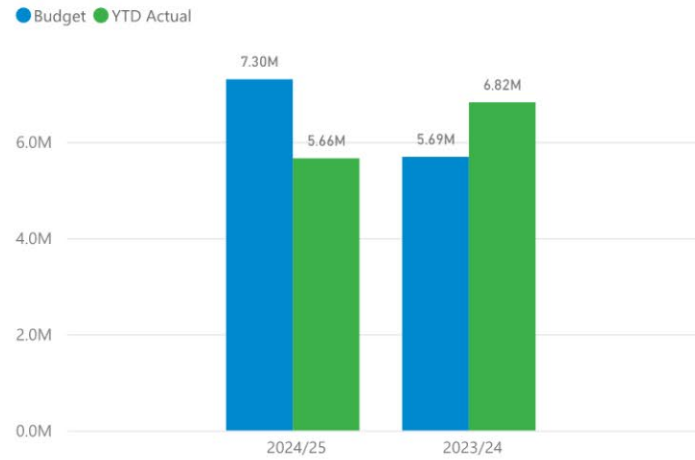
Investments by Long Term Rating



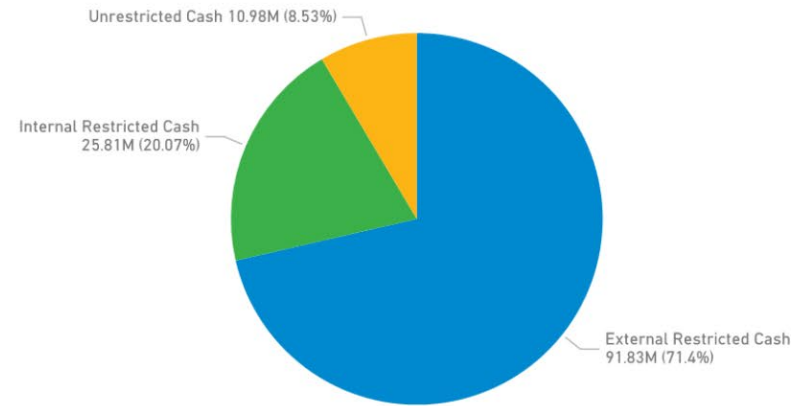
Portfolio Balance at End of Month (\$)



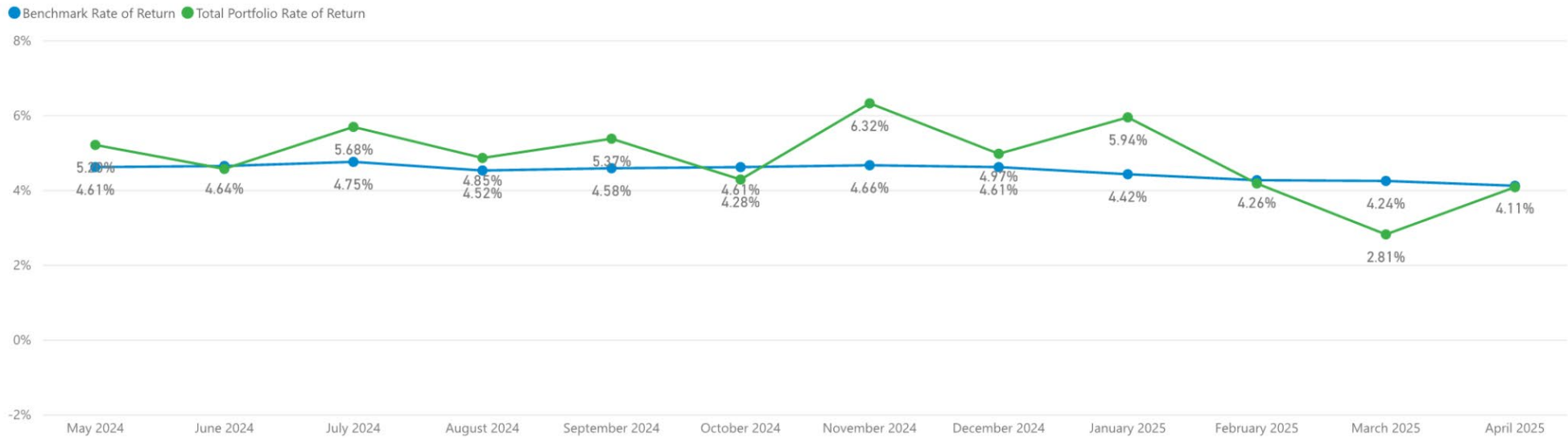
Income from Investments (\$)



Balance by Cash Category



Investment Performance



Investment Portfolio Summary

Term to Maturity	Amount	Actual	Cumulative Actual	Cumulative Minimum	Policy Compliance
Less than 3 months	\$ 48,614,885	38%	38%	20%	OK
Between 3 months and 1 year	\$ 47,000,000	37%	74%	40%	OK
Between 1 year and 2 years	\$ 19,000,000	15%	89%	50%	OK
Between 2 years and 4 years	\$ 14,000,000	11%	100%	85%	OK
More than 5 years	\$ -	0%	100%	0%	OK
Total	\$ 128,614,885				

Long Term Rating	Institution	Policy Limit	Policy Compliance (Institution)	% of Portfolio	Amount
AA-	NAB	40%	OK	14%	\$ 17,473,937
	Westpac	40%	OK	17%	\$ 22,000,000
A	ING	20%	OK	17%	\$ 21,500,000
	Rabo Bank	20%	OK	18%	\$ 23,500,000
BBB+	Australian Unity	10%	OK	2%	\$ 3,000,000
	Bank Vic	10%	OK	4%	\$ 5,500,000
	G&C Mutual	10%	OK	4%	\$ 5,500,000
	MyState Bank	10%	OK	2%	\$ 2,000,000
BBB	AMP	5%	OK	3%	\$ 4,000,000
TCorp Growth Funds	TCorp - Long Term Growth Fund	15%	OK	3%	\$ 3,848,130
	TCorp - Medium Term Growth Fund	15%	OK	5%	\$ 6,594,426
	Tcorp - Short Term Income Fund	15%	OK	1%	\$ 1,698,392
	Bank Of Queensland	20%	OK	9%	\$ 12,000,000
Grand Total				100%	\$ 128,614,885

Long Term Rating Group	Credit Policy Limit	Policy Compliance (SP Group)	% of Portfolio	Amount
AAA to AA-	100%	OK	31%	\$ 39,473,937
BBB+	20%	OK	12%	\$ 16,000,000
BBB	5%	OK	3%	\$ 4,000,000
TCorp Growth Funds	15%	OK	8%	\$ 10,442,556
Tcorp Short Term Income Fund	15%	OK	1%	\$ 1,698,392
A+ to A	50%	OK	35%	\$ 45,000,000
A-	40%	OK	9%	\$ 12,000,000
Grand Total			100%	\$ 128,614,885

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)	4,473,520	500,417	4,973,937
TCorp - Cash Fund	-	-	-
TCorp - Long Term Growth Fund	3,829,869	18,261	3,848,130
TCorp - Medium Term Growth Fund	6,564,877	29,549	6,594,426
TCorp - Short Term Income Fund	1,693,854	4,538	1,698,392
Total	16,562,121	552,764	17,114,885

The below table shows matured term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Rabo Bank	5.09%	2/04/2025	1,500,000	35,142
Australian Unity	5.10%	9/04/2025	3,500,000	195,127
NAB	5.05%	16/04/2025	1,000,000	27,118
Westpac	5.17%	23/04/2025	2,500,000	128,896
NAB	5.30%	30/04/2025	2,000,000	79,282
Total			10,500,000	465,565

The below table shows new term deposits

Institution	Yield	Maturity Date	Principal Amount	Total Interest Amount
Rabo Bank	4.61%	22/03/2028	1,500,000	205,555
Australian Unity	4.30%	6/05/2026	3,000,000	131,121
Westpac	4.25%	6/05/2026	2,500,000	107,997
Total			7,000,000	444,673

At Call Fund and Managed Funds

Institution	Yield	Principal Amount	Term to Maturity
NAB	4.50%	\$ 4,973,937	0
TCorp - Long Term Growth Fund	3.00%	\$ 3,848,130	5
TCorp - Medium Term Growth Fund	3.00%	\$ 6,594,426	5
Tcorp - Short Term Income Fund	3.00%	\$ 1,698,392	5
Total		\$ 17,114,885	

Current Term Deposits

Institution	Yield	Principal Amount	Term to Maturity
AMP	5.02%	\$ 4,000,000	56
Australian Unity	4.30%	\$ 3,000,000	371
Bank Of Queensland	5.15%	\$ 2,000,000	42
Bank Of Queensland	5.10%	\$ 2,500,000	84
Bank Of Queensland	5.18%	\$ 1,000,000	49
Bank Of Queensland	4.95%	\$ 1,500,000	133
Bank Of Queensland	4.93%	\$ 2,000,000	161
Bank Of Queensland	4.75%	\$ 2,000,000	140
Bank Of Queensland	4.75%	\$ 1,000,000	175
Bank Vic	5.33%	\$ 2,000,000	210
Bank Vic	5.33%	\$ 2,000,000	231
Bank Vic	5.28%	\$ 1,500,000	28
G&C Mutual	5.35%	\$ 1,500,000	7
G&C Mutual	5.36%	\$ 1,000,000	77
G&C Mutual	5.13%	\$ 3,000,000	119
ING	5.40%	\$ 3,000,000	427
ING	5.18%	\$ 3,000,000	595
ING	5.28%	\$ 3,000,000	224
ING	5.40%	\$ 4,000,000	259
ING	4.75%	\$ 1,500,000	959
ING	4.77%	\$ 3,000,000	1000
ING	4.63%	\$ 2,000,000	693
ING	4.60%	\$ 2,000,000	1043
MyState Bank	5.37%	\$ 2,000,000	21
NAB	5.00%	\$ 3,000,000	14
NAB	5.10%	\$ 2,500,000	147
NAB	4.93%	\$ 1,000,000	175
NAB	4.80%	\$ 2,000,000	203
NAB	4.80%	\$ 1,000,000	182
NAB	4.65%	\$ 3,000,000	273
Rabo Bank	5.37%	\$ 2,500,000	35
Rabo Bank	5.35%	\$ 2,000,000	49
Rabo Bank	5.37%	\$ 2,000,000	63
Rabo Bank	5.48%	\$ 4,000,000	91
Rabo Bank	5.39%	\$ 4,000,000	105
Rabo Bank	5.15%	\$ 1,000,000	203
Rabo Bank	5.36%	\$ 2,000,000	231
Rabo Bank	5.02%	\$ 2,000,000	357
Rabo Bank	5.02%	\$ 2,500,000	28
Rabo Bank	4.61%	\$ 1,500,000	1057
Westpac	4.88%	\$ 4,000,000	483
Westpac	5.34%	\$ 2,000,000	70
Westpac	4.98%	\$ 2,000,000	56

Institution	Yield	Principal Amount	Term to Maturity
Westpac	5.15%	\$ 1,000,000	189
Westpac	4.70%	\$ 1,500,000	623
Westpac	4.70%	\$ 2,000,000	1029
Westpac	4.85%	\$ 1,000,000	1393
Westpac	4.65%	\$ 3,000,000	315
Westpac	4.55%	\$ 3,000,000	1407
Westpac	4.25%	\$ 2,500,000	371
Total		\$ 111,500,000	

9.5 Expansion of leased childcare facilities

REPORT BY THE DIRECTOR CORPORATE SERVICES
TO 21 MAY 2025 ORDINARY MEETING
GOV400105, A0000000

RECOMMENDATION

That Council:

1. **receive the report by the Director Corporate Services on the Expansion of leased childcare facilities;**
2. **note the revised business case as attached to this report as Attachment 1 (the business case);**
3. **note that Council was unsuccessful in applying for grant funding to complete the expansion works of the childcare facility noted in the body of this report; and**
4. **amend the Budget to change the funding source for the childcare facility expansion as follows:**
 - 4.1 **2025/26 – change the funding source from grant funding to loan funding for an amount of \$1,000,000 for the construction of expanded childcare facilities;**
 - 4.2 **amend the 2025/26, 2026/27, 2027/28, budgets to revise operating allocations as set out in the financial implications section of this report.**

Executive summary

Council resolved to expand the size of the leased childcare facility Lady Gowrie at the August 2024 Ordinary Council meeting. Council applied to fund \$1,000,000 of these works from grant funding under the NSW Government's Community and Employment Benefit Program, however was unsuccessful in obtaining funding. It is proposed to amend the funding source to loan funding and progress with the works so as not to jeopardise the funding that has approval from Department of Education.

Disclosure of Interest

Nil

Detailed report

The business case has been reviewed and is attached (Attachment 1) to this report. It details:

- Report Purpose
- Objective of project
- Location and site details
- Ownership
- Current facility
- Commercial Analysis

- Proposal details
- Proposal costs
- Revenue potential
- 10-year return on investment
- Funding
- Project benefits
- Community Support

Project Update

The project has now obtained DA approval. Council is working with Gowrie Pty Ltd to finalise the funding agreements for the Department of Education awarded grant.

To ensure no further delays, it is now recommended to confirm full funding from Council sources for the remaining \$1,122,906 (after grant funding), and go to tender for the construction works.

Community Plan implications

Theme	Building a Strong Local Economy
Goal	A range of rewarding and fulfilling career opportunities to attract and retain residents
Strategy	Build strong linkages with institutions providing education, training and employment pathways in the region

Strategic implications

Council Strategies

Mid-Western Regional Council Delivery Program 2022/23 – 2024/25

Project/s

3.3.2 Work with education providers on the provision of services to meet community needs

5.3.3 Identify opportunities to increase revenue from property related investments

Council Policies

Leasing and Licencing of Council Property Policy

Legislation

Not applicable

Financial implications

The cost of the proposed works is set out below:

Quantity Surveyor estimated construction cost:	\$1,320,815
Contingency at 20%:	\$ 264,185
Consultancy costs, council fees and Long Service Levy	\$ 150,000
Shadesails, pathways and sandpits	\$ 80,000
Project Management	\$ 85,000
Total	\$1,900,000

Funding has been obtained, by Gowrie from the Department of Education of \$777,094. The funding gap is then \$1,122,906.

The business case includes scenario testing which includes two possible funding scenarios:

1. the funding gap for the construction works is funded through grant funding of \$1,000,000, and the balance cash funded by Council;

2. the funding gap for the construction works is funded through loan funding of \$1,000,000, and the balance cash funded by Council.

The revised operating budgets for the Lady Gowrie facility are as follows:

\$	2025/26	2026/27	2027/28	2028/29
<i>Lease revenue</i>	49,986	70,219	91,542	94,288
<i>less costs</i>				
<i>Maintenance</i>	3300	4800	6600	6798
<i>Subtotal</i>	46,686	65,419	84,942	87,490
<i>Loan Repayments</i>		64,147	128,294	128,294
<i>Surplus/Deficit</i>	46,686	1,272	-43,352	-40,804

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/25	—	✗	—
Future Years	✓	✓	✗

Associated Risks

There is a risk that the Quantity Surveyor estimates are inaccurate, however this is less likely due to the professional nature of the reports themselves.

There is a small residual risk that the Department of Education will withdraw funding to the project if grant funding conditions cannot be met. This risk is considered low, with funding allocated to the project and the funding deeds due for completion in the next few months.

LEONIE VAN OOSTERUM
DIRECTOR CORPORATE SERVICES

8 May 2025

Attachments: 1. Revised Business Case. (Confidential - separately attached)

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Item 10: Operations

Nil

Item 11: Community

11.1 Sports Advisory Groups Update - Meetings March 2025

REPORT BY THE SPORT & RECREATION LIAISON OFFICER
TO 21 MAY 2025 ORDINARY MEETING
GOV400105, A0360013, A036003, A0360030, GOV400113

RECOMMENDATION

That Council:

1. **receive the report by the Sport & Recreation Liaison Officer on the Sports Advisory Groups Update - Meetings March 2025;**
 2. **note the Meeting Notes from the Kandos and Rylstone, Gulgong, and Mudgee Sports Advisory Groups; and**
 3. **endorse the adoption of the Kandos and Rylstone Sports Advisory Group Terms of Reference.**
-

Executive summary

The purpose of this report is to advise of the considerations of the Kandos and Rylstone, Gulgong, and Mudgee Sports Advisory Groups held in March 2025.

Disclosure of Interest

Nil

Detailed report

The Gulgong, Kandos/Rylstone and Mudgee Sports Councils transitioned to Sports Advisory Groups in 2024. These groups meet twice yearly to discuss the strategic direction of Council's sporting facilities and infrastructure.

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

Mudgee

- Sportsground field update including renovations/resting fields
- Upcoming capital works – Netball awning extension, GW security upgrade, GW carpark and field 5 & 6 lighting upgrades, GW stadium BBQ area, GW Integrated PA system, additional CCTV, traffic management, Mudgee pool diving board replacement
- Pump track opening was acknowledged
- GW Signage and wayfinding along pedestrian walkways
- Key Event Dates for 2025

- Mudgee Team Training Village
- Extended hours and season for Mudgee pool.

Gulgong

- Facility improvements and works requests communication
- Victoria Park Precinct Cricket Shed project, storage arrangements and lighting
- Billy Dunn Precinct field renovations/maintenance and upgrades
- Billy Dunn Masterplan
- Gulgong Pool FINA approved starting block installation completion
- Gulgong Tennis Facility budget submission for installing synthetic grass on recently upgraded concrete surface courts

Kandos / Rylstone

- Rylstone Showground Riverwalk and Wayfinding Signage
- Cricket Nets at Rylstone Showground
- Lights at Rylstone showground
- Waratah Park precinct sportsgrounds playing surfaces, field improvements and scoreboard
- Simpkins Park/Waratah Park – Changeroom and amenities (Major Project)
- Waratah Park Masterplan
- Kandos Pool accessibility safety rails and ramp.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

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

CHRISTIE GRAY
SPORT & RECREATION LIAISON OFFICER

RICHARD CUSHWAY
ACTING DIRECTOR COMMUNITY

22 April 2025

Attachments:

1. Rylstone Kandos Sports Advisory Group Meeting Minutes 18 March 2025.
2. Gulgong Sports Advisory Group Meeting Minutes 20 March 2025.
3. Mudgee Sports Advisory Group Meeting 24 March 2025 Minutes.
4. Terms of Reference - Kandos and Rylstone Sports Advisory Group to be adopted May 2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



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**KANDOS AND RYLSTONE SPORTS ADVISORY GROUP
MEETING MINUTES
TUESDAY 18th MARCH 2025, 5PM
RYLSTONE MEMORIAL HALL**

Attendees: Councillor Shelley, Craig Parsons, Sarah Gaffikin (via speaker phone), Peter Raines (MWRC), and Christie Gray (MWRC).

Apologies: NIL

Meeting opened at 5.03pm

1. Confirmation of Terms of Reference

- a. No comments or feedback. All happy for the current version to be sent to Council to be adopted.

2. Funding and Financial Assistance

- a. Peter R advised that grants have slowed up and some future project requests are unable to progress. Reminder Christie, the new Sport and Recreation Liaison Officer, can be contacted for assistance with grant funding or financial assistance applications.

3. Facility improvements and Works Requests:

- a. Rylstone Showground Precinct
 - i. Main Arena Lighting - Peter R discussed the fact that the lighting was complete and then just prior to the show the lights were damaged by lightning. The damage caused 2 light towers to not work. Council assisted the Show Society with hiring 3 portable lights for the show. Lights have since been repaired and are ready for the upcoming Bullarama event in April. The lights having the option of 200 lux over the entire Arena and 300 lux in one area for the Bullarama.
 - ii. Rylstone Showground Riverwalk and wayfinding signage - Riverwalk project nearing completion with way finding signage still to come. This will be a great recreation asset for the community.
 - iii. Rylstone Showground cricket nets – the contractor had an oversight with the net dimensions resulting in no overhead netting being installed during the initial replacement. This will now be addressed in next financial years capital works program.
- b. Waratah Park Precinct
 - i. Sportsground playing surface improvements – confirmed that top dressing and sand slitting occurred last season. There are currently no further major renovation works planned. Feedback from Craig that the improvements were good - holding up for Touch and has had no complaints from users. Craig relayed that the Parks and Gardens team are doing a good job keeping it looking good and mowed.

- ii. Scoreboard – Craig confirmed that the scoreboard is not working. It is playing up; half the screen is missing. There is an issue with the computer and have asked the supplier re iPad set up instead of laptop and looking at a better software option.
- iii. Simpkins Park/ Waratah Park - plans to construct amenities block at Simpkins Park to support Kandos Street Machine event. Amenities block to include toilets and showers. It was relayed that report to March Council meeting, presenting options for both a full build or continue to support portable options through events assistance. The proposed space is the open space past the old netball courts.
- iv. Waratah Park Masterplan – update the draft Recreation Strategy to be sent back to Council soon following public consultation late last year. Inclusion for Waratah Park are for carpark extension and clubhouse area (long-term) and upgrade netball courts to multipurpose courts.

4. Reporting maintenance issues

- a. Reminder Christie Gray, Sport and Recreation Liaison Officer, is the point of contact, can email through. Or through the website as a works request.
- b. Craig requested that the AED be taken out of the referee room and out into the canteen, so it is more accessible.

ACTION - Christie to put in a Parks and Gardens works request.

5. General Business:

- a. Sarah said she has no issues to report. Great feedback for the dog park which was used for the second year for the dog show, it is brilliant.
- b. Councillor Shelley asked that the safety rails down the ramps at Kandos Pool after the lift chair was added be installed. Peter R advised that quotes have been received and will likely be included in next year's capital program. Councillor Shelley mentioned that additional works will need to be considered to the steps near the changerooms.

Meeting closed 5.32pm.



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GULGONG SPORTS ADVISORY GROUP MEETING MINUTES 20 MARCH 2025, 6PM – GULGONG BOWLING CLUB

Attendees: Peter Raines (MWRC), Christie Gray (MWRC), Cr Percy Thompson (MWRC), Craig Holden (Strategic Committee/ Gulgong Sports Advisory Group), Brian Gudgeon (Gulgong District Cricket Association), Mary Reddish (Gulgong Terriers), Vanessa Grimshaw (North West Falcons FC), Colm Foran (North West Falcons FC), Mark Freestone (Gulgong Touch), and Graham Germon (Bowling Club).

Meeting opened at 6pm

Craig apologised for the late meeting due to the Sport and Recreation Liaison Officer changeover, and introductions were made with Christie.

1. Terms of Reference (TOR)

- a. Confirmation that a review of TOR is required for Council adoption.
ACTION - Christie to send TOR for feedback within two weeks so any amendments can be made/considered and then be sent to Council for adoption.

2. Funding and Financial Assistance

- a. Reminder to all Sports Advisory Clubs that you can apply to Council for Event Assistance and Community Grants via Council website or send through to Christie for assistance.
- b. Mary had a question regarding the 5-6 bay bain-marie in the canteen at Billy Dunn, it is 19 years old, can we apply for financial assistance for this. Peter said yes, a community grant can be applied for or depending on the costs potentially seek funding direct from Council. Approximate cost is thought to be \$5-6,000. Craig, Brian, and Graham confirmed they may have funds which could assist with funding this.
ACTION - Council to obtain a quote for the replacement of the unit and communicate with relevant clubs.

3. Facility Improvements and Works Requests

- a. Discussion had around future communication around facility improvements taken to Council from Clubs. Where possible, Craig would appreciate Clubs keeping him informed of facility improvement initiatives (Craig authorised distributing his phone number to all clubs for communication purposes). It was confirmed that works request still needs to be entered direct to Council and/or Christie.
- b. Discussion had around responsibilities for cleaning, mainly around obligations for cleaning public toilets prior to sports events/activities.
 - i. Confirmed sports are responsible for cleaning changerooms and toilets (after training/event use only). Council to supply all toilet paper, hand towels, etc. These can be collected from Council's store department and ordered through Christie.
 - ii. Confirmed Council is responsible for cleaning public toilets prior to a booking/event. It is not the sports responsibility to clean public toilets prior to their bookings. Sports to advise Christie of any cleaning issues in public toilets prior to their booking/events.

- iii. Noted feedback received from Billy Dun users that public toilets near the skate park have not been cleaned prior to sports bookings.

ACTION - Christie to liaise with Council Building Services department and relay feedback received.

c. Victoria Park Precinct

- i. Brian provided positive feedback for the facilities at Victoria Park. New amenities work well and were tested on Grand Final day. Congratulations and thank you to all involved.
- ii. Victoria Park Cricket Shed project – grant received to construct a new shed for Gulgong Cricket. Update provided, being slab construction completed and shed to be installed in the next couple of months.
- iii. Storage Arrangements - comments made around Little Athletics storage requirements and possibly downsizing of equipment being stored. Brian noted that most of this has now been removed on their own account. Mark suggested getting some shelving installed to increase storage space and could be used by cricket, touch, and dog club.

ACTION - Council to obtain costings and communicate outcome with relevant sports.

- iv. Mark had a question regarding the grant for the grandstand improvements. Peter confirmed that posts had been installed and were waiting to receive budget for painting upgrades to the grandstand asset - this being possibly next financial year or the one after.
- v. Peter confirmed that sports lighting calibration was completed at Victoria Park and now should be fully compliant. Sports encouraged to continue to provide feedback.

d. Billy Dun Precinct

- i. Update provided on Billy Dunn Field 1 field renovations/maintenance - top dressing completed and oversow underway. Confirmed that new rugby league posts will be installed at the end this season.
- ii. Billy Dunn Field 2 upgrade – (top field where cricket pitch is) confirmed that Grant Submission has been submitted to install sports lighting and playing surface upgrades. Aim being to relieve pressure on main field usage.
- iii. Billy Dunn Masterplan – Peter reminds sporting clubs of the draft masterplan that has previously been handed out for feedback.

ACTION - Christie to re-send out to all sports for final feedback. Peter suggested if needed another meeting prior to the next August Sports Advisory Group meeting can be arranged to gain further feedback - following this next step to have Council adopt masterplan.

- e. Gulgong Pool – starting blocks installation & diving boards update – FINA approved starting blocks were installed after receiving funding and were successfully utilised at the Regional Swimming Championships in January 2025. Diving blocks replacement currently being considered by Council.
- f. Gulgong Tennis facility - Councillor Thompson mentioned the tennis club, and Peter confirmed that a budget submission has been put into Council for consideration for next year's capital works program. Scope includes installing synthetic grass on the 3 recently upgrade concrete surface courts.

4. Reporting maintenance issues

- a. Reminder these can be lodged online on the Council's website, by phoning customer service, or email through to Christie.

5. General Business

- a. Draft Recreation Strategy - Peter relayed that the draft Recreation Strategy will soon be going to Council for adoption after being on exhibition. The strategy mentions Billy

Dunn Master plan, suggests multi-purpose court – netball/basketball, upgrade, and enhancement of storage sheds.

- b. Billy Dunn – Mark suggested that the southwest corner needs work to stop water build up and address drainage issue. Cricket nets - Craig suggested funding to move near the top oval Field 2 & 3 and upgrade.

ACTION - Council to consider incorporating draining improvement and relocation of cricket nets into masterplan.

- c. Mark confirmed Touch has now finished and will send through final numbers for the Sports Advisory Group fees. He thanked Council for the line marking at the start of the season.
- d. North West Falcons noted that the storage shed leaks on the line marking supplies and leads to mould. Peter confirmed the storage shed upgrades are in the Masterplan to address. Craig suggested they could use the storage at Billy Dunn near the old kiosk/canteen near the netball courts in the meantime. Confirmed they now have a men's team and will play in Mudgee.

ACTION - Maintenance request to be lodged to investigate storage shed leaks.

- e. Gulgong Terriers – Mary commented that the toilets at Billy Dunn at big events like Regional Swimming Carnival, old boys day, and grand finals back up. They do use 3 – 4 portaloos as well. Craig suggested temporarily using more portaloos to assist.

ACTION - Council to investigate toilet capacity to assist with event management planning.

- f. Councillor Thompson reminded users that the basketball court at the school can be used if you ask the school and they can arrange access.
- g. Brian Gudgeon mentioned the men's toilet door at Billy Dunn Field 2 is difficult to get into, cannot get the lock undone. The door needs lifting to get the key in to unlock. Craig commented that the kiosk/canteen door is difficult to unlock as well. Mark suggested coded access.

ACTION- Council to inspect current key access and investigate alternate locking mechanism. Outcome to be communicated with relevant sports.

- h. Christie relayed message from Council Building Services team - reminder to ensure the toilets are locked at Victoria Park, and at Billy Dunn Oval to ensure the changeroom, toilet, and grandstand lights are turned off. Confirmation that Council investigating a push button that releases lights after 6 hours for future.
- i. Victoria Park Clubhouse - Concerns for misuse, someone had shoved 2 rolls in the cistern.

ACTION - Christie to check if Building Services have put the sign at the clubhouse back up, and request more toilet paper at the new amenities at Victoria Park.

- j. North West Falcons requested that line marking be done at the start of the season and also mid-season.

ACTION - Christie to arrange start-up line marking with the Parks and Gardens team.

- k. Mark mentioned that the fence panel at the gate corner of Victoria Park needs fixing.

ACTION - Christie will lodge maintenance request with the Parks and Gardens team.

Meeting closed 7.02pm



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**MUDGEE SPORTS ADVISORY GROUP
MEETING MINUTES
24 MARCH 2025, 5PM
THE STABLES MEETING ROOM – 82 MARKET STREET MUDGEE**

Attendees: Councillor Lang (MWRC), Peter Raines (MWRC), Christie Gray (MWRC), Josh Martin (MWRC), Ben Edmunds (MWRC), Erin Perini (Mudgee Touch Football) David Birch (Mudgee Rugby Union), Brett Cooper (Mudgee Rugby Union), Jackson Lambing (Mudgee Senior Cricket), and Geoff Robinson (Mudgee Basketball).

Apologies: Kylie Marshall (Mudgee Netball), Brett McGuire (Mudgee Gulgong Wolves FC).

Meeting opened at 5:03pm.

Opening:

Peter opened the meeting and apologised for the later meeting than usual- relaying attempts to align a walkthrough of the Mudgee Team Training Village with the meeting. Walkthrough now to be rescheduled to a later date in May 2025.

Christie Gray, the new Sport and Recreation Liaison Officer, was introduced to the Mudgee Sports Advisory group.

1. Terms of Reference (TOR)

- a. Confirmation that a review of TOR is required for Council adoption.
- b. Council staff are currently not proposing any changes to the current TOR.
ACTION - Christie to send TOR for feedback so any amendments can be made/considered and then be sent to Council for adoption.

2. Sportsground field update, including renovations/resting fields

- a. Josh discussed the oversow program, confirming all is well and underway before the winter season.
- b. Rugby Union Field 2 will be open tomorrow, still monitoring field drainage rates following last seasons flood damage. So far seems good. Rugby Union Field 1 will remain closed until the gala day in April. Junior Rugby League fields 1 & 2 were oversowed last Thursday and will be open prior to the Touch Regionals at the end of April.
- c. This was the first year for the Jnr League turf wicket and Josh noted that compaction is hard to achieve in the first season. Initial depression issues were resolved; inconsistency issues are normal for the first year. Josh happy to discuss further with Jackson and Terry Ford for any feedback.
- d. Glen Willow Field 1 is now 18 days post oversow and is looking great and is further ahead than it was last year.

- e. Glen Willow field 7 & 8 – sand slitting completed to assist with maintain good field drainage. Noticed significant improvement since it was done and will look to implement on other fields to help with drainage issues.
- f. Victoria Park cricket season has just finished and are looking at completed minor renovations next spring. As a group previously discussed scarify and top dressing.

3. Upcoming and future capital works

- a. Netball Awning extension - Ben provided an update on this project which is being undertaken with grant funding. It is 12m x 7m and comes off the building envelope off the canteen. This will help with more undercover area during wet weather.
- b. GW site security upgrade - Ben provided an update on the proposed security upgrades across all venues at Glen Willow, this being transitioning to FOB readers and phasing out keys for main building entries.
- c. GW Stadium BBQ area - Councillor Lang noted that a washing up area is needed in the BBQ area at the stadium.

ACTION - works request be lodged to have hand wash basin installed.

- d. Field 5 & 6 lighting upgrade - upgrade to be completed by July 2025. Several delays experienced. Relayed that Council investigating feasibility of service contract with a suitable qualified sports lighting contract to assist with timely repairs of any issues.
- e. Glen Willow carpark lighting - update provided confirming that there will be 12 new roadway/carpark solar lights being installed near Netball and Rugby Union complex. Current schedule details light installation in June 2025. Flood lights currently available through Jnr League carpark.
- f. Traffic management – Pitts Lane water barriers are being replaced with permanent gates staggered 5 metres apart with authorised vehicle access only signage displayed when in use. Feedback received from Karl Fletcher that Ambulance drivers are having some difficulty navigating through to various facilities within complex. Discussions and suggestions made including sharing information with Ambulance NSW, increasing signage for emergency access with arrows.

ACTION - Sports to assist managing ambulance visits by having their own specific management plan implemented.

- g. Mudgee Pool – Peter provided an update on planned works at the Mudgee pool. This included a lighting upgrade, shade sail to replace recently removed tree and potentially a 1-metre diving boards replacement
- h. Integrated PA system GW site – updated provided on Councils desire to have a site wide PA system installed that can be broadcasted site wide. Council is currently seeking grant funding for this.
- i. Additional CCTV camera - confirmation that Council is currently seeking funding for installation of additional security cameras throughout the GW stadium precinct. This includes following recommendation from a recent audit conducted by NSW Police.
- j. Pump track - opening was acknowledged. This has been a great community asset and is being well utilised.

4. Signage and Wayfinding along pedestrian walkways

- a. Wayfinding signage - update provided on Glen Willow wayfinding signage project, this being that signs have recently been installed throughout various locations. Signage includes approximate distance between facilities. Next phase is to install entrance signs to the complex - entrance signs to include interchangeable panels to advertise upcoming events.
- b. Site maps - Council currently reviewing Glen Willow site maps and will be updating shortly.

5. Reporting maintenance issues

- a. Building maintenance procedure - Ben handed out the reporting procedure for building issues. Ben explained that there is a portal set up where you can email through, and it goes into a workflow to be actioned, and you will receive real time updates. He asked that Christie be cc'd into these emails so she is kept in the loop and can follow up.

ACTION - Christie to send out Building Procedure to all sports as a reminder.

6. Illuminators

- a. Christie confirmed that codes remain the same and gave a reminder for out of season bookings to ensure codes are checked.

7. Key Event Dates for 2025

- NSW Touch Junior Regionals – 26 & 27 April
- Mudgee Cycle Classic – 1-5 May
- NSW Rugby U11 State Championships – 19-20 July
- PSSA Girls Touch – 19-21 August
- NRL Penrith Panthers game – Fri 22 August
- Rugby 7's Youth Championships - 28 September – 1 October

8. Mudgee Team Training Village

- a. Walk through being planned for May. The walkthrough is to include an update from Council's Economic Development on the management arrangements and booking fees etc. Scott Sutcliffe, Council's Business Development Coordinator - Accommodation Services, has been tasked with overseeing the management of the facility and Council are currently recruiting the site manager.

ACTION - Christie to communicate to all sports once a time and date have been confirmed for the walkthrough.

9. **Mudgee Swimming Pool extended operating hours**— reminder to all sports that Mudgee pool will trial extending the pool operating hours for another month - opens 31 August to 25 May. Extended pool season is for 6am to 10am only.

10. General Business

- a. Draft Recreation Strategy - Peter relayed that the draft Recreation Strategy will soon be going to Council for adoption after being on public exhibition. The strategy mentions investigating extension to the GW soccer/touch building.
- b. GW Carparking - Councillor Lang recommended that consideration be given to allowing additional carparks to be made available during major events.

ACTION - Peter to pass on feedback to Council's events team.

- c. Recreation Basketball Court - Peter provided an update on the construction of a recreation basketball/multisport court at the Glen Willow Recreation precinct. Geoff made a comment that he thought it would be better at Victoria Park central location in town. Peter relayed that they have been investigating the possibility of a basketball court at Victoria Park. Geoff also suggested that if the drainage improvement could be made at Westend this could be another possible site for an indoor basketball court. Peter confirmed that a feasibility study on an indoor sporting complex is highly likely to be undertaken soon.

ACTION - Council to consider the construction of a basketball court when completing the Victoria Park masterplan.

- d. Mudgee Tennis Courts - noted that synthetic grass courts close to building is currently being resurfaced.

- e. Jackson asked if it would be possible to investigate hosting a T1 event prior to the Rugby World Cup. Peter confirmed Council/Economic Development that Council have investigated and considered this.
- f. Sports speaking at Council meetings - Councillor Lang reminded all sports that they can speak to Councillors at Council meetings.

Meeting closed at 6:05pm.



Terms of Reference Kandos and Rylstone Sports Advisory Group

*A prosperous
and progressive
community*

DATE ADOPTED:
MINUTE NUMBER:

REVIEW DATE: SEPTEMBER 2027
FILE NUMBER: A0360013

Preamble

Mid-Western Regional Council encourages and recognises the value of community participation in guiding the strategic development of both sport facilities and sport participation (both playing members and volunteer positions). As such the Kandos and Rylstone Sports Advisory Group is to provide advocacy for the sporting community on policy, direction and strategic planning related to Council's sport and recreation objectives. Such recommendations are considered in the context of Council's Operational and Delivery Plan and strategic planning processes.

Responsibilities

- a) The Kandos and Rylstone Sports Advisory Group will:
 - Provide advice to Council on priorities for capital works on sporting grounds and facilities.
 - Promote participation in sport to the widest possible cross section of the community,
 - Submit proposals for minor ground improvements to the Council for its consideration. Urgent ground improvement works (including building issues) shall be submitted via Council's Works Request System.
 - Facilitate liaison between different sporting groups.
- b) Mid-Western Regional Council will be responsible for:
 - Act as the key interface and provide support to all sporting clubs in the use, management and programming of Council's sport and recreation facilities
 - Managing the bookings and collecting fees and hire charges from Sports Advisory Group members and other users of sporting grounds.
 - Ensuring that the Kandos and Rylstone Sports Advisory Group is informed of all major events and scheduled maintenance.
 - Overseeing the interaction between grass roots sports and elite/national sporting events, facilitating grass root sport club requirements and elite training/event opportunities.
 - Regular mowing and watering of the fields.
 - Building maintenance on Council-owned buildings.
 - Any major maintenance or works in respect of the sporting grounds.
 - Maintenance of a key register (for keys supplied by Council).
 - Cleaning and stocking of public amenities.
 - Provide assistance (where possible) with identifying and preparation of funding submissions.

POLICY: KANDOS AND RYLSTONE SPORTS ADVISORY GROUP TERMS OF REFERENCE

- c) Affiliated Kandos and Rylstone Sports Advisory Group members will be responsible for:
- Cleaning and maintaining Council facilities used.
 - Line marking as per bookings.
 - Ensuring the security of keys provided to them.
 - The appropriate use of the grounds and associated facilities, ensuring they are not abused in any way and that grounds are left in a clean and tidy state.
 - Provision of toilet paper and paper towels (hand wash) in change rooms.
 - Attending the two (2) scheduled meeting per calendar year. No attendance will result in casual hire fees being charged for season bookings and members will be ineligible to receive financial assistance.

Composition of Committee

The Committee shall comprise one (1) delegate from each affiliated incorporated sporting group association in Kandos and Rylstone and one (1) Councillor delegate from Mid-Western Regional Council. Relevant Council staff, such as the Manager Recreation Services and Sport and Recreation Liaison Officer, are also required to attend meetings. Additional community members may be invited to attend.

Council will provide secretarial support to arrange meetings, take minutes and provide professional administration support where required.

Affiliation Membership

Payment of the affiliation fee allows local sporting groups and associations the ability to access the Mid-Western Sports Group fees as per Councils fees and charges. Financial membership includes the right to attend Sports Advisory Group Meetings.

Fees are reviewed annually and amended at Councils discretion. Where relevant, the Mudgee Sports Advisory Group is to be consulted prior to any major changes to sport fees and charges framework.

Meeting Frequency, Quorum and Practices

- The Committee shall be scheduled to meet as a minimum two (2) times in a calendar year. Suggested months being February and August.
- There is no quorum for the committee meeting however attendees should be financial members.
- Agendas are to be circulated to nominated Club representatives at least 7 days prior to the meeting.
- Meeting minutes are to be circulated to nominated Club representatives within at least 7 days from the meeting date.
- Committee recommendations which are determined to be purely and substantially 'operational' in nature, shall be dealt with the relevant Council officer with any subsequent lack of action be reported to the nominated Councillor delegate.

POLICY: KANDOS AND RYLSTONE SPORTS ADVISORY GROUP TERMS OF REFERENCE

- All attending members are required to adhere to Councils Code of Conduct.

Grant Applications for Financial Contributions to Clubs, Individuals and Teams

Financial assistance will be linked to Council's Community Grants Policy.

To be eligible for financial assistance, members must be represented at the two scheduled meetings per year.

Council Contact and Support

The Manager Recreation Services or delegate is the Council contact officer for the Kandos and Rylstone Sports Advisory Group.

11.2 Library Services Quarterly Report

REPORT BY THE MANAGER LIBRARY SERVICES

TO 21 MAY 2025 ORDINARY MEETING

GOV400105, F0620020, GOV400113

RECOMMENDATION

That Council receive and note the Library Services Quarterly Report by the Manager Library Services.

Executive summary

This report seeks to inform Council of the activities undertaken by the Mid-Western Regional Council Library Service between January-March 2025 (inclusive), under four key strategic priorities: Our Spaces, Our Collections, Our Programs and Activities, and Our People.

Disclosure of Interest

Nil

Detailed report

OUR SPACES

- Kandos Library is currently undergoing building works as part of the long-awaited project to add public toilets to the branch. The works are expected to take approximately 4-6 weeks to complete.

OUR COLLECTIONS

- Staff at Mudgee Library completed a shelving reconfiguration project for the Adult Fiction, Biographies, and Graphic Novels collections, aimed at improving accessibility and discoverability for the community.

OUR PROGRAMS AND ACTIVITIES

- Mudgee Library has launched a new evening book group, meeting on the second Wednesday of each month from 5.30pm to 6.30pm. The group encourages participants to step outside their usual reading preferences, exploring a wide range of genres - from fantasy and historical fiction to romance and thrillers. The first session is scheduled for 9 April.
- Mudgee Library trialled a new after-school STEM program called *Tech Club*, for children in Years 3-6. The free program ran on Mondays and introduced participants to the exciting world of coding and other hands-on technology activities, including creating basic games, animations, and more. Each session was fully booked with a growing waitlist, so due to strong demand, the program will be continuing.
- The Library hosted 17 school holiday activities across three branches during the summer school holidays. A total of 118 children attended the sessions, which followed a *Neverland* theme.
- The 2024–2025 Summer Reading Program, also themed *Neverland*, saw a drop in registrations this year (86 registrations compared to 122 the previous year). This may be partly

due to confusion between the Summer Reading Program and the *1000 Books Before School* program.

- In January 2025, the Library introduced a sign-in and sign-out sheet for children's programs. Following some initial adjustments, the system has been well received by parents and caregivers, enhancing the safety and accountability of children's attendance.
- A volunteer has offered to run a *Chess Club* at Kandos Library, with a trial of the program commencing in March. Aimed at young people aged 11-15, the club meets on the first Friday of each month from 3.45pm to 4.45pm.
- On 23 January, Mudgee Library hosted an author talk with comedian Tom W. Clarke about his book '*Shoulda Been Higher: A Celebration of 30 Years of Triple J's Hottest 100*'. The session was enjoyed by the eight who attended, with lively and passionate discussion during and after the event.
- The popular *Monday History Talk* program resumed in February, with 22 attendees in February and 13 in March.
- The Library had organised *Tech Help* and *Scams Awareness* sessions with NBN Co for Seniors Week, however, due to Cyclone Alfred and the facilitator's inability to travel to Mudgee, sadly the sessions had to be cancelled.
- From February to April, Mudgee Library is trialling an additional monthly session of *Unplugged Gamers* for adults to assess whether increased frequency boosts attendance. The program has, in a sense, been a victim of its own success - many original attendees from 2023 have formed strong connections through the group and now host games nights independently. Several former participants noted that monthly sessions were too infrequent, particularly for those interested in role playing tabletop games such as *Dungeons & Dragons*.

OUR PEOPLE

- The Acting Manager Library Services attended the Central West Library Zone meeting held in Bathurst in March. Councillor Katie Dicker also participated, marking her first meeting as the NSWPLA Councillor delegate for Mid-Western Regional Council. During the meeting, the Manager Library Services was elected Minute Secretary. Zone meetings provide a valuable forum for sharing ideas, collaborating on regional initiatives, and strengthening professional networks. They also offer councillors meaningful insight into the strategic role libraries play within their communities.
- The Manager Library Services' six-month secondment as Acting Director Community was extended by a further three months, with a return to the library scheduled for April.

Community Plan implications

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

Strategic implications

Council Strategies

Delivery Program 2022/23-2024/25

Operational Plan 2024/25

Library Strategic Plan

Council Policies

Collection Development Policy

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

RACHEL GILL
MANAGER LIBRARY SERVICES

RICHARD CUSHWAY
ACTING DIRECTOR COMMUNITY

11 April 2025

Attachments: 1. Library Services Quarterly Statistics - Jan-Mar25.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Library Services

Quarterly Statistics – January/February/March 2025

We handle enquiries for the

25,760

residents who call
our region home



Collections | Print and Online



Total
Loans

27,969

22,569¹



eResource
Access

11,114

6,632¹



New Items
Added

10,323

3,967¹

Requests for Items



Purchase
Requests

165

159¹



Total Inter-Library
Loan Requests

43

30¹

Outreach | Mobile Library



Visits

261

283¹



Loans

728

794¹

Programs and Activities



Book Group
Attendance

56

66¹



Total
Events

131

105¹



Total
Attendees

1,245

1,195¹

People | Across All Branches



Visits

20,651

19,581¹



Members

13,891

52% of residents
13,095¹

Spaces | Bookings



Meeting Room

78

21¹



Event Zone

38

37¹

Internet Access



PC Usage

2,007

1,776¹



Wifi

6,364

connected hours
6,314¹

Online Engagement



App
Launches

2,658

1,439¹



Facebook
Page Reach

11,656

9,395¹



Website
Views

8,870

9,701¹



Catalogue
Views

10,079

9,000¹

¹ 2024 quarterly comparison

11.3 Community & Cultural Services Quarterly Update

REPORT BY THE MANAGER COMMUNITY & CULTURAL SERVICES
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, COS300010

RECOMMENDATION

That Council:

1. **receive the report by the Manager Community & Cultural Services on the Community & Cultural Services Quarterly Update; 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 any issues and events of note that arose during the period January to March 2025 and into the foreseeable future.

Disclosure of Interest

Nil

Detailed report

Community Development

Community Development funding arrangements with the Department of Communities & Justice have been extended to 31 December 2025. The funding model will be adjusted post this date and five-and-a-half-year contracts offered to organisations. It is anticipated that Council will be one of two local organisations offered this funding.

Interagency meetings hosted by Council have been well attended in both Mudgee and Gulgong (in-person and hybrid TEAMS meetings). The meetings provide a vital network and contribute to a coordinated approach to key issues raised by Interagency stakeholders, including domestic violence, mental health and homelessness. Service representation at meetings include Wellways, Marathon Health, Veritas House, NALAG, Plus Community, Barnardos, Warrabinga, Uniting, Disability Advocacy NSW, Social Futures, StandBy Support, Council (Road Safety, Community Transport and Meals on Wheels), Department of Communities and Justice, Services Australia, Community Care Team, Rylstone HealthOne, the National Redress Scheme, The Benevolent Society and Lifeline Central West.

Advocacy, education and awareness are the focus areas for 2025 for Mid-Western People Against Violence group to which Council provides secretariat support. A comprehensive service map and user plan have been identified as an important need for community. Representation is provided by Warrabinga, Wellways, Council, Western NSW Local Health District and Barnardos.

The 2025 Seniors Festival held from 3 to 16 March was delivered on time, within budget and safely. A very good response to most events and very positive feedback was received. This year a total of 20 events or initiatives were coordinated including the arts competition and Senior Citizen of the Year awards with a total attendance of around 300 seniors. Other activities included lunches, morning teas, exhibitions, workshops and bus trips.

Other regular (well-attended) activities coordinated by Council's Community Development team include the Wollemi Singers, Wirimbili-yalni Wiradjuri walan Indigenous Plants Community Garden, children's January holiday workshops, and Lifeline Central West Men's Growth Rooms in Mudgee and Kandos.

Community Transport

The service is still needing more volunteer drivers. Recruitment advertising continues on social media and within Council's Community News.

Social outings continued throughout the reporting period and remain popular.

Contractual outputs have increased.

Cultural Services

Mudgee Arts Precinct produced four exhibitions and two exhibition openings between January – March 2025: MAP Portrait Prize, The Good: Anna Louise Richardson and Udder Bliss: Life on the Farm, and the opening of Towards Understanding: The Art of Graham Smith. This was supplemented by an extensive education program that included tours, workshops and activities.

In January, the Precinct coordinated a number of school holiday workshops for children and teens. The first of these were linked to the MAP Portrait Prize and included guided tours of the exhibition. The Superhero Portrait Workshops were very successful with almost fifty participants and ran again the following week due to the demand. The Many Me's Portrait Workshops were also very successful and well attended, aiming to complement the Next Gen Portrait Prize. At the end of the school holidays, a number of Kids on the Farm Workshops were coordinated alongside the Life on the Farm exhibition. These workshops included guided tours of the exhibition and were again very well attended. Children produced their own William Robinson inspired visions of farm life which were subsequently exhibited in the Community Gallery using the recently purchased reusable frames.

In February, the Precinct recommenced the ongoing Community Workshop initiatives, including Seniors Art for Wellbeing, Accessible Arts for people with disability, and our programs for Mudgee Disability Support Services and Mudgee Life Skills.

The Precinct also offered tours and workshops to Mudgee Out of School Hours Care and Happy Days Learning Centre in Gulgong.

Family Day Care

The waiting list for child care vacancies fluctuated slightly throughout the period, landing at 75 children requiring care at the conclusion of the quarter. Families continue to contact the Coordination Unit seeking care within the region.

Family Day Care continues to attempt to recruit educators, including those in the SA2 area who are eligible for financial assistance (as per grant guidelines).

All current educators have transitioned to electronic attendance records for the children using care, through a system called Harmony Web. The system has been implemented successfully with both families and the educators enjoying the streamlined system.

The Coordination Unit will transition to overseeing the gap fee payment from 7 July 2025, through the Harmony Web collection system, redPay.

Meals on Wheels

There has been an increase in the number of clients being referred to Meals on Wheels, with more clients subsequently signing on for meal delivery. This has led to a rise in contractual outputs. There has been consistent feedback from clients on the high quality of the meals being provided.

Youth Services

The January School Holiday program was a great success with workshops including rock climbing walls, fishing competition, pump track, STEM, animation and comedy workshops across Kandos, Rylstone, Gulgong and Mudgee.

Since the opening of the pump track in December, the pump track workshop was completely booked out and was enjoyed by youth across the region in learning how to use the pump track safely whilst learning some cool tricks.

Day excursions out of the region continue to be incredibly popular and sell out quickly. This summer, youth visited the Dubbo Art Museum followed by ten pin bowling.

Other regular activities coordinated by Youth Services include a journalling/book club in Kandos, social Minecraft sessions in Gulgong, Creative Fridays at the Mudgee Arts Precinct Cultural Workshops and monthly tabletop and roleplaying games.



Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable.

Council Policies

Not Applicable.

Legislation

Not Applicable.

Financial implications

Not Applicable.

Associated Risks

Not Applicable.

FIONA SHEARMAN
MANAGER COMMUNITY & CULTURAL
SERVICES

RICHARD CUSHWAY
ACTING DIRECTOR COMMUNITY

23 April 2025

Attachments: 1. Community & Cultural Services - Quarterly statistics - January to March 2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Community and Cultural Services

Quarterly Statistics – January to March 2025

Community Development



Activities/events delivered

44

45¹



Participant numbers

688

556¹

Meals on Wheels



Meals delivered

2,618

1,425¹



Registered volunteers

84

103¹

Community Transport



Trips delivered

1,632

1,375¹



Kilometres driven

87,288

78,211¹



Registered volunteers

18

18¹

Family Day Care



Educator numbers

7

9¹



Care hours delivered

10,309

12,077¹



Families on the waitlist

75

104¹

Cultural Services



Visitation numbers

11,189

9,267¹



Activities delivered (including tours)

21

11¹



Activity participants

402

185¹

Cultural Services Online Engagement



Web visits

19,988



Views

59.4K



Cultural workshop bookings

78

102¹



External bookings

4

7¹



Reach

12K



Content interactions

1,562

Youth Services



Events coordinated

27

18¹



Participant numbers

752

291¹



Social media views

137,681



Youth Councillors

5

5¹

¹ 2024 quarterly comparison

11.4 Installation of Australian Flags and Flagpoles – Rylstone and Gulgong Administration Buildings

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 21 MAY 2025 ORDINARY MEETING
GOV400113, CUS600008

RECOMMENDATION

That Council:

1. **receive the report by the Acting Director Community on the Installation of Australian Flags and Flagpoles – Rylstone and Gulgong Administration Buildings;**
2. **approve the installation of the flagpoles at the proposed locations and, following installation, the flying of the Australian Flag by Council staff in accordance with National Flag protocols; and**
3. **amend the 2024/25 budget to include an allocation of \$6,000, with \$3,000 each allocated to the Rylstone and Gulgong administration office operational budgets funded from unrestricted cash.**

Executive summary

At its December 2024 meeting, Council requested a report on the feasibility, cost, and regulatory implications of installing Australian flags and flagpoles at Council's Administration buildings in Rylstone and Gulgong.

Council staff have since assessed both sites and can confirm that installations are feasible with minor variations in complexity. The proposed installations would comply with National Flag protocols and are permissible under relevant planning legislation as exempt development, subject to certain conditions.

The estimated total cost is \$6,000, covering two poles, Australian flags, installation, and fabrication of mounting brackets at Gulgong.

Disclosure of Interest

Nil

Detailed report

Site Assessments

Rylstone Administration Building

The site has ample space on the northern side of the building, within the landscaped garden area.

There are no obstructions, and the space allows for safe and convenient flag-raising and maintenance.

Gulgong Administration Building

The presence of overhead power lines at the front of the building presents a constraint.

To ensure safety and compliance, the flagpole will be set back from the façade, away from the power lines.

Custom metal brackets will be fabricated to mount the flagpole securely to the side of the building.

It is recommended that the 2 existing wooden flag poles be removed to allow for the unobstructed flying of the Australian flag. Note that these wooden flagpoles are not able to be used due to unsafe access for Council staff and their proximity to overhead power lines. (refer to image)

Regulatory and Compliance Considerations

The Australian National Flag protocols must be followed, including correct positioning and condition of the flag, and lighting if flown at night. Please note that the flag will only fly during Council business hours; therefore, no lighting is required at either site.

Planning staff advised that if it is likely to affect a State or local heritage item or a heritage conservation area, it must have no more than **minimal impact on the heritage significance** of the item or area, which Council staff believe both of these installations would have minimal impact.

Subsequently, Council staff consider that both proposed installations meet the exemption criteria and do not require development consent.

Proposed Flag Pole Locations

Rylstone Administration Building



Gulgong Administration Building



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

State Environmental Planning Policy (Transport and Infrastructure) 2021

Financial implications

The total estimated cost for the supply and installation at both sites is \$6,000 (incl. GST), and the ongoing purchase of 2 replacement Australian flags per annum at \$500 each would need to be considered.

Budget Year	Operating Performance Ratio	Own Source Revenue	Building & Infrastructure Renewal
2024/5	✗	-	-
Future Years	✗	-	✗

Associated Risks

Safety Compliance: Installation near power lines at Gulgong must ensure electrical safety clearances. Contractors will be required to comply with Work Health and Safety (WHS) regulations.

Ongoing Maintenance: Flags will require periodic replacement due to weather exposure. This will be factored into ongoing building maintenance schedules.

Public Perception: The presence of national flags may attract positive attention, but failure to follow flag protocols (e.g. torn or faded flags) may result in negative feedback. Staff will ensure ongoing compliance.

RICHARD CUSHWAY
ACTING DIRECTOR COMMUNITY

7 May 2025

Attachments: Nil

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

11.5 Mudgee Centre of Excellence Training Camp Progress Update

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 21 MAY 2025 ORDINARY MEETING
GOV400105, FIN300368, GOV400113

RECOMMENDATION

That Council receive and note the report by the Acting Director Community on the Mudgee Centre of Excellence Training Camp Progress Update.

Executive summary

This report provides an update to Council on the progress of the Mudgee Centre of Excellence Training Camp facility. The Construction Certificate was issued on 15 April 2024, allowing construction of the major parts of the project to commence, and the design and construction was completed and notified by MWRC in writing as of 24 April 2025.

In addition, the planning portal has caused delays in lodging all our documentation but as of 12 May these issues have been resolved and we now have an occupation certificate number and are now waiting for final occupation certificate once the fire brigade respond, this can take a maximum of 10 days from 12 May.

Disclosure of Interest

Nil

Detailed report

This report provides a quarterly update on the progress of the Mudgee Centre of Excellence Training Camp project.

The building construction phase has now been completed. The final stages were the internal works on Building B & C, including pavements around these buildings, along with final works on the landscaping, car park and fencing.

The contractor is currently reviewing and progressing through the minor defects list and providing updates on completed works.

Note that works are continuing on the adjacent accommodation house and surrounds, which will operate as part of the facility and will be completed by the end of August 2025.

To date, \$15.5 million has been spent on the project, and when including other commitments, the total actual is estimated at \$16.0 million vs. the total budget of \$16.2 million.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

This project is budgeted, and no additional funds are requested from Council with this report.

Associated Risks

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

Until the Occupation Certificate is received, the premises may not be legally deemed fit for occupancy, as this could compromise the validity of the Council's insurance coverage and present a significant operational and legal risk. This could result in claims not being covered, exposing the Council to potential financial and reputational harm.

RICHARD CUSHWAY
ACTING DIRECTOR COMMUNITY

8 May 2025

Attachments: 1. Mudgee Centre of Excellence Training Camp Progress Report May 2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MUDGEES CENTRE OF EXCELLENCE TRAINING CAMP PROGRESS REPORT

12 MAY 2025

MID-WESTERN REGIONAL COUNCIL
MID-WESTERN REGIONAL COUNCIL
COMMUNITY



COMMUNITY | MUDGEES CENTRE OF EXCELLENCE TRAINING CAMP PROGRESS REPORT

THIS DOCUMENT HAS BEEN PREPARED BY RICHARD CUSHWAY, ACTING DIRECTOR COMMUNITY FOR MID-WESTERN REGIONAL COUNCIL.

ANY QUESTIONS IN RELATION TO THE CONTENT OF THIS DOCUMENT SHOULD BE DIRECTED TO:
RICHARD.CUSHWAY@MIDWESTERN.NSW.GOV.AU OR (02) 6378 2850

DATE OF PUBLICATION: 12 MAY 2025

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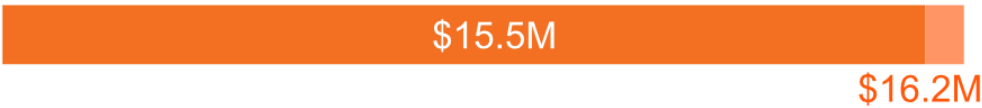
Mudgee Centre of Excellence Training Camp Progress Report

As of 12 May 2025, the project progress for the Mudgee Centre of Excellence Training Camp is 98%.

OVERALL PROJECT PROGRESS



PROJECT EXPENDITURE



PROJECT EXPENDITURE COMMITTED



Scope

The Mudgee Centre of Excellence training camp project is a major project being delivered to provide an accommodation facility to compliment the Glen Willow Regional Sporting Complex. The training camp is being designed to cater for elite sporting teams as well as schools and junior sports teams and other groups that can make use of the area and the sporting facilities at Glen Willow.

Achievements and Highlights

- Buildings A, B & C complete
- Landscaping complete
- Perimeter fencing complete
- Pavement/carpark complete

Next 3 Months

- Obtain Occupation Certificate
- Defects to be rectified by North

COMMUNITY | MUDGEES CENTRE OF EXCELLENCE TRAINING CAMP PROGRESS REPORT

Photos



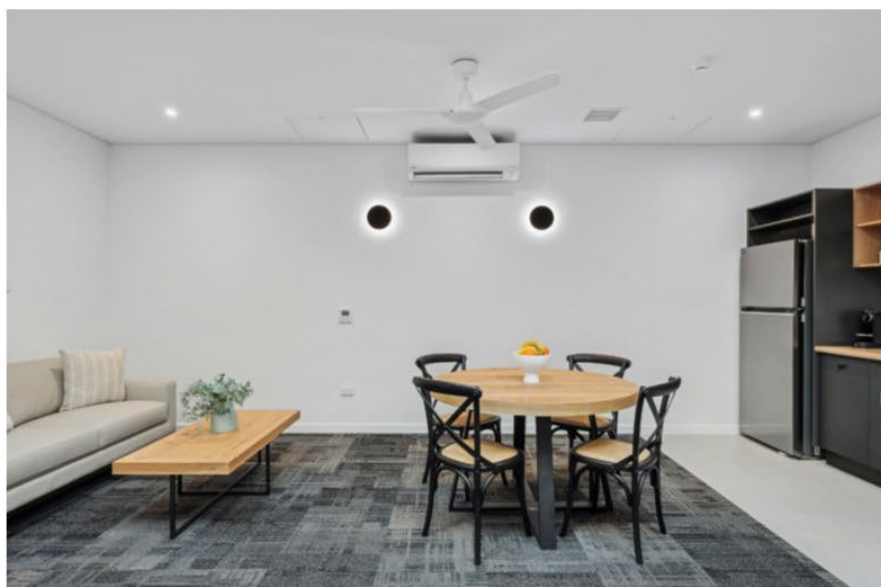
COMMUNITY | MUDGEES CENTRE OF EXCELLENCE TRAINING CAMP PROGRESS REPORT



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COMMUNITY | MUDGEE CENTRE OF EXCELLENCE TRAINING CAMP PROGRESS REPORT



11.6 Mudgee Valley Park Expansion Project Progress Update

REPORT BY THE ACTING DIRECTOR COMMUNITY

TO 21 MAY 2025 ORDINARY MEETING

GOV400105, FIN300365, COR400446

RECOMMENDATION

That Council receive and note the report by the Acting Director Community on the Mudgee Valley Park Expansion Project Progress Update.

Executive summary

This report provides an update on the progress of the Mudgee Valley Park Expansion Project, which aims to address immediate key worker accommodation needs and support long-term tourism growth. Council previously endorsed the expansion at the meeting held on 19 April 2023. The development includes 15 new cabins of various configurations, offering flexible accommodation options. Construction and installation works are well underway, with the majority of cabins either completed or nearing readiness for occupancy.

Disclosure of Interest

Nil

Detailed Report

At the Council Meeting held on 19 April 2023, Council endorsed the further expansion of the Mudgee Valley Park as part of its strategic approach to supporting key worker housing and enhancing tourism infrastructure. The approved scope of the project includes the development of 15 new cabins:

- 7 x 1-bedroom cabins
- 3 x 2-bedroom cabins
- 2 x 2-bedroom accessible (DDA-compliant) cabins
- 3 x 4-bedroom cabins

Project Progress to Date:

- All seven 1-bedroom cabins have been completed and are ready for occupancy.
- Two of the three 4-bedroom cabins have been installed.
- All three 2-bedroom cabins, including the two accessible cabins, have been installed and fully furnished, ready for occupancy.

The estimated completion date for the remaining works and full delivery of the project is March 2026.

Community Plan implications

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

Strategic implications

Council Strategies

Community Strategic Plan

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Budget is already in place for this project.

Associated Risks

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

RICHARD CUSHWAY
ACTING DIRECTOR COMMUNITY

8 May 2025

Attachments: 1. Mudgee Valley Park Expansion Project Progress Report May 2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



MUDGEES VALLEY PARK EXPANSION PROJECT – STAGE 3 PROGRESS REPORT

9 MAY 2025

COMMUNITY
COMMUNITY
COMMUNITY



COMMUNITY | MUDGEY VALLEY PARK EXPANSION PROJECT – STAGE 3 PROGRESS REPORT

THIS DOCUMENT HAS BEEN PREPARED BY RICHARD CUSHWAY, ACTING DIRECTOR COMMUNITY FOR MID-WESTERN REGIONAL COUNCIL.

ANY QUESTIONS IN RELATION TO THE CONTENT OF THIS DOCUMENT SHOULD BE DIRECTED TO:
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DATE OF PUBLICATION: 12 MAY 2025

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Stage 3 Progress Report

As of 9 May 2025, the stage 3 project progress for the Mudgee Valley Park Expansion Project is 61 %.

STAGE 3 PROJECT PROGRESS



PROJECT EXPENDITURE



PROJECT EXPENDITURE COMMITTED



Scope

At the meeting held on April 19, 2023, Council endorsed the further expansion of the Mudgee Valley Park. This investment opportunity for further expansion includes the approved development of 15 new cabins (7 x 1-bedroom cabins, 3 x 2-bedroom cabins, 2 x 2 DDA bedroom cabins, 3 x 4-bedroom cabins, not including any infill cabins that can be installed when sites become available) to deliver key worker housing in the short term (3-5 years) and in the long-term increase tourism beds available to meet these growing demands.

Achievements and Highlights

- The first 7 x 1 – Bedroom cabins have been completed ready to be occupied
- Two- of the 4-bedroom cabins have been installed
- All two-bedroom cabins have been installed and furnished ready to be occupied including two ability access

Next 6 Months

- Infrastructure is continuing to proceed

COMMUNITY | MUDGE VALLEY PARK EXPANSION PROJECT – STAGE 3 PROGRESS REPORT

Photos



COMMUNITY | MUDGEE VALLEY PARK EXPANSION PROJECT – STAGE 3 PROGRESS REPORT



COMMUNITY | MUDGEE VALLEY PARK EXPANSION PROJECT – STAGE 3 PROGRESS REPORT



COMMUNITY | MUDGEE VALLEY PARK EXPANSION PROJECT – STAGE 3 PROGRESS REPORT

11.7 Solar Array Progress Report

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 21 MAY 2025 ORDINARY MEETING
GOV400103, ENE100032, GOV400113

RECOMMENDATION

That Council receive and note the report by the Acting 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 construction of the Solar Array is complete including fencing. Work still to be completed includes installation of the Ring Main Unit, Network Augmentation, and Network Approval.

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 \$9,364,000 for the Stage 3 works.

Construction	\$7,764,000
Network Upgrades	\$750,000
Consulting Stage 3, including project management & network connections	\$600,000
Project contingency	\$50,000
Business oncosts and insurance	\$200,000
Total Stage 3	\$9,364,000

Associated Risks

The primary risk currently is approval by Essential Energy regarding the replacement and upgrade of electricity poles in the area to support increased electricity supply in the local grid. The original design submitted was rejected and referred to our network designer to amend, this original design was what our current contract for the physical network upgrade was both priced and scheduled on. The revised design now with Essential Energy and pending approval by them, has potential changes to the contract for the network upgrade. In short, this unapproved change in design could result in an increase of scope leading to both a delay on schedule to fit the works in and a variation in the budget.

There is budget contingency that could potentially cover this; however the greatest risk is outside of Council control as Essential Energy must ensure that the network upgrades meet regulatory standards, especially in an evolving energy market and grid. The delay in this approval and being able to notify the contractor for the physical network upgrades and receiving confirmation of both expense and timeline is still currently unknown. The next stakeholder meeting with Essential Energy will be on the 21st of May.

Budget contingency is also a moderate risk of being used to ensure that the Occupational Certificates required for the Development Approval is met and the site can be operated as an energy generator. The outcome of this approval has some budget contingency allocated however it still poses a risk of not being met and/or amendments being required if the information provided is not satisfactory.

Should Council

RICHARD CUSHWAY
ACTING DIRECTOR COMMUNITY

8 May 2025

Attachments: 1. Solar Array Progress Report May 2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER



SOLAR ARRAY PROGRESS REPORT

8 MAY 2025

MID-WESTERN REGIONAL COUNCIL
MID-WESTERN REGIONAL COUNCIL
COMMUNITY

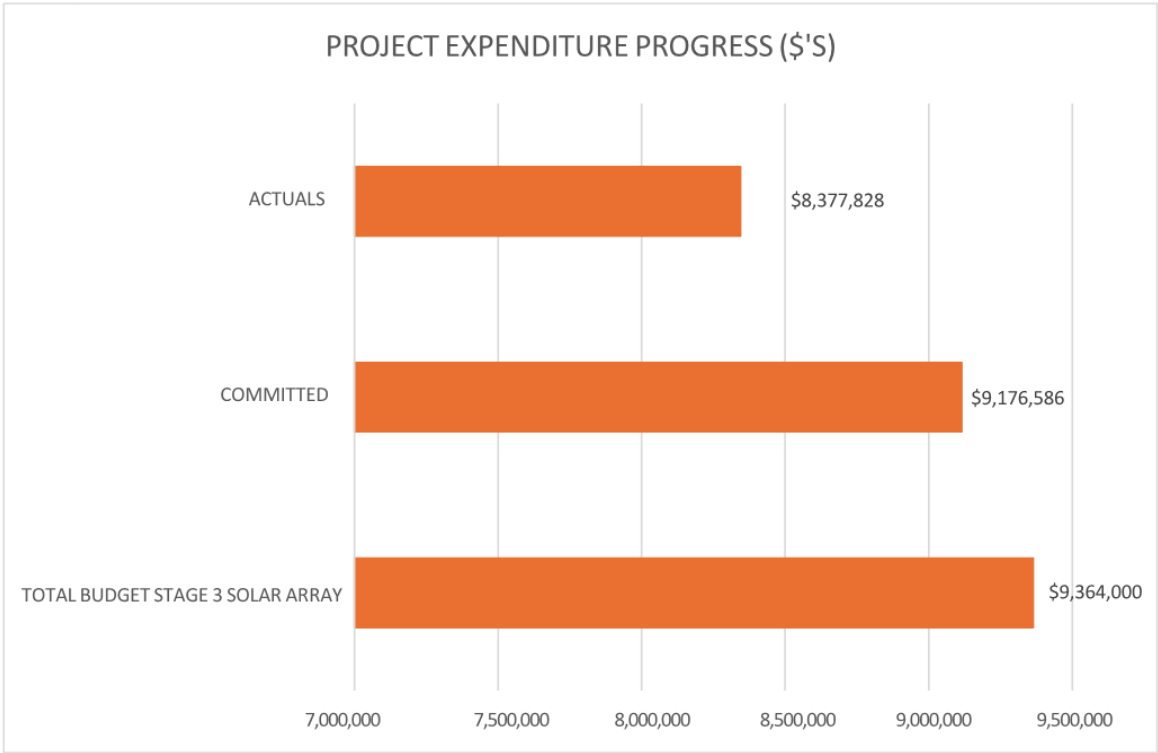
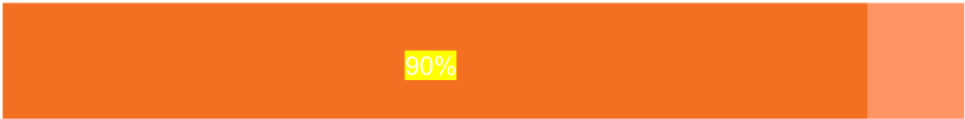
■ ■ ■ ■ ■ TOWARDS 2030



Project Update

As of 12 May 2025, the overall project progress of the Solar Array Project was approximately 90%.

OVERALL PROJECT PROGRESS



COMMUNITY | SOLAR ARRAY PROGRESS REPORT

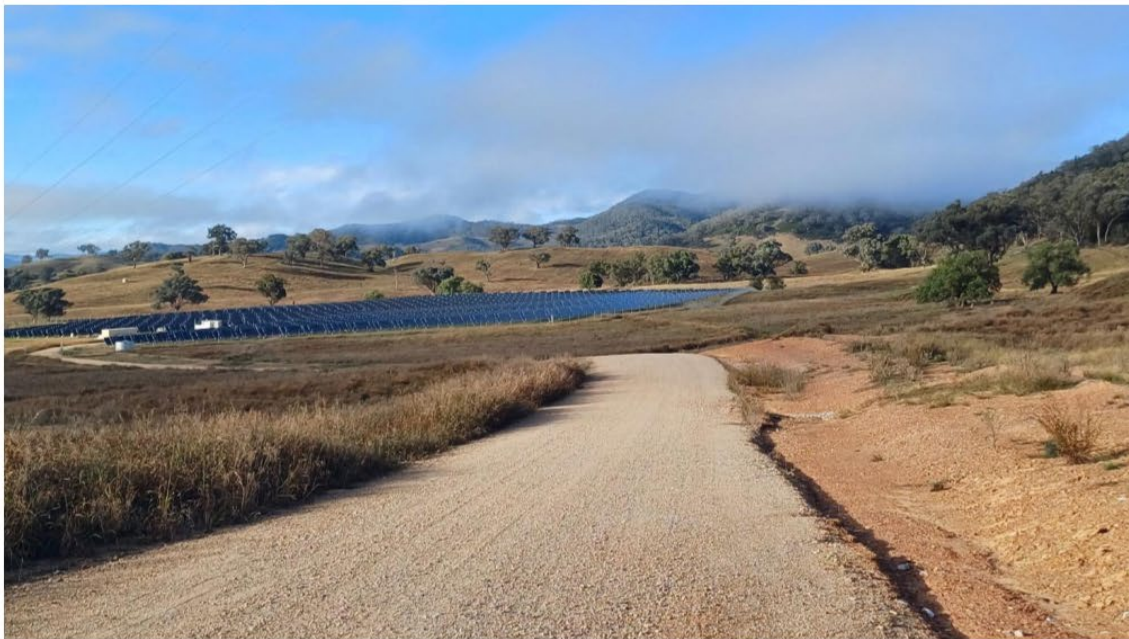
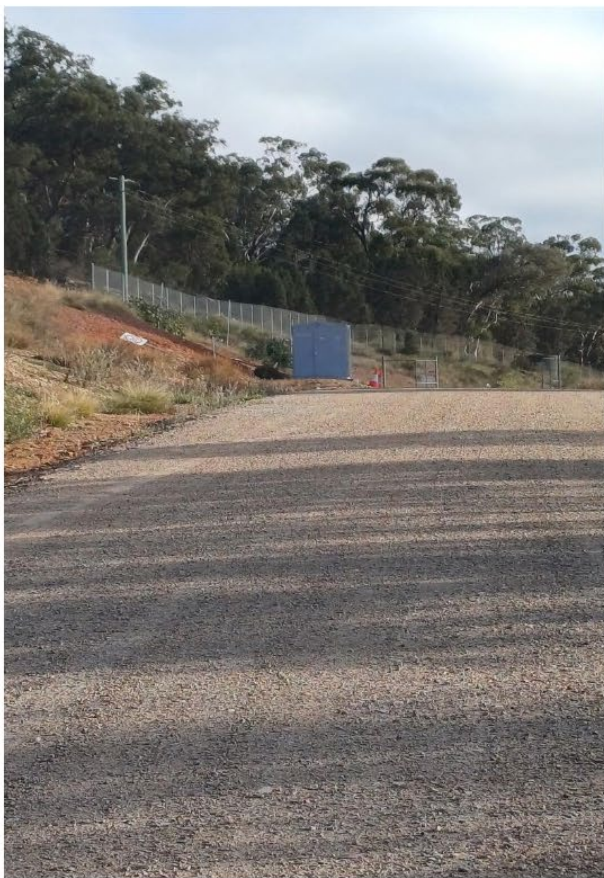
Achievements and Highlights

- Construction of the solar array has been completed
- Fencing for the solar array has been completed
- Ring Main unit has been completed

Works still to be completed

- Network Augmentation
- Network Approval

COMMUNITY | SOLAR ARRAY PROGRESS UPDATE



Item 12: Reports from Committees

12.1 Local Traffic Committee Meeting Minutes - April 2025

REPORT BY THE ADMINISTRATION ASSISTANT - INFRASTRUCTURE PLANNING
TO 21 MAY 2025 ORDINARY MEETING
GOV400105, A0100009, GOV400113

RECOMMENDATION

That Council receive the report by the Administration Assistant - Infrastructure Planning on the Local Traffic Committee Meeting Minutes - April 2025.

Executive summary

The purpose of this report is to advise Council and seek support of the considerations and recommendations of the Local Traffic Committee (LTC).

Disclosure of Interest

Nil

Detailed report

The Local Traffic Committee meeting was held on Friday, 17th April 2025.

Three event reports were considered:

- *Henry Lawson Festival 2025*
- *Rylstone StreetFeast 2025*
- *Marys Mayhem Cycling Event 2025*

No traffic reports were considered.

General Business items included:

- *Fundraising marathon runner on Castlereagh Highway*
- *Various signs installed*
- *Statistics on fatalities in NSW*
- *Douro/ Horatio St Intersection*
- *Southside shopping plaza parking concerns*
- *Lions Drive/Sydney Rd & Burrundulla Rd intersection*

Full discussion notes are included in the attached report.

Community Plan implications

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

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

Not Applicable

Financial implications

Not Applicable

Associated Risks

Not Applicable

JACQUALYN PERRING
ADMINISTRATION ASSISTANT -
INFRASTRUCTURE PLANNING

CLAIRE CAM
ACTING DIRECTOR OPERATIONS

24 April 2025

Attachments: 1. MINUTES - Local Traffic Committee - 17.4.2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Mid-Western Regional Council

Date: 17 April 2025

Minutes of the Local Traffic Committee

Held at the Operations Meeting Room, 54 Depot Road Mudgee
on 17 April 2025.

Present	Don Cottee (MWRC), Peter Wormald, Cr Alex Karavas, Garry McGovern (NSW Police), Nathan Murphy (TfNSW)(Teams), Samantha Cecchini (MWRC-Observer), Jacinta Moss (TfNSW) (Teams).
Apologies	Julian Geddes (MWRC), Mark Fehon (NSW Police), Simon Fogerty (NSW Police), Thomas Worley (TfNSW), Phillip Cooper (Ogdens Coaches-Observer), Clr Marcus Cornish (Observer)
Secretary	Jackie Perring (MWRC)

The LTC meeting commenced at 9:30am.

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.

MINUTES OF PREVIOUS MEETING

RECOMMENDATION

That the Minutes of the previous Local Traffic Committee held on 26 March 2025 be taken as read and confirmed.

The Minutes of the Local Traffic Committee held on 26 March 2025 were taken as read and confirmed.



MATTERS IN PROGRESS – MARCH 2025

SUBJECT	RES NO. & DATE	CLOSE	ACTION
CAERLON BUS PICK UP	FEB2021-1		<p>15/3 STILL IN PROGRESS, EXPECTATIONS ARE THAT THIS IS A 2 YEAR PROCESS. ADDITIONAL ROAD TO BE ADDED BY COUNCIL.</p> <p>19/4 THE HONE CREEK DRIVE EXTENSION TO FAIRYDALE LANE WILL NOT BE COMPLETED UNTIL 2026. IN THE MEANTIME A TEMPORARY BUS TURN AROUND WITHIN CAERLEON ESTATE WILL BE PROVIDED BY THE DEVELOPER WITH THE CONSTRUCTION OF FUTURE STAGES OF THE SUBDIVISION.</p> <p>13/6/2024 – Don has visited site and has met with Ogdens. To be discussed in General Business 21/6/2024 – Don & Sammy to speak to Ogdens & Dept of Transport as to what can be done. Tentative barrier may be erected. Stage 14 of Caerleon will include a roundabout at entrance to estate</p> <p>10/7/2024 – TfNSW email changing speed zone to 50km past Hone Creek entrance to Caerleon Estate.</p> <p>16/12/2024 – Signage installed – TfNSW to review 100 sign location</p> <p>21/2/2025 – Advice by TfNSW that additional signage would be installed at the end of March. There will be cameras going up at the intersection of Castlereagh Highway and Hill End Rd to observe driver behaviour for four weeks.</p>
MEARES ST SPEEDING			<p>Various complaints re speeding on Meares St and entrance exit to Hospital car park. Samantha Cecchini would like to propose that we do a road study at multiple locations (including Robertson Rd due to other complaints) to identify any speeding trends</p> <p>21/6/2024 – Road study being undertaken Meares & Robertson Rds. Results will be brought to next meeting. 9/8/2024 – Road study results in General Business for LTC meeting 16/8/2024. 19/8/2024 – Concept design to be drawn and supplied to next meeting 22/1/2025 – Request sent to TfNSW for assistance with funding for concept design</p>



MATTERS IN PROGRESS – MARCH 2025

SUBJECT	RES NO. & DATE	CLOSE	ACTION
SI0035/2025 - Request for elderly crossing signage near Wenonah Lodge –	Oct 2024 Meeting		Traffic counters put into place to get information on traffic and speed at this location (including Wenonah Ave towards Flirtation Hill) – See report in Agenda 13/12/2024 meeting 13/12/2024 – TfNSW and RSO to check location and investigate further. 23/1/2025 – Request by SC to Roads Dept to have edge and centre lines extended to cover this area. 6/2/2025 – Medley St Seg 100 added to urban line marking program early next financial year.
Concerns for speeding on Mayne St Gulgong	February 2025 Meeting		Concerns have been raised about the speed limit on Mayne Street Gulgong after two near accidents. Primarily a policing issue, however Council required to consider the area being a High Pedestrian Area, consider concerns around preserving the environment. Action: Further investigation required - MWRC

PAST EVENT DEBRIEF

EVENT	



CALENDAR OF EVENTS

2025		
MONTH	DATE	COMMENTS
JANUARY		
Mudgee Tri Club club race day 2024/2025 season	19/1/2025	Acceptance by LTC emailed 30/8/2024 - MWRC Min256/24 giving approval emailed 21/10/2024
FEBRUARY		
Mudgee Tri Club club race day 2024/2025 season	16/2/2025	Acceptance by LTC emailed 30/8/2024 - MWRC Min256/24 giving approval emailed 21/10/2024
Charity Shield – South Sydney v St George Dragons	22/2/2025	Acceptance of Glen Willow Major Events Traffic and Pedestrian management plan 2025-2026 by LTC emailed 19/12/2024 – Going to Feb Council meeting.
MARCH		
Tour de Cure Westpac Cycling Tour	8-11 March 2025	Acceptance by LTC emailed 10/1/2025. Ratification by LTC emailed 25/2/2025. MWRC Min86/25 19/3/2025 giving approval emailed 25/3/2025.
Can Cruise	15/3/2025	Letter of support by LTC emailed 25/2/2025. MWRC Min86/25 dated 19/3/2025 giving approval emailed 25/3/2025. Approval not required.
Mudgee Tri Club club race day 2024/2025 season	16/3/2025	Acceptance by LTC emailed 30/8/2024 - MWRC Min256/24 giving approval emailed 21/10/2024
Dubbo Black Dog Ride	16/3/2025	Approval not required
APRIL		
Mudgee Tri Club club race day 2024/2025 season	6/4/2025	Acceptance by LTC emailed 30/8/2024 - MWRC Min256/24 giving approval emailed 21/10/2024
Mudgee ANZAC Day	25/4/2025	Acceptance by LTC emailed 25/2/2025. MWRC Min86/25 dated 19/3/2025 giving approval emailed 25/3/2025.
Gulgong ANZAC Day	25/4/2025	Acceptance by LTC emailed 25/2/2025. MWRC Min86/25 dated 19/3/2025 giving approval emailed 25/3/2025.



MAY		
Mudgee Classic 2025	3-4/5/2025	Acceptance by LTC emailed 16/12/2024 - MWRC Min46/25 giving approval emailed 26/2/2025
JUNE		
Henry Lawson Heritage Festival 2025	7/6/2025	Report going to April LTC meeting.
JULY		
Mudgee Small Farm Field Days" Friday and Saturday,	11-12/7/2025	Acceptance by LTC emailed 2/4/2024
AUGUST		
NRL Premiership Penrith Panthers v Canberra Raiders	22/8/2024 6pm kick off	Acceptance of Glen Willow Major Events Traffic and Pedestrian management plan 2025-2026 by LTC emailed 19/12/2024 – MWRC Min46/25 giving approval emailed 26/2/2025
MUDGEES BIKE RIDE "MARY'S MAYHEM"	2-3/8/2025	Report going to April LTC meeting.
Mudgee running festival event		
SEPTEMBER		
The Central West Charity Tractor Trek	September 2025	Acceptance by LTC emailed 19/12/2024 – MWRC Min46/25 giving approval emailed 26/2/2025
2025 Mudgee High School Year 12 Rainbow Day		
2025 Flavours of Mudgee street festival		
OCTOBER		
NOVEMBER		
Rylstone Street Feast	1/11/2025	Report going to April LTC meeting.
DECEMBER		
Mudgee Cup		
Mudgee Showground Carols		

Red = Unapproved
Green = Approved
Orange – Approval not required

Nil



25/010 GENERAL BUSINESS

FUNDRAISING MARATHON RUNNER ON CASTLEAREAGH HIGHWAY

LTC has received an inquiry from a member of the public re running along the side of the Castlereagh Highway to raise funds for MS.

Hi, I am emailing as I recently called the council about an upcoming charity run taking place on May 5th. I am doing the run by myself to raise money for MS, I'm 19 and my mum has had the disease for 33 years so I am planning to run 6 marathons in 6 days from Mudgee to Sydney. The run will go from May 5th to May 10th and my main concern was if I needed to notify you guys or get permission to run on the side of the road/ castlereagh hwy, I presumed it would be ok, provided I wear bright clothing - which I will.

So I was just emailing notify of the event taking place, and if you needed to contact me about any problems with this. My mum and a group of others walked a similar route in 2010, and they had a vehicle with them, but it is just me running so will be very minimal running on the very edge of the road.

MWRC Roads Department have advised they have no objection. Noted for LTC for information.

Action: Reply to be sent to letter thanking for correspondence and advising all care to be taken.

ADDITIONAL GENERAL BUSINESS

NSW police advised:

- The Stop sign at Rocky Waterhole Rd & Burrundulla Road has been erected,
- The Stop sign at Oporto Rd & Havilah Terrace is having a positive impact,
- Statistics on fatalities in NSW up to end of march 2025 is 53 fatalities in NSW which includes 3 in the Orana West Region.
- Douro St intersection with Horatio St at Mudgee High School is a disaster. Recommends traffic lights at this location. *Chair advised that Council has allocated funding for a review of the 2015 Traffic Study. In addition to this, Council has written to the UGL regarding the opening of Cox Street which may alleviate some of the issues.*

Clr Karavas advised:

- that he had been approached regarding parking in the Southside shopping plaza. *Members advised that there is intended to be a review of the whole area.* He requested this matter be added to Matters in Progress.
- That he had been approached regarding the intersection of Lions Drive, Sydney Road and Burrundulla Road and visibility issues on approach from Lions Drive.



25/011 HENRY LAWSON FESTIVAL 2025

RECOMMENDATION

That the Local Traffic Committee accept this event – Henry Lawson Heritage Festival 2025 – to be held Saturday 7th June 2025.

That the event, Henry Lawson Heritage Festival 2025 be classified as a Class 2 Event under the “Guide to Traffic and Transport Management for Special Events Version 3.5” and proceeds with the following conditions:

- a) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the *Guide to Traffic and Transport Management for Special Events Version 3.5* and submitted to and approved by Council prior to the event.
- b) A Traffic Guidance Scheme (TGS) to be in accordance with Transport for NSW Traffic Control at Worksites Manual and certified by a person with a ‘Worksite Traffic Control Certificate’;
- c) Any person directing traffic on a public road is required to possess a valid traffic controller’s certificate;
- d) Events are to be undertaken in accordance with the requirements of the NSW Police Service with their approval documentation forwarded to Council for notation;
- e) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, the Transport for NSW and NSW Police Force are indemnified against any possible action as the result of the event;
- f) Controlling noise as required by the Protection of The Environment Operations (Noise Control) Regulation 2000;
- g) Reimbursing Council for the cost of damage repairs;
- h) Complying with any of Council’s Law Enforcement Officers’ directives;
- i) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- j) The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected at least two weeks prior to event commencement;
- k) Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date;
- l) Maintain a four-metre wide emergency vehicle lane;
- m) Notify NSW Fire and Rescue and the NSW Ambulance Service;
- n) The organiser is to have a debrief with Council and Police with all traffic control documentation and controls tabled for review.

MOTION:

That the above recommendation be accepted and approved.

CONCLUSION:

The event, Henry Lawson Heritage Festival 2025 was accepted and approved subject to Councils approval at the May 2025 Council Meeting.



25/012 RYLSTONE STREETFEAST 2025

RECOMMENDATION

That the Local Traffic Committee accept the event 2025 Rylstone Street Feast to be held 1 November 2025 be classified as a Class 2 Event under the “Guide to Traffic and Transport Management” for Special Events Version 3.5 with the following conditions:

- A. A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the Guide to Traffic and Transport Management for Special Events Version 3.4 and submitted to and approved by Council prior to the event.
- B. Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation.
- C. Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000.
- D. Reimbursing Council for the cost of damage repairs.
- E. Complying with any of Council's Law Enforcement Officers' reasonable directives.
- F. Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths.
- G. The qualification of the person creating the Traffic Guidance Scheme must be a holder of the Prepare a Work Zone Traffic Management Plan or superseded Select and Modify Certificate or the Design and Audit Certificate which has not expired.
- H. Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate.
- I. Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to list Council, Transport for NSW and NSW Police as Interested Parties.
- J. The event convener is to consult with all affected businesses and residents adjacent to the proposed closure, in writing, indicating the period during which their accesses will be affected.
- K. Maintain a four-metre wide emergency vehicle lane.
- L. Advertise the proposed event in local newspapers with relevant information at least two weeks prior to the date.
- M. The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review.
- N. Traffic Guidance Schemes are prepared in accordance with Transport for NSW Traffic Control at Worksites Manual.
- O. Subject to concurrence with NSW Trainlink

MOTION:

That the above recommendation be accepted and approved.

CONCLUSION:

The event, 2025 Rylstone Street Feast was accepted and approved subject to Councils approval at the May 2025 Council Meeting.



25/013 MARYS MAYHEM CYCLING EVENT

RECOMMENDATION

That the Local Traffic Committee Approve the event Marys Mahem (Mudgee bike ride) 2-3/8/2025 be classified as a Class 2 Event under the 'Guide to Traffic and Transport Management for Special Events Version 3.5', with the following conditions:

- a) Events are to be undertaken in accordance with the "Guidelines for Bicycle Road Races";
- b) A Special Events Transport Management Plan (TMP), is to be prepared in accordance with the "Guide to Traffic and Transport Management for Special Events Version 3.5 and submitted to and approved by Council prior to the event;
- c) Events are to be undertaken in accordance with the requirements of the NSW Police Force with their approval documentation forwarded to Council for notation;
- d) Controlling noise as required by the Protection of the Environment Operations (Noise Control) Regulation 2000;
- e) Reimbursing Council for the cost of damage repairs;
- f) Complying with any of Council's Law Enforcement Officers reasonable directives;
- g) Maintain areas in a clean and tidy condition. No obstructions are to be left on the roadways or footpaths;
- h) A Traffic Guidance Scheme (TGS) certified by a person with a 'Select & Modify' or a 'Design and Audit' Certificate be included in the TMP;
- i) Any person directing traffic on a public road is required to possess an appropriate traffic controller's certificate;
- j) Council must be provided with a current copy of a public liability insurance policy in the amount of at least \$20 million. Such a policy is to note that Council, RMS and NSW Police Force is indemnified against any possible action as the result of the event;
- k) The event convener is to notify all affected businesses and residents adjacent to the proposed closure indicating the period during which their accesses will be affected. Such notification is to be in writing;
- l) Provide alternative access for motorists or pedestrians with legitimate business within the closed section of roadway;
- m) Maintain a four-metre wide emergency vehicle lane;
- n) Advertise the proposed event in local newspapers with relevant information at least 2 weeks prior to the date;
- o) The organiser is to debrief with Council and Police with all traffic control documentation and controls tabled for review; and Transport for NSW consent required for use of the State and Regional road network.

MOTION:

That the above recommendation be accepted and approved.

CONCLUSION:

The event, Marys Mahem (Mudgee bike ride) was accepted and approved subject to Councils approval at the May 2025 Council Meeting.



CLOSURE

There being no further business the meeting concluded at 10.31am.

12.2 Gulgong Memorial Hall Committee Meeting

REPORT BY THE ACTING DIRECTOR COMMUNITY
TO 21 MAY 2025 ORDINARY MEETING
GOV400103, A0100024, GOV400105, GOV400113

RECOMMENDATION

That Council:

- 1. receive the report by the Acting Director Community on the Gulgong Memorial Hall Committee Meeting; and**
- 2. note the minutes from the Gulgong Memorial Hall Committee meetings held on Wednesday, 30 April 2025.**

Executive summary

The purpose of this report is to advise Council of the considerations and recommendations of the Gulgong Memorial Hall Committee meetings held on Wednesday, 30 April 2025.

Disclosure of Interest

Nil

Detailed report

The Gulgong Memorial Hall Committee met on 30 April 2025 as part of their ongoing meetings. Note the minutes for current actions and updates provided by the committee.

Community Plan implications

Theme	Looking After Our Community
Goal	Vibrant towns and villages
Strategy	Respect and enhance the historic character of our region and heritage value of our towns

Strategic implications

Council Strategies

Not Applicable

Council Policies

Not Applicable

Legislation

The Gulgong Memorial Hall Committee is operating under Section 355 of the Local Government Act 1993, which allows it to exercise a function of Council.

Financial implications

Not Applicable

Associated Risks

Not Applicable

RICHARD CUSHWAY
ACTING DIRECTOR COMMUNITY

6 May 2025

Attachments: 1. Gulgong Memorial Hall Committee Meeting Minutes - 30 April 2025.

APPROVED FOR SUBMISSION:

BRAD CAM
GENERAL MANAGER

Gulgong Memorial Hall, Christmas Celebration Sub-Committee Meeting

30th April, 2025

Opened: 17.32

Present: Diane & Percy Thompson, Ray Thackeray, Stephanie Barrett, Toni Morrison, Marcus Cornish, Cheryl Vassel.

Guests: Liz Rowden.

Apologies: Peta Stanford

Moved Toni, 2nd Marcus

Minutes of last meeting: Moved Ray, 2nd Toni

Business arising from the minutes:

Still looking to upgrade the change room – waiting until 2025 – which is now!

Solar Panels – can we perhaps get money a grant from one of the Solar companies.

Motion: Councillor Cornish will approach Brad Cam to see if we can get a grant from the Solar Company to get 10,000 W. The solar is mainly used during the afternoon and evening, so would need a battery. Council is putting in their own solar array, so once that is online can we access that? All in favour.

Kitchen cupboard has been repaired by the Men's Shed.

Chair lift for the Stage – support under the floor may need extra support?

Steph will get photos of one in local use.

Sound system upgrade – the Sound System is not at the Hall at present, unknown as to where it is.

Bubblers have not been repaired yet.

Has the Hall Checklist been updated? And Handbook updated? Cheryl -ring them

Garbage bins are in place.

Chairs have not been replaced.

Blinds need to be cleaned. And gas heaters serviced.

Need to repaint Hall on the inside.

Ask cost of regular Hall Hire.

Sign – 'This Hall for Hire' to be put outside the Hall.

General Business:

Men's Shed jobs have been completed.

Some of the tables are not up to scratch, being held together with tape!

The new flooring in the dressing room looks good, just needs the skirting boards replaced.

The first dressing room – the door is locked, is there a key for this room?

Meeting closed 18.16

Action Plan

Person Responsible	Action	Result
Marcus	Contact Brad Cam re getting a grant from the Solar people to get solar panels on roof of the Memorial Hall	
Steph	To get photo of a chair lift that is currently in use in Gulgong	
Cheryl	Ring Council re whether Hall checklist and handbook have been updated.	

Christmas Celebration Meeting 5th August 5.30pm Men's Shed

Item 13: Urgent Business Without Notice

URGENT BUSINESS WITHOUT NOTICE

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

GIVING NOTICE OF BUSINESS

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

BUSINESS WITHOUT NOTICE

20. (1) Despite Clause 19 of this Code, business may be transacted at a meeting of the Council even though due notice of the business has not been given to the Councillors. However, this can happen only if:
- (a) a motion is passed to have the business transacted at the meeting; and
 - (b) the business proposed to be brought forward is ruled by the Chairperson to be of great urgency. Such a motion can be moved without notice. (see Clause 14(3) LGMR)
- (2) Despite Clause 30 of this Code, only the mover of a motion referred to in subclause (1) can speak to the motion before it is put. (see Clause 14(4) LGMR)

Item 14: Confidential Session

Nil