



**muswellbrook
shire council**

Muswellbrook Shire Council
ORDINARY COUNCIL MEETING

BUSINESS PAPER
12 FEBRUARY 2019



ORDINARY COUNCIL MEETING, 12 FEBRUARY 2019

MUSWELLBROOK SHIRE COUNCIL

P.O Box 122
MUSWELLBROOK
8 February, 2019

Councillors,

You are hereby requested to attend the Ordinary Council Meeting to be held in the CHAMBERS, Administration Centre, Muswellbrook on **12 February, 2019** commencing at 6.00pm.

Fiona Plesman
GENERAL MANAGER

Order of Business

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19.2	TENDER - 2017-2018-0322 RECONSTRUCTION OF FOOTPATH, DENMAN CBD <i>Item 19.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(i) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
19.3	TENDER 2018-2019-0348 - SUPPLY AND DELIVERY OF A 32T LANDFILL COMPACTOR <i>Item 19.3 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.</i>	
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**MUSWELLBROOK SHIRE COUNCIL
ORDINARY COUNCIL MEETING**

**AGENDA
TUESDAY 12 FEBRUARY 2019**

- 1 ACKNOWLEDGEMENT OF COUNTRY**
- 2 CIVIC PRAYER**
- 3 APOLOGIES AND LEAVE OF ABSENCE**

Moved: _____ **Seconded:** _____

- 4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING
RECOMMENDATION**

That the Minutes of the Ordinary Meeting held on **11 December 2018**, and the Extra Ordinary Meeting held on **30 January 2019**, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

Moved: _____ **Seconded:** _____

- 5 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST**

Section 451 of the Local Government Act requires that if a councillor or member of a council or committee has a pecuniary interest in any matter before the council or committee, he/she must disclose the nature of the interest to the meeting as soon as practicable and must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

A pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of financial gain or loss (see sections 442 and 443 of the Local Government Act).

A non-pecuniary interest can arise as a result of a private or personal interest which does not involve a financial gain or loss to the councillor or staff member (eg friendship, membership of an association, or involvement or interest in an activity). A councillor must disclose the nature of the interest to the meeting as soon as practicable.

Council's Model Code of Conduct now recognises two forms of non-pecuniary conflict of interests:

- Significant
- Less than significant

A Councillor must make an assessment of the circumstances and determine if the conflict is significant.

If a Councillor determines that a non-pecuniary conflict of interests is less than significant and does not require further action, they must provide an explanation of why it is considered that the conflict does not require further action in the circumstances.

If the Councillor has disclosed the existence of a significant non-pecuniary conflict of interests at a meeting they must not be present at, or in sight of, the meeting, when the matter is being discussed, considered or voted on.

6 PUBLIC PARTICIPATION**7 MAYORAL MINUTES****8 GENERAL BUSINESS****9 BUSINESS ARISING**

Nil

10 ENVIRONMENTAL SERVICES

10.1 DA 88/2018 - ALTERATIONS AND ADDITIONS TO MUSWELLBROOK GOLF COURSE - BELL STREET MUSWELLBROOK

Attachments:	A. DA 88/2018 - Section 4.15 Assessment B. DA 88/2018 - Recommended Conditions of Consent C. DA 88/2018 - Proposed Plans D. DA 88/2018 - NSW Police Referral Comments
Responsible Officer:	Carolyn O'Brien - Acting Director - Environment & Community Services
Author:	Hamish McTaggart - Co-Ordinator - Development
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Provide efficient and effective Development Application, Complying Development Certificate, Construction Certificate and Occupational Certificate assessment services.</i>

PURPOSE

This report has been prepared to inform Council in determining Development Application (DA) 88/2018. This Development Application has been assessed by Council Officers. A copy the Section 4.15 Assessment Report and recommended conditions of Consent are attached for Council's information.

Delegations issued to the General Manager and the Development Assessment Committee includes a limitation on determining:

- (i) *which are for, or in any way related to:*
 - (a) *food and drink premises used for, or proposed to be used for, the sale of alcohol.*

This development application involves alterations and additions to a Registered Club and licensed premises where alcohol is sold. Accordingly, this development application is thought to be outside the delegations to the General Manager and the Development Assessment Committee to consider and determine.

RECOMMENDATION

Council approves Development Application No. 88/2018, involving commercial alterations and additions to the Muswellbrook Golf Club, at Lot 265 DP 1030447, subject to the conditions in Appendix B.

Moved: _____ **Seconded:** _____

DESCRIPTION OF THE PROPOSED DEVELOPMENT

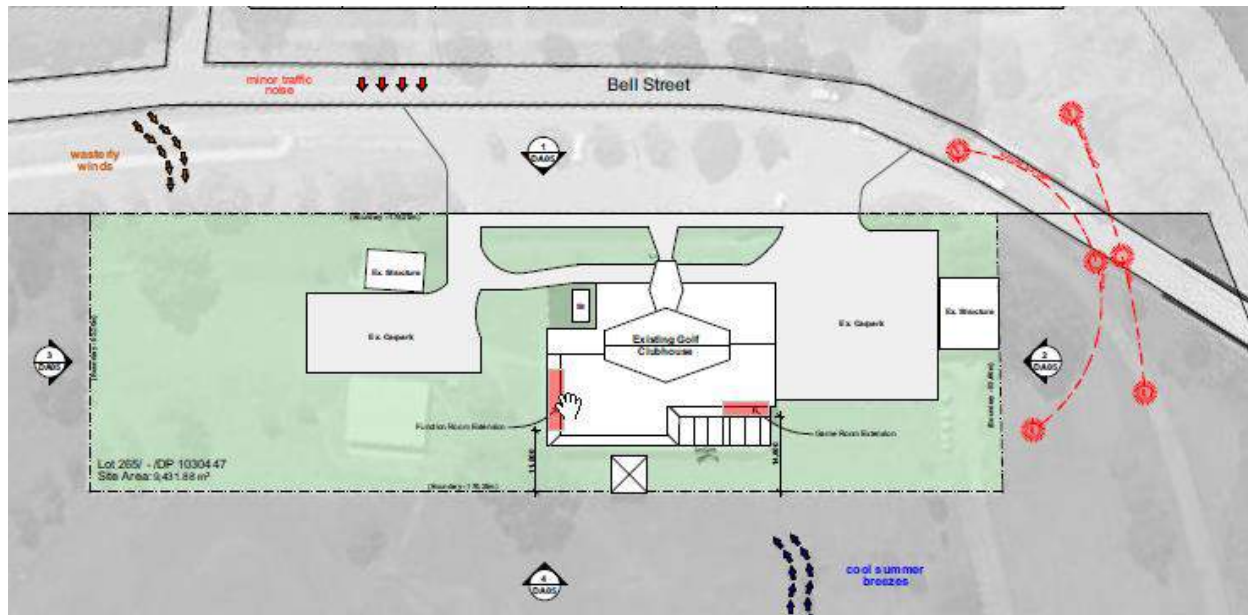
The proposed development involves alterations and additions to the Muswellbrook Golf Club Clubhouse building located at Lot 265 DP 1030447 off Bell Street, Muswellbrook. The site is zoned RE2 Private Recreation pursuant to MLEP 2009

The proposed alterations and additions include:

- Construction of a 8.9m by 2.7m enclosed area adjacent to the existing Clubhouse gaming area. The proponent has advised Council that the addition will house six (6) gaming machines, subject to NSW Office of Liquor and Gaming approval. The Club's current licensing arrangements allow it to maintain a total of 15 gaming machines. It is the proponent's intention that this additional gaming area be a restricted area where both smoking and gaming are permitted.
- Construction of a 11.7m by 3m extension to the Clubhouse function/dining room area.

The building works are to occur within the existing roofed building envelope and involve enclosure of deck/veranda areas.

The site plan below illustrates the location and scope of the proposed alterations and additions described above.



ASSESSMENT SUMMARY

Council Officers have assessed the development application under the relevant heads of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. A copy of the Section 4.15 Assessment is provided in Attachment A. The result of the assessment is that staff recommend that development consent be granted to the proposed development subject to recommended conditions provided in Attachment B.

Key considerations and findings of the section 4.15 assessment include:

- The proposed development is in accordance with relevant provisions of the Muswellbrook Local Environmental Plan (LEP) 2009.
- The proposed development was considered against the provisions of relevant State Environmental Planning Policies (SEPP's) and there are no inconsistencies which would prevent Council from granting development consent to the proposed development.
- The proposed development was considered against the requirements of the Muswellbrook Development Control Plan (DCP). The proposed development is considered to be consistent with the provisions of the DCP and complies with the majority of relevant development standards. See additional comments regarding parking and flooding below
- Section 16 of the DCP prescribes a discretionary approach to car parking at a registered club. Based on the scope of the proposed development and the availability of car parking at the site it is considered that the proposed development may be supported without a requirement for additional car parking spaces. However, it is recommended that a condition of consent is imposed to require provision of line marking for the Clubhouse's primary off-street car park area and the provision of accessible car parking in accordance with the requirements of the Building Code of Australia.

- The site subject is identified as flood liable by Council. The requirements of Section 13 Flooding of the DCP have been considered in relation to the proposed development and the proposal is considered to be compatible with these requirements.
- The assessment considers likely environmental impact. The proposed development was not considered to have any significant environmental impacts.

REFERRALS

The proposal was referred internally to the Roads and Drainage Team of Community Infrastructure Department and externally to NSW Police.

Council's Roads and Drainage Team provided a response to referral dated 24 January 2019 advising that they had no requirements or objection in relation to the proposed development.

NSW Police provided correspondence dated 2 January 2019 which has been attached to this report for Council's information. No objection was raised to the proposed development but a number of conditions of consent were recommended. These recommended conditions have been reviewed and have informed the recommended conditions in Attachment B.

Information on the referral comments is provided in greater detail in the referrals section of the Section 4.15 Assessment.

COMMUNITY CONSULTATION

Surrounding properties were notified of the development proposal and an advertisement placed in the Hunter Valley News. Interested parties were provided an opportunity to make submissions from 10 October 2018 to 25 October 2018.

No submissions were received.

OPTIONS

Council may:

- A) Grant development consent to the proposed development subject to the recommended conditions of consent,
- B) Grant development consent to the proposed development unconditionally or subject to amended conditions of consent, or
- C) Refuse development consent to the proposed development and nominate reasons for refusal,

LEGAL IMPLICATIONS

Where the applicant is dissatisfied with the determination of the development application they have an opportunity under the provisions of the *Environmental Planning and Assessment Act 1979* to appeal that determination at the Land and Environment Court.

CONCLUSION

DA 88/2018 involves alterations and additions to a registered club (Muswellbrook Golf Club). Council Officers have completed a Section 4.15 Assessment in relation to the proposed development. This Section 4.15 Assessment recommends that Council grant development consent to DA 88/2018 subject to recommended conditions of consent outlined in Attachment B.

DEVELOPMENT ASSESSMENT REPORT

Attached: Site Plan

REPORT TO THE GENERAL MANAGER

ADDRESS:	LOT: 265 DP: 1030447 REF: GOLF Bell Street MUSWELLBROOK
APPLICATION No:	88/2018
PROPOSAL:	Commercial Alterations and Additions
OWNER:	Muswellbrook Golf Club Ltd
APPLICANT:	Stanton Dahl Architects Po Box 833 EPPING NSW 1710
AUTHOR:	Mr H A McTaggart
DATE LODGED:	26/09/2018
DATE OF REPORT:	30 January 2019

SUMMARY

ISSUES: Flooding

SUBMISSIONS: Nil

RECOMMENDATION: Approval subject to conditions

1.0 SITE AND LOCALITY DESCRIPTION

The development application is proposed on Lot 265 DP 1030447, Bell Street, Muswellbrook. The site is occupied by the Muswellbrook Golf Club. The site and clubhouse directly adjoins the Muswellbrook Golf Course and Bell Street, a road in Council's local road network.

A number of historic development applications have been received for this site. The majority of these development applications were lodged a number of years ago and are of limited relevance to the development application now submitted.

DA 58/2016 is the most recent approved development for the site. DA 58/2016 involved the demolition of the golf club and pro-shop and the construction of a new Muswellbrook Community Club. This application was approved at the 8 November 2016 Council Meeting. Works associated with that development have not commenced, and no construction certificate has been issued.

2.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development involves alterations and additions to the Muswellbrook Golf Club Clubhouse building. The proposed alterations and additions include:

- Construction of a 8.9m by 2.7m enclosed gaming area adjacent to the existing gaming area. The proponent has advised that it is intended for this gaming area to house a total of 6 gaming machines, subject to NSW Office of Liquor and Gaming approval. The Club's current licensing arrangements allow it to maintain a total of 15 gaming machines. It is the proponent's intention for the additional gaming area to be a restricted area where both smoking and gaming are permitted.
- Construction of a 11.7m by 3m extension to the Clubhouse function/dining room area.

The building works are to occur within the existing roofed building envelope and involve enclosure of deck/veranda areas.

2.1 Internal Referrals

Roads and Drainage

The development application was referred to Council's Roads and Drainage Team to consider impacts of the proposed development on Council's local road infrastructure, stormwater drainage network and flooding associated implications.

A response to this referral was received on the 24 January 2019 from Council's Assistant Director of Infrastructure and Chief Engineer advising that there were no requirements for the development application, noting that building works were to occur within the building envelope and the proposed development would not alter current stormwater flow.

2.2 External Referrals

NSW Police

As the proposed development involved alterations and additions to a licensed premises the development application was referred to the NSW Police. This was not a statutory requirement under the *Environmental Planning and Assessment Act 1979* or an Environmental Planning Instrument.

A response was provided by NSW Police on 2 January 2019. The comments contained in this correspondence have been reviewed by Council Officers and they have informed the recommended conditions of consent related to safety and security of the premises.

3.0 ASSESSMENT

This report provides an assessment of the material presented in the Application against the relevant State and local planning legislation and policy.

Section 4.15 Matters for Consideration

Section 4.15(1)(a)(i) The provisions of any Environmental Planning Instrument (EPI)

The following EPIs, DCPs, Codes and Policies are relevant to this Application:

1. Muswellbrook Local Environmental Plan 2009 (MLEP 2009)

Land Use Zone and Permitted Land Use

The development site is zoned RE2 Private Recreation pursuant to MLEP 2009. The proposed development involves alterations and additions to the Muswellbrook Golf Club Clubhouse.

Based on a review of the LEP land use terminology, it is considered that the most appropriate land use definition applicable is that of a '**registered club**'. This land use definition has been detailed in full below:

'Registered Club' means a club that holds a club licence under the [Liquor Act 2007](#).

Development for the purpose of 'registered clubs' is permissible with development consent in the RE2 Private Recreation zone. Accordingly, the alterations and additions to the proposed are a type of development permissible with consent under the provisions of the Muswellbrook LEP 2009.

Objectives of the RE2 Private Recreation Zone

Clause 2.3 of the Muswellbrook LEP 2009 requires a consent authority to have regard to the land use zone objectives of the relevant land use zone when considering a development application.

The land use objectives for the RE2 zone are as follows:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*
- *To encourage the development of public open spaces in a way that addresses the community's diverse recreation needs.*

The proposed development is considered to be compatible with the land use zone objectives expressed above as it would support the continued operation of the Muswellbrook Golf Club Clubhouse at the land which is associated with the recreational use of the land as a part of the Muswellbrook Golf Course.

Relevant Clauses applicable under the Muswellbrook Local Environmental Plan 2009

<i>Part 1 Preliminary</i>	
<i>Part 2 Permitted or prohibited development</i>	
<i>2.3 Zone objectives and Land Use Table</i>	<p>The land subject to this development application is zoned RE2 Private Recreation</p> <p>The proposed development is considered to be development permissible with consent and development which is compatible with the land use zone objectives. complies</p>
<i>Part 3 Exempt and complying development</i>	
<i>Part 4 Principal development standards</i>	
<i>4.3 Height of buildings</i>	<p>The height of buildings map specifies a maximum building height of 12m for the land subject to this development application.</p> <p>The height of the proposed building would not exceed this maximum building height. complies</p>
<i>4.4 Floor space ratio</i>	<p>The Muswellbrook LEP 2009 does not specify a maximum Floor Space Ratio (FSR) for the land subject to this development application.</p> <p>Not relevant</p>
<i>Part 5 Miscellaneous provisions</i>	
<i>Part 6 Urban release areas</i>	
<i>Part 7 Additional local provisions</i>	
<i>7.1 Terrestrial biodiversity</i>	<p>The land subject to this development application is not identified as 'biodiversity' by the Muswellbrook LEP 2009 terrestrial biodiversity map. Accordingly, this cause of the Muswellbrook LEP 2009 does not require further consideration. Not relevant</p>
<i>7.6 Earthworks</i>	<p>The proposed development involves the carrying out of some earthworks associated with the preparation of the site and construction of footings for the proposed development. The proposed earthworks would not involve the disturbance of a significant area of soil and it is considered that where these works are carried out in accordance with Council's standard requirements that they would comply with the requirements of this Clause. Complies</p>

1. State Environmental Planning Policy No. 55 – Remediation of Land

Under Clause 7 of this SEPP a consent authority must not consent to the carrying out of any development on land unless:

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

The subject site has a longstanding use as the Muswellbrook Golf Club Clubhouse. Council Officers holds no information which suggests that past use of the land has resulted in the contamination of the site to such an extent that its remediation would be necessary for the proposed development to be approved. It is considered that the proposed development can

be supported without the need for further investigations into site soil qualities or the remediation of land requirements of this SEPP.

2. State Environmental Planning Policy No44 Koala Habitat

The subject land does not have the type of foliage coverage that would establish it as a potential koala habitat. Accordingly, it has not been considered necessary for a substantive flora and fauna assessment to be carried out to establish whether the site is core koala habitat.

Section 4.15(1)(a)(ii) the provisions of any draft EPI.

There are no draft EPIs relevant to the subject Application.

Section 4.15(1)(a)(iii) the provisions of any development control plan

Section 3 – Site Analysis

It is considered that the documentation provided with the Development Application satisfies the provisions of Section 3 of the Muswellbrook DCP.

Section 4 – Notification

In accordance with the provisions of Section 4 of the Muswellbrook DCP 2009, the Application was notified for a period of not less than fourteen days from 10 October 2018 to the 25 October 2018. A notice was also placed in the local newspaper, the Hunter Valley News, at the commencement of the notification period.

No submissions were received in relation to the development application by Council.

Section 13 – Flood Prone Land

	Comments
13.1.1 Introduction	
13.4 Non-Residential Development	
<i>a) floor levels for non residential uses may be permitted below flood level</i>	The proposed development involves minor extensions to the existing Golf Club Clubhouse. The proposed works are at the same height as the existing Golf Club building. The construction of the proposed extension with a floor level consistent to the existing building would be compatible with the requirements of this section. complies
<i>b) floor level for habitable areas to be at least 0.5m above the 1% AEP</i>	The proposed development does not involve the construction of any habitable residential rooms. complies
<i>c) development will not result in increased flood damage to other properties or increase afflux by more than 0.1m</i>	The proposed development involves minor extensions to the existing golf clubhouse the total area of the proposed extensions would be 58.1m ² . The proposed extensions would represent a small portion of the overall clubhouse area and would be located a significant distance from adjoining properties. It is also observed that the proposed alterations and additions would be constructed at the floor height of the existing golf club building on pre-existing fill placed at the site to raise the golf club building and its verandah. Through its assessment of past applications for more substantial developments at the site Council has not required a flood impact assessment or hydrologists report to confirm development at the site would not affect flood risks to adjoining properties. Given the minor nature of the proposed works and their location a substantial distance from neighbouring properties it is considered that a hydrologists report is not required.

	Council Officers are satisfied that the proposed development is unlikely to significantly increase the flood hazard or inundation risks to adjoining properties. Understood to be compliant based on available information.
<i>d) materials below the flood level are to comply with Section 13.8</i>	Detailed construction plans have not been submitted in relation to the proposed development. It is recommended that a condition of consent be imposed to ensure the development complies with this requirement. Compliance to be administered via a condition of consent
<i>e) proposed development is to withstand the force of flowing floodwaters</i>	Detailed structural design plans have not been submitted in relation to the proposed development. It is recommended that a condition of consent be imposed to ensure the development complies with this requirement and that engineering plans are prepared to ensure the building would withstand flood loadings. Compliance to be administered via a condition of consent
<i>f) provision to be made for safe storage/removal of goods, materials, plant and equipment.</i>	The applicant has provided correspondence from the proponent advising that there is a current flood evacuation plan for the site. To ensure that the flood evacuation plan is current and in accordance with relevant standards it is recommended a condition of consent be imposed for the furnishing of the flood evacuation plan and its update where required. Compliance to be administered via a condition of consent.
<i>g) Engineers report to be submitted stating that (d) and (e) above have been incorporated into the design</i>	An Engineers Report has not been submitted in relation to the proposed development. It is recommended that a condition of consent be imposed to ensure the development complies with this requirement and that engineering plans are prepared to ensure the building would withstand flood loadings. Compliance to be administered via a condition of consent
<i>Council shall have regard to the objectives of the RE2 Private Recreation zone.</i>	The objectives of the RE2 Private Recreation zone have been considered through the assessment of the development application and the proposed development is considered to be in accordance with the relevant land use zone objectives. complies

Section 16 – Car Parking and Access

This Section of the DCP prescribes that off-street car parking is to be provided to developments for licensed premises at a rate of 1 space per 7m² of licensed floor area plus 1 space per 5 seats of a dining room, plus 1 space per 3 employees. This section of the DCP also specifies that Council may consider relaxing car parking requirements depending on the characteristics of a proposed development.

Car parking is available at the site to service the existing registered club and associated golf course facility at the following rates in three established car parking areas:

Car parking currently available at the site	
Car Park location	Number of car parks
Car Park between Golf Club and clubhouse and Golf Club Pro-shop	29
Car Park between the Golf Club clubhouse and Bell Street	40
Overflow car park in front of the golf club sheds (this car parking area has not been fully constructed, line marked and sealed)	46
Total	115

The applicant has also advised Council that a courtesy bus service is run from site.

The 115 car parking spaces pre-existing at the site provide car parking for both the use of the golf course and the associated clubhouse.

Council Staff have observed the car parking available at the site during various times of the day and night time hours. At no stage did Council Officers identify there to be a shortage of available car parking at the site and the dates and times which car parking spaces were less available at the site appeared to be during day time hours and likely attributed to the recreational use.

The proposed development involves two small extensions to the existing clubhouse building totalling an area of 58.1m². These extensions are not expected to have any significant effect on the clubs overall patronage or to expand its overall capacity.

It is recommended that Council support this development application without the requirement of additional car parking spaces, in view of:

- the total number of vehicle parking spaces available at the site;
- the minor nature of the proposed alterations and additions in comparison to the existing development;
- the high rate of available car parking observed by Council Officers during a number of inspections of the site;
- that existing car parking at the site services both the Golf Course and the Golf Club Club house and peak demand periods for patrons using the Golf Course and Golf Clubhouse does not frequently coincide;
- Council's Roads and Drainage Team were referred the development application and raised no objection to the proposed development, car parking arrangement or recommended that additional car parking be provided to support the functionality of the site; and
- that the proposed alterations and additions are unlikely to have any significant impact on the patronage or greatly increase the capacity of the Golf Club Clubhouse

The inspections indicate that accessible car parking spaces are not clearly identified and marked, and it is recommended that a condition of consent be imposed requiring the line marking of the formed car parking spaces on the site.

Section 20 – Erosion and Sediment Control

The proposed development involves the carrying out of minor earthworks associated with preparing the site beneath the footprint of the proposed extensions and the construction of footings for the structures. Considering that the proposed development involves minimal earthworks and disturbance the proposed development is not considered to present a significant issue in relation to the DCP provisions specified by this part where the development is carried out in accordance with Council's standard requirements. **Complies, standard earthworks conditions to be imposed**

Section 24 – Waste Management

A waste minimisation management plan has not been prepared in relation to the proposed development. The DCP requires the preparation of a site waste minimisation management plan for development applications relating to commercial development. This development is considered to be minor as it would not significantly increase the capacity of the Club and thereby alter its anticipated waste generation or servicing requirements. A condition for the minimisation and management of waste associated with the development is recommended. **Complies with objectives and Council practice.**

Section 94A Contributions Plan 2009

The capital investment value of the proposed development is \$68,162.05. A developer contribution in accordance with Council's Section 94A Plan is applicable to development applications where the proposed development has an anticipated capital investment value greater than \$100,000.

As the estimated capital investment value of the proposed development is less than \$100,000 no Section 7.12 (former Section 94) is applicable to the proposed development.

Section 4.15(1)(a)(iia) the provisions of any planning agreement

There are no planning agreements relevant to the subject Application.

Section 4.15(1)(a)(iv) the provisions of the regulations

Clause 92 of the Environmental Planning and Assessment Regulation 2000 specifies additional matters that must be considered by a consent authority pursuant to section 4.15(1)(a)(iv) of the Environmental Planning and Assessment Act 1979.

Subclause (92(1)(b) specifies that a consent authority must consider AS 2601 where a development application involves demolition works. The proposed development involves the carrying out of some demolition work associated with the removal of walls and the expansion of the building. According, the Australian Standard relating to the demolition is a relevant consideration and a condition of consent requiring that works are carried out in accordance with this standard is recommended.

Section 4.15(1)(a)(v) the provisions of any coastal zone management plan

This item is not relevant to the subject Application. The Application does not relate to a coastal area.

Section 4.15(1)(b) the likely impacts of that development

In accordance with the requirements of the Environmental Planning and Assessment Act 1979 Council Officers have considered likely impacts associated with the proposed development. Impacts related to headings expressed in the table below have been considered through the assessment of the proposed development and it has been determined that the proposed development is unlikely to have any significant adverse environmental impacts that would prevent Council from granting consent to the proposed development.

Context & Setting	Waste
Built Form	Energy
Potential Impact on Adjacent Properties	Noise and Vibration
Access, Traffic and Transport	Natural hazards
Public Domain	Technological hazards
Utilities	Safety, Security, and Crime Prevention
Heritage	Social Impact on Locality
Other land resources	Economic Impact on the Locality
Water	Site Design and Internal Design
Soils	Construction
Air & microclimate	Cumulative Impacts
Flora & fauna	

Section 4.15(1)(c) the suitability of the site for the development

The site is identified as flood liable land by Council. The proposed development is considered to be in accordance with the requirements of Council's DCP with respect to the development of flood liable land.

Furthermore, the proposed development is permissible with consent on the land under the Muswellbrook LEP 2009 land use zoning provisions and would support the existing use of the land as the Muswellbrook Golf Club Clubhouse.

Section 4.15(1)(d) any submissions made

In accordance with the provisions of Section 4 of the Muswellbrook DCP 2009, the proposed development was notified and advertised between the 10 October 2018 to the 25 October 2018.

No submissions were received in relation to the development application by Council.

Section 4.15(1)(e) the public interest.

The proposed development is considered to be in the public interest. This position has been formed in view of the following considerations:

- the proposed development would support the ongoing use and operation of the Muswellbrook Golf Club Clubhouse,
- The proposed development complies with the provisions of the Muswellbrook LEP 2009 and is permissible with consent in the RE2 Private Recreation land use zone,
- The proposed development is considered to be consistent with the majority of development standards specified by the Muswellbrook DCP.

5 CONCLUSION

The application has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The proposed development is considered to be in accordance with the requirements of the Muswellbrook LEP 2009 and the majority of relevant development controls under the Muswellbrook DCP. The rate of off-street car parking available at the site is compatible with the discretionary controls in the Muswellbrook DCP and is considered adequate to support the operation of the premises. The flood affection of the development site has also been considered against the relevant criteria of the Muswellbrook DCP, and the proposed development is considered to comply with the relevant DCP criteria and is unlikely to significantly increase flooding hazards to the site or adjoining properties and

In view of the above it is recommended that the development application be approved subject to the recommended conditions of consent.

Signed by:

Hamish McTaggart
Senior Development Planner

Date:

DA 88/2018 – recommended conditions of consent:

IDENTIFICATION OF APPROVED PLANS

(1) Development in Accordance with Plans

The development being carried out in accordance with the development application and the drawings referenced below, and endorsed with Council's approval stamp, except where amended by the following conditions.

Drawing No.	Revision	Drawn by	Drawing Date	Received
2343.18 DA01 Cover Sheet and Location Plan	01	Stanton Dahl Architects	19/09/2018	28/09/2018
2343.18 DA02 Site Plan & Analysis	01	Stanton Dahl Architects	19/09/2018	28/09/2018
2343.18 DA03 New Works Plan	01	Stanton Dahl Architects	19/09/2018	28/09/2018
2343.18 DA04 Detail Plans	01	Stanton Dahl Architects	19/09/2018	28/09/2018
2343.18 DA05 Elevations	01	Stanton Dahl Architects	19/09/2018	28/09/2018
2343.18 DA06 Sections	01	Stanton Dahl Architects	19/09/2018	28/09/2018

OPERATIONAL CONDITIONS IMPOSED UNDER THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT AND REGULATIONS AND OTHER RELEVANT LEGISLATION

(2) Building Code of Australia

All building work must be carried out in accordance with the provisions of the Building Code of Australia.

(3) Carrying out of demolition work

All demolition work shall be carried out in accordance with the relevant provisions of Australian Standard 2601:2001: Demolition of Structures.

(4) Access to premises standard

The building shall comply with the requirements of the *Commonwealth Disability (Access to Premise Standard) 2010*.

REQUIREMENT FOR A CONSTRUCTION CERTIFICATE TO BE OBTAINED BEFORE THE COMMENCEMENT OF WORKS

(5) Construction Certificate Requirement

No works shall commence on site until such time as a Construction Certificate has been issued for either part or all of the works. If a certificate is issued for part of the works, it must cover the works being undertaken on site.

ANCILLARY MATTERS TO BE COMPLETED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

(6) Detailed Construction Plans

Prior to the issue of any Construction Certificate, detailed design plans demonstrating compliance with Building code of Australia Commonwealth Disability (Access to Premises Standard) are to be prepared and submitted to the Certifying Authority.

(7) Potential Flood Damage to Buildings

Prior to the issue of a Construction Certificate an assessment, report and certification by a qualified practising Consulting Engineer stating that the structure has been designed to withstand the flood pressures, including debris and buoyancy forces, imposed in the event of a 1% AEP flood and that the structure will not sustain unacceptable damage from the impact of floodwater and debris is to be prepared and submitted to the Certifying Authority. New power points and light fittings are to be above the flood level.

CONDITIONS THAT MUST BE ADDRESSED PRIOR TO COMMENCEMENT

(8) Sediment Controls

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, adequate measures for erosion and sediment control shall be provided. As a minimum control techniques are to be in accordance with 'The Blue Book' published by Landcom provisions on Erosion and Sediment Control, or a suitable effective alternative method.

All required sedimentation control techniques are to be properly installed prior to the commencement of any site works and maintained in a functional and effective condition throughout the construction activities until the site is stabilised.

(9) Site Sign

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) stating that unauthorised entry to the work site is prohibited;
- (b) showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority for the work.

Any such sign must be maintained while building work or demolition work is being carried out, but must be removed when the work has been completed.

This condition does not apply to building works being carried out inside an existing building.

(10) Damage to Public Infrastructure

The applicant shall bear the cost of all restoration works to Council property damaged during the course of this development. The applicant shall submit in writing and/or photographic record, of any existing damage to Council property before commencement of work.

Note: This documentation will be used to resolve any dispute over damage to infrastructure. If no documentation is received prior to commencement of work it will be assumed that the infrastructure was undamaged and the applicant will be required to restore all damaged infrastructure at their expense.

(11) Site Facilities

- (a) If the development involves building work or demolition work, the work site must be fully enclosed by a temporary security fence (or hoarding) before work commences.
- (b) A minimum width of 1.2m must be provided between the work site and the edge of the roadway so as to facilitate the safe movement of pedestrians.
- (c) Any such hoarding or fence is to be removed when the work has been completed.
- (d) A garbage receptacle fitted with a tight fitting lid for the reception of all food scraps and papers from the work site must be provided prior to building work commencing and must be maintained and serviced for the duration of the work.
- (e) Toilet facilities must be provided on the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the work site.
- (f) Each toilet provided must:
 - be a standard flushing toilet, connected to a public sewer, or
 - if connection to a public sewer is not available, to an on-site effluent disposal system approved by the council, or
 - an approved temporary chemical closet.
- (g) The provision of toilet facilities must be completed before any other work is commenced.
- (h) A person having the benefit of this certificate who causes an excavation that extends below the level of the base of the footings of a building on an adjoining allotment of land must at their own expense and where necessary:
 - protect and support the building from damage, and
 - If necessary, underpin and support the building in accordance with the details prepared by a professional engineer.
- (i) A person having the benefit of this certificate who causes the excavation must, at least 7 days before commencing this work, give notice of intention to do so to the owner of the adjoining allotment of land and provide particulars of the proposed work.
- (j) Erosion and sediment controls must be provided in accordance with the details shown on the approved plans, prior to the disturbance of any soil on the work site.

(12) Materials

In accordance with the provisions of the Muswellbrook Development Control Plan, the external cladding of the building shall be constructed from non-reflective metal cladding. Zincalume or reflective white sheet metal cladding is not be used without the prior written approval from Council.

CONDITIONS THAT MUST BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK
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(13) Construction Hours

- (a) Subject to this clause, building construction is to be carried out during the following hours:
 - i. between Monday to Friday (inclusive)—7.00am to 6.00pm
 - ii. on a Saturday—8.00am to 1.00pm
- (b) Building construction must not be carried out on a Sunday or a public holidays.
- (c) Demolition works and excavation works must only be carried out between Monday to Friday (inclusive) between 8.00am and 5.00pm.
- (d) The builder and excavator must display, on-site, their 24 hour contact telephone numbers, which are to be clearly visible and legible from any public place adjoining the site.

(14) Prohibition on Use of Pavements

Building materials and equipment must be stored wholly within the work site, unless prior written approval has been obtained from council. Equipment must not be operated on the footpath or roadway, unless prior written approval has been obtained from council.

(15) Out of Hours Work Permits

Where it is necessary for works to occur outside those hours allowed by these conditions, approval for such will be subject to written permission on each occasion from Council. Such occurrence shall be limited to two occasions per calendar month and shall only be approved if public safety or convenience is at risk. Any further variation shall require the lodgement and favourable determination of a modification application pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979.

Failure to obtain a permission for work outside of the approved hours will result in fines being issued, or Council pursuing any action required (including legal proceedings) to have the out of hours work cease, without prior warning.

It is recommended that applications be lodged as early as possible to allow sufficient time for determination by Council and to avoid disruption or delay due to conflicting priorities.

(16) Site Waste Minimisation

Throughout the carrying out of building works the person acting with this consent shall take reasonable steps to minimise waste from the carrying-out of the development in accordance with the following objections of Chapter 24 Waste Minimisation and Management of Council's Development Control Plan.

- Optimise adaptive reuse opportunities of existing building/structures.
- Maximise reuse and recycling of materials.
- Minimise waste generation.
- Ensure appropriate storage and collection of waste.
- Minimise environmental impacts associated with waste management.
- Avoid illegal dumping.
- Promote improved project management.

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE
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(17) Occupation

The additions are not to be used or occupied until a final inspection has been carried out and an occupation certificate has been obtained from the Principal Certifying Authority.

(18) Parking for People with Disabilities

Prior to the issue of any Occupation Certificate an appropriate number of accessible car parking spaces for use by persons with a disability shall be constructed, line marked, and established at the site in accordance with the accessible car parking requirements of the Building Code of Australia and Commonwealth Access to Premises Standard to the satisfaction of the Principle Certifying Authority.

An accessible path of travel should also be provided between these car parking spaces and the development and plans demonstrating compliance with the above should be provided to the Certifying Authority prior to the issue of a Construction Certificate in accordance with Condition (6) of this Notice of Determination.

(19) Flood Evacuation Plan

Prior to the issue of the Occupation Certificate, the person acting with this consent shall prepare a Flood Emergency Evacuation Plan for the premises.

A Flood Emergency Evacuation Plan is to be prepared having regard to the provisions of Council's DCP relating to flooding, relevant Council Flood Management Studies and relevant State Emergency Service guidelines.

CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

(20) Flood Evacuation Plan

A Flood Evacuation Plan for users of the development is to be prepared by the applicant, submitted to Council for its record, and maintained throughout the life of the development.

(21) Off Street Car Parking

Prior to the completion of this development, line marking in to be reinstated to ensure the car parking spaces are clearly defined and identifiable to patrons. The sizing of all car parking spaces and manoeuvring spaces should be in accordance with the relevant Australian Standard.

The line marking of car parking in the site car park located between the Pro-shop and Golf Club Clubhouse is to be maintained in accordance with the relevant Australian Standards unless otherwise approved by Council in writing.

(22) Garbage and Waste Storage

Garbage and waste associated with the operation of the site is to appropriately collected and stored in a tidy manner. Garbage collection points and skip bins are to be located on the site in a discreet and tidy manner and screened from public places and adjoining residents where possible.

(23) Hours of Operation –

No approval is given or implied to the alteration of the premises existing operating hours.

The premises hours of operation remain subject to any previous determination of Council and/or the premises liquor license approved by the NSW Liquor and Gaming Authority

ADDITIONAL OPERATIONAL CONDITIONS RECOMMENDED BY NSW POLICE AND NOT SPECIFIED ELSEWHERE IN THIS CONSENT
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(24) Venue Capacity

The operator shall ensure that the occupancy rate of the premises does not exceed the relevant patronage capacity applicable to the premises in accordance with the provisions of the Building Code of Australia.

(25) CCTV Surveillance

- a) CCTV surveillance is to be installed, operated and maintained at the premises to achieve coverage of:
 - All principle entrances and exits (including fire doors);
 - All areas within the premises occupied by the public;
 - The area within 50m radius of external public entrances to the premises; and
 - Approved outdoor areas, including car parks.
- b) CCTV recording equipment video tapes, discs and/or hand held recordings shall be retained for a minimum of 28 days and provided Council, Police Officers or Special Inspectors on request.
- c) All video cameras should be of high grade video quality.

- d) All CCTV recording devices and cameras should be checked daily to ensure the equipment is operating correctly.
- e) All CCTV recording devices and cameras shall be operated 24 hours, 7 days a weeks, or all trading hours plus 1 hour after close if the premises does not trade 24 hours a day.

(26) Noise Management

At all times the person acting with this consent shall:

- a) take reasonable steps to ensure that the operation of the premises does not cause offensive noise, in accordance with the provisions of the *Protection of the Environment Operations Act 1997*;
- b) LA10 noise level emitted from the premises does not exceed the background noise level in any Octave Band centre frequency (31.5Hz – 8kHz inclusive) by more than 5dB between 7:00am and 12:00am midnight
- c) Notwithstanding compliance with the above, the noise from the premises shall be controlled so as not be audible from habitable rooms in any residential premises in the vicinity of the site between the hours of 12:00 am midnight and 7:00am

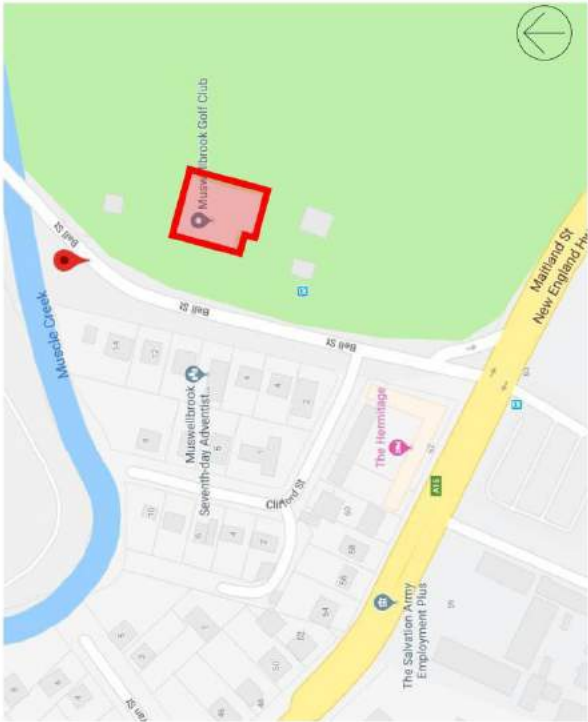
(27) Smoking

The operator of the development shall ensure that it complies with the relevant requirements of the Smoke Free Environment Legislation.

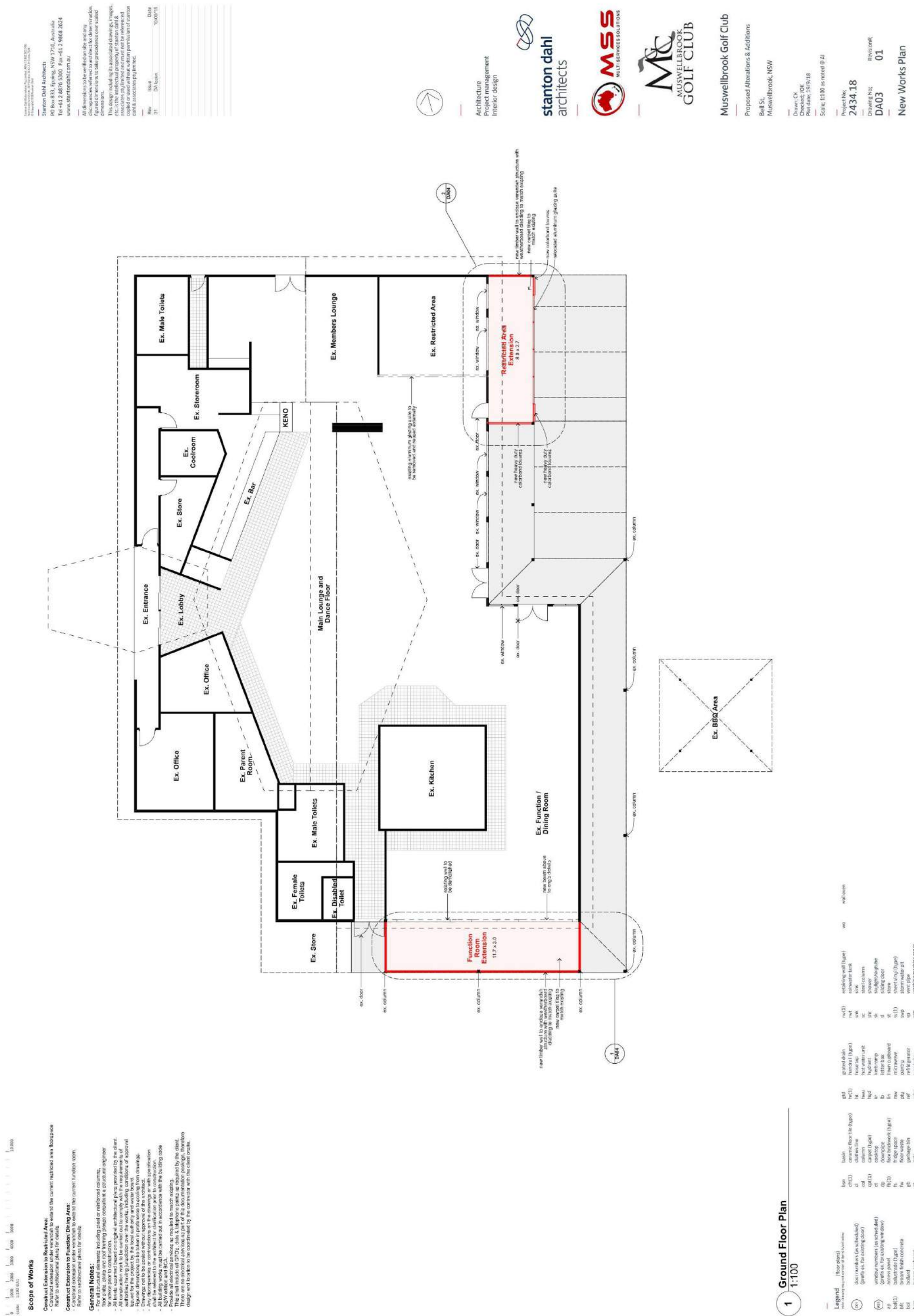
Muswellbrook Golf Club, Proposed Alterations & Additions
Bell St, Muswellbrook, NSW
Development Application - 19th September, 2018

- Development Application
- 2343.18 DA01 Cover Sheet
 - 2343.18 DA02 Site Plan & Site Analysis
 - 2343.18 DA03 New Works Plan
 - 2343.18 DA04 Detail Plans
 - 2343.18 DA05 Elevations
 - 2343.18 DA06 Sections

Muswellbrook Golf Club, Proposed Alterations & Additions
Bell St, Muswellbrook, NSW
Development Application - 19th September, 2018



01 Location Plan
not to scale





1 Function Room Extension Plan 1:50

[illegible]



stanton dahl
architects



MSS
MULTI SERVICES SOLUTIONS



MUSWELLBROOK
GOLF CLUB

Muswellbrook Golf Club

Proposed Alterations & Additions

Beil St,
Muswellbrook, NSW

Drawn: CK
Checked: CK
Plot date: 15/09/18
Scale: 1:20, 1:100 as noted @ A1

Project No:
2434.18

Drawing No:
DA06

Revision:
01

Sections



Legend		deviation functions		note:	
ac	air conditioner	dc	cut soldier course	hw	rainwater head
ag	aggrate	dp	downpipe	h	sliding sun window
ap	aperture	eq	evening gutter	h1	fixed flowers
at	aluminum	g	gutter	m1	metal casting (type)
atw	aluminum framed window	gl	glazing material	m2	metal casting (type)
ball	ball	is	isolated	sc	single fly handle
bc	bagle capping	isw	isolated window	sc	single fly handle
bcb	bagle header course	l	face bath window	sc1	sun shade (type)
bdc	buck header course	l1	face bath window	sc11	sun shade (type)
boe	boiler	l2	face bath window		
br	brick	l3	face bath window		
brc	brick corner	l4	face bath window		
brf	brick frame	l5	face bath window		
brf1	brick frame	l6	face bath window		
brf2	brick frame	l7	face bath window		
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NSW POLICE FORCE

HUNTER VALLEY POLICE DISTRICT

Muswellbrook Police Station
26 William Street,
Muswellbrook NSW
Tel: (02) 6542 6999
Fax: (02) 6542 6911

Development Planner
Muswellbrook Shire Council
157 New England Hwy
Muswellbrook NSW 2333
(02) 6549 3700

DA: DA2018/088/2343/18/01-06
Applicant: Muswellbrook Golf Club
Site: Bell Street, Muswellbrook
Proposal: Alterations & Additions to Registered Club Premise

Dear Sir/Madam,

In accordance with the development application protocol between New South Wales Police Hunter Valley Police District & Muswellbrook Shire Council, facilitating Crime Prevention through Environmental Design (CPTED) principles, we have been invited to make comment in relation to the above development;

(VENUE CAPACITY)

Overcrowding is a significant risk to public safety for those utilising facilities within a licensed premise. It is asked that 'patron capacity' levels be appropriately determined for each proposed area i.e. lounge bar, internal & external gaming areas, function rooms, auditoriums, eateries etc.

In determining an area's capacity consideration should be given to proposed use, layout, available amenities, staffing levels, size of furnishings etc. Capacity should not solely be determined by building codes and/or fire safety regulations.

It is asked that 'Patron Capacity' levels be clearly stipulate on any approval;

Condition:

'The maximum number of patrons permitted within the following area(s) at any one time shall not exceed;'

Lounge Bar - XXX

TAB Area - XXX

Sports Lounge - XXX

Gaming (indoor) - XXX

Gaming (outdoor) - XXX

Etc.

(TRAFFIC MANAGEMENT & PARKING)

Considering the development's size, capacity & potential impact upon neighbouring major arterial roads, being New England Highway, it's suggested the applicant submit an adequate 'Traffic Management Plan' addressing potential impacts of increased vehicular and/or pedestrian traffic in/around the proposed development.

Council are further asked to ensure the development's off street parking, number of allocated parking spaces, is adequate and proportionate to the development's size.

(SECURITY & SURVEILLANCE)

The proposed premise should be fitted with an alarm system equivalent or exceeds;

- internal movement/motion detectors, and
- the entire premises must be monitored and have separate multiple programmable zones, and
- duress 'panic button' alarms, and
- Entry keypad with inbuilt duress codes and panic buttons, and
- Any remote controls must also have panic buttons, and
- The control panel box must have back up battery power, and
- A line cut system or similar which arms the system if the phone line is cut, and
- All components fitted with anti-tamper switches, and
- Off-site 24 hour monitoring.

Closed Circuit Television (CCTV) enhances physical security & greatly assists in the identification of people involved in anti-social or criminal behaviour. The proposed premise should be fitted with a CCTV system equivalent or exceeds;

Condition:

'CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises with particular coverage to:

- *All principal entrance/s and exits (including fire doors)*
- *All areas within the premises occupied by the public (excluding toilets)*
- *The area within 50m radius external to the public entrance/s to the premises.*
- *Approved outdoor area(s) (including car parks)'*

Condition:

'CCTV recording equipment video tapes, discs and/or hard drive recordings shall be retained for minimum of 28 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the video tape, disc or hard drive. Video tapes and or disc must be handed to Council, Police or Special Inspectors upon request. Recordings must include the premise's CCTV software.'

Condition:

'All video equipment and cameras be of high-grade digital quality so as to facilitate identification and adjudication of patrons, offenders and incidents occurring within the subject premise.'

Condition:

'All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The Owner/Licensee shall record this daily checking activity in the premises incident register or book that meets the standards required by Council and/or Police.'

Condition:

'All CCTV recording devices and cameras shall be operated 24 hours per day 7 days per week or all trading hours plus one (1) hour after closure of the premise if it does not trade 24 hours per day.'

(NOISE EMISSIONS)

Considering the development's size, location & complaint potential it's asked that industry standard conditions be imposed to reduce/restrict the emission of 'offensive noise';

Condition:

'The sound generated by the premise shall be controlled so that any emitted noise is not audible in any premises and is at such a level so as not to create 'offensive noise' as defined in the Protection of the Environment Operation Act 1997'

Condition:

'The LA10 noise level emitted from the licensed premises shall not exceed the background noise level in any Octave Band centre Frequency (31.5Hz - 8kHz inclusive) by more than 5dB between 07:00am and 12:00 midnight at the boundary of any affected residence.'*

Notwithstanding compliance with the above, the noise from the licensed premises shall not be audible within any habitable room in any residential premises between the hours of 12:00 midnight and 07:00 am.'

(SMOKING)

The development should consist of appropriately sized smoking area(s) that comply with current Smoke Free Environment legislation. All reasonable attempts should be made to deter patrons from smoking outside of a venue's boundaries, i.e. footpaths.

New South Wales Police Hunter Valley Local Area Command again thanks you for the opportunity to inspect & comment on the proposed development. Should Council require further information please do not hesitate to contact the Command - (02) 6542-6999.

Yours Faithfully

Derek HAIN
Senior Constable
Licensing Coordinator
Hunter Valley Police District

Disclaimer

NSW Police has a vital interest in ensuring the safety of members of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

- *It is not possible to make areas evaluated by NSW Police absolutely safe for the community and their property.*
- *Recommendations are based upon information provided to, and observations made by NSW Police at the time the document was prepared.*

- The evaluation/report is a confidential document and is for use by the person/organization referred to on page one.
- The contents of this evaluation/report are not to be copied or circulated otherwise than for the purposes of the person/organization referred to on page one.

NSW Police hopes that by using the recommendations contained within this document, criminal activity will be reduced and the safety of members of the community and their property will be increased. However, it does not guarantee that all risks have been identified, or that the area evaluated will be free from criminal activity if its recommendations are followed.

11 COMMUNITY INFRASTRUCTURE

11.1 NSW WASTE LEVY - SAVE OUR RECYCLING CAMPAIGN

Attachments:	A. 20181221 NSW EPA announce 20 year waste strategy
Responsible Officer:	Derek Finnigan - Director - Community Infrastructure
Author:	Joann Polsen - Senior Technical Officer Waste
Community Plan Issue:	<i>A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health</i>
Community Plan Goal:	<i>Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.</i>
Community Plan Strategy:	<i>Implement adopted Waste Management Strategy.</i>

PURPOSE

To inform Council of the Local Government NSW "Save our Recycling" campaign.

OFFICER'S RECOMMENDATION

Council:

1. Endorse Local Government NSW's campaign, Save Our Recycling, to realise the reinvestment of 100% of the Waste Levy collected each year by the NSW Government into waste minimisation, recycling and resource recovery.
2. Council make representation to the local State Member, Michael Johnsen MP, in support of this campaign objective - for the NSW Government to commit to reinvest 100% of the Waste Levy into waste minimisation, recycling and resource recovery.
3. Council write to the Premier, the Hon Gladys Berejiklian MP, the Opposition Leader, the Hon Michael Daley MP, the Minister for Local Government and the Minister for the Environment, the Hon Gabrielle Upton MP, and the Shadow Minister for the Environment and Heritage, Penny Sharpe MLC, seeking bipartisan support for the 100% reinvestment of the Waste Levy collected each year into waste minimisation, recycling and resource recovery.
4. Council take a lead role in activating the Local Government NSW Save Our Recycling campaign locally by endorsing the distribution and display of the Local Government NSW Save Our Recycling information on Council premises, as well as involvement in any actions arising from the initiative.
5. Council formally advise Local Government NSW that Council has endorsed the Save Our Recycling advocacy initiative and sends a copy of this correspondence to all member Councils of the Hunter Joint Organisation.

Moved: _____ Seconded: _____

REPORT

The Save Our Recycling Campaign, launched at the local government annual conference in Albury in October 2018, calls on the NSW State Government to re-invest the entire \$727 million it collects from the waste levy each year into waste management and recycling.

It is critical that NSW develops its on-shore processing capacity for recycled materials, rather than shipping waste to countries such as China.

Local Government NSW is advocating to all those contesting the State election to reinvest 100% of the waste levy collected each year into waste management, recycling and resource recovery in NSW.

The Protection of the Environment Operations Act 1997 (POEO Act) requires certain licensed waste facilities in the regulated area of NSW to pay a contribution to the NSW Government for each tonne of waste received at the facility. Referred to as the 'waste levy', the contribution aims to reduce the amount of waste being landfilled and promote recycling and resource recovery.

In 2016/17, the NSW Government collected \$726 million from local government, community, businesses and industry via the waste levy, but only committed to use \$72 million through its Waste Less Recycle More initiative – or 10% - on waste minimisation and recycling in 2017/18.

Overall the NSW Government's Waste Less Recycle More initiative allocates \$801 million over 8 years (2013-2021) to waste and recycling, however the waste levy collected over that same period will be over \$4.62 billion.

At a local government level, just 18% of the \$300 million collected from the local government sector each year is reinvested into recycling and waste management. Over the past 10 years the NSW Government has increased the Waste Levy effective in the Muswellbrook Shire from \$10 per tonne to \$81.30 per tonne, an increase of over 800 per cent, resulting in the total Waste Levy paid by the ratepayers of the Muswellbrook Shire (MSC) during this period to the NSW Government totalling \$13.4 million. Our ratepayers will contribute around \$2 million in Waste Levy contributions to the NSW Government this financial year receiving a small fraction (\$60,000) of this back in contestable / non-contestable funding to assist the council with waste management and recycling infrastructure, programs and education.

In essence very little of the waste levy is currently used to support waste minimisation, recycling and resource recovery. The remainder is returned to NSW Government's consolidated revenue.

The reinvestment of the waste levy to support waste and resource recovery infrastructure, develop markets and innovative solutions, and to undertake other initiatives to encourage reuse and recycling also offers wide-ranging benefits to communities right across NSW. There is the potential for economic growth, new infrastructure, new technology and new jobs, particularly in regional areas like Muswellbrook Shire.

It should be noted that the following motion was unanimously endorsed at the Local Government NSW 2018 Conference:

That the NSW Government be called upon to ensure that 100% of the levy arising from Section 88 of the Protection of the Environment Operations Act 1997 be used for waste infrastructure and programs, predominantly by local government and the waste sector, for initiatives such as:

- *Development of regional and region-specific solutions for sustainable waste management (e.g. soft plastic recycling facilities, green waste, waste to energy).*

- *Support innovative solutions to reduce waste and waste transport requirements.*
- *Protect existing and identify new waste management locations.*
- *Local community waste recovery and repair facilities.*
- *Funding a wider range of sustainability initiatives, such as marketing and strategies that promote and support a circular economy.*

A circular economy aims to redefine growth, focusing on positive society-wide benefits. It entails gradually decoupling economic activity from the consumption of finite resources, and designing waste out of the system. Underpinned by a transition to renewable energy sources, the circular model builds economic, natural, and social capital. It is based on three principles:

1. Design out waste and pollution;
2. Keep products and materials in use;
3. Regenerate natural systems (Source: 'What is a circular economy? A framework for an economy that is restorative and regenerative by design', <https://www.ellenmacarthurfoundation.org/circular-economy/concept> , accessed 1 February 2019).

This motion covered motions proposed by Blacktown City Council (Resource recovery locations); Central Coast Council (Waste levy revenues); Cessnock City Council (Recycling crisis - funding support); City of Ryde (Revenue raised by the waste levy); Federation Council (Waste resource); Gwydir Shire Council (Tyre recycling); Hornsby Shire Council (Increase in grant funding for waste levy program); Leeton Shire Council (Increase of waste levy distribution); and Shoalhaven City Council (POEO Levies). Related motions were also submitted by Tweed Shire Council (Recycled products and procurement); Lake Macquarie Council (Support for recycle end markets, reusable, recyclable or compostable packaging); and Orange City Council (Waste management).

As previously noted, the advocacy initiative calls on all parties and candidates to commit to the 100% hypothecation of the Waste Levy to the purpose for which it is collected.

Council can support this campaign by the NSW local government sector and Local Government NSW and call on all political parties to commit to the reinvestment of 100% of the Waste Levy collected each year by the NSW Government into waste management, recycling and resource recovery.

Additionally, in early December the Minister for the Environment, the Hon Gabrielle Upton MP, announced that the NSW Environment Protection Authority (EPA) will lead the development of a 20 year Waste Strategy for NSW – a long-term vision and roadmap for waste and resource recovery in NSW.

Councils are key stakeholders in the strategy development and the NSW EPA, in partnership with Infrastructure NSW, will be consulting on the strategy development in the coming months. This strategy, alongside the current development of the NSW Circular Economy Policy means Council's advocacy for full hypothecation of the Waste Levy is both essential and timely with potential for economic opportunities for Muswellbrook Shire in the future.





Dear General Manager

We recognise that this year the waste sector, including local councils, has faced some significant challenges while continuing to provide services for the benefit of NSW and the environment.

The EPA has been actively engaging with local councils as part of communicating key changes in the waste sector throughout 2018. As part of this, we have heard you would like clear and consistent messaging that you can provide to your residents and stakeholders.

In early December, the Minister for the Environment, the Hon Gabrielle Upton MP, announced that the NSW Environment Protection Authority (EPA) will lead the development of a 20 year Waste Strategy for NSW (the Strategy). This is an exciting announcement.

The Strategy will create a long-term vision and roadmap for waste and resource recovery in NSW. It will answer the call from our stakeholders and the community to look forward and develop long-term solutions and a vision for reducing waste, increasing recycling, driving sustainable recycling markets and improving the waste infrastructure network. We will develop the strategy collaboratively with our stakeholders including councils and the community, to ensure NSW is prepared for the future.

Please find enclosed an end of year update about a number of EPA initiatives, such as the Strategy, Return and Earn, progress on resource recovery, proposed changes in relation to the National Sword policy, and the use of mixed waste organic outputs.

Please use the information provided in the attachment in any way that meets your needs. If you have any feedback on this newsletter, including areas you would like more information on, please email epa.engagement@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads 'Mark Gifford' followed by the date '21/12/18'.

MARK GIFFORD PSM
Acting Chair and CEO
Environment Protection Authority

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11.2 PROCUREMENT OF NEW JETTER AND SEWAGE PIPE CAMERA FOR WATER AND WASTEWATER OPERATIONS

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Derek Finnigan - Director - Community Infrastructure
Community Plan Issue:	<i>A safe, secure and reliable water supply and sewerage services are provided to all residents that will ensure public health</i>
Community Plan Goal:	<i>Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements.</i>
Community Plan Strategy:	<i>Deliver the capital program substantially on time, on budget and in accordance with relevant design and construction standards.</i>

PURPOSE

The report seeks Council's endorsement of a proposal to redirect \$428,000 from the 'Sewer Pump Station 2' Capital Sewer Budget towards the purchase of a new jetter and intra-sewage pipe camera for the Water and Wastewater Networks team.

OFFICER'S RECOMMENDATION

Council redirects \$428,000 from the 'Sewer Pump Station 2' Sewer Capital budget towards the procurement of a new fit for purpose jetter and intra-sewage pipe camera for the Water & Wastewater Networks team.

Moved: _____ **Seconded:** _____

BACKGROUND

A review of the efficiency of Water & Wastewater networks operations carried out during the first half of 2018-2019 found that the current jetter and camera utilised by Council's Water & Wastewater Networks team for the carrying out of critically important sewage pipe operational works were no longer fit for purpose, and that the jetter posed a work health and safety risk to users of this item of equipment.

CONSULTATION

Consultation was carried out with the following Council officers:

The General Manager
 Executive Manager – Office of the Chief Financial Officer
 Assistant Director Community Infrastructure & Chief Engineer
 Water & Wastewater Asset Manager
 Water & Wastewater Operations Manager
 Senior Works Coordinator
 Coordinator Networks
 Plant Supervisor
 Members of the Water & Wastewater Networks team

CONSULTATION WITH COUNCILLOR SPOKESPERSON

A copy of the draft report has been forwarded to the Mayor, Councillor Rush, the Deputy Mayor and Councillor Spokesperson for Utilities and Sustainability, Councillor Scholes, and the Councillor Spokesperson for Infrastructure, Councillor Woodruff, for review and comment.

REPORT

A review of the efficiency of Water & Wastewater networks operations has been an ongoing process from the perspective of continual improvement. During the first half of 2018-2019, it became increasingly evident that the jetter and camera utilised by the Networks team for the carrying out of critically important sewer operations work were no longer fit for purpose, that both items of equipment had passed by a significant margin the point of optimal replacement, and that the jetter posed a work health and safety risk to staff due to the manual handling aspect of its use.

The jetter is utilised in the cleaning and unblocking of sewer infrastructure such as sewage pipes and junction boxes. This work is critically important from the perspective of a healthy, functioning sewer system.

The camera is utilised to carry out intra-pipe inspections, and is important in providing evidence to support required actions in order to repair or solve symptoms of a poorly functioning sewage line or system.

The procurement through tender of a new, fit for purpose jetter truck and intra-sewage line camera will provide the following cost-effective benefits:

- The unit rate for the cleaning of sewage pipes and other items of infrastructure will be considerably reduced through the purchase of a new jetter. The current jetter is unwieldy and difficult to manoeuvre, and is inefficient in its operation;
 - 1.
- Council's ability to balance proactive and reactive works will be greatly enhanced through the procurement of a new jetter. It is critically important that proactive cleaning and unblocking works are carried out in an appropriately scheduled manner. Not only does this enhance the overall efficiency and effectiveness of the sewer network, it significantly reduces the incidence of sewage surcharge incidents requiring a reactive response. Over time, this will reduce the number of call outs received after hours, will reduce the need for unscheduled overtime, and will decrease the potential for staff fatigue caused by working unscheduled overtime hours required by responding to unscheduled call out events.
 - 2.
- 3. A report entitled, '7.1 Rationalisation of Water & Wastewater budgets' was submitted to the 30 January 2019 Extraordinary Meeting of Council. This report sought and gained Council's approval for the consolidation of three capital budgets into a consolidated budget for the procurement of a Water & Wastewater operations first response vehicle. The procurement of the first response vehicle will provide the ability to more proficiently and safely carry out the works associated with first response activities. The procurement of the new jetter will complement the procurement of the first response vehicle in that the jetter will carry out larger scale sewer infrastructure cleaning and unblocking works, and will also focus on proactive operational maintenance tasks. The primary purpose of the first response vehicle is to carry out smaller scale reactive works.
 - 4.
- Council's current camera, utilised to carry out intra-sewage pipe inspections, is five to ten years past its optimal replacement point. As a result, the camera carries manual handling risk and carries high maintenance repair costs. The camera also possesses superseded technology. A new camera will provide a cost effective ability to carry out intra-sewage pipe inspections more efficiently, to the extent that most inspections should be able to be carried out in-house. The images and data captured by the camera are utilised in asset management planning and in order to accurately diagnose and appropriately respond to pipe collapses or blockages captured by the camera.

OPTIONS

Council may decide to redirect \$428,000 from the 'Sewer Pump Station 2' Capital Sewer budget to enable the tendered procurement of a new jetter and camera to enhance the safe and efficient operations of the Water & Wastewater Networks team. Alternatively, Council may decide not to redirect this funding, and that the funding should be returned to the Sewer Reserve through the March budget review process.

CONCLUSION

Due to the identified inefficiencies and risk associated with the use of the current jetter and camera, it is considered that considerable, measurable efficiencies will be enabled through the tendered procurement of a new jetter and camera for the use of the Water & Wastewater Networks team.

SOCIAL IMPLICATIONS

The ability to facilitate a greatly enhanced level of service with respect to proactive jetting operational works enabled through the tendered procurement of a new jetter and camera will have a positive social impact. An increased ability to carry out a scheduled programme of proactive jetting works will, over time, greatly reduce the number and severity of sewer blockage and surcharge incidents.

FINANCIAL IMPLICATIONS

The 'Sewer Pump Station 2' Capital Sewer budget (6310.4479.504) has been identified by staff as a budget from which funds may be redirected in order to procure the new jetter and camera. A report entitled, 'Continuation of Contract 2017-2018-0324 B1 Awarded to Aurecon Australasia Pty Ltd for design of Muswellbrook sewerage transportation upgrade' was submitted to the 14 August 2018 Ordinary Meeting of Council. This project involves a review and design of Muswellbrook's sewerage transportation system in order to identify a program of efficiencies and energy savings. With this project in progress, it would not be considered an appropriate use of Council funds to carry out any upgrade to Sewer Pump Station 2 until the sewerage transportation system project is completed, analysed, and a prioritised list of required projects obtained and reported to Council. As a result, it is considered that the funds from this budget may be more appropriately utilised to enable the tendered procurement of the new jetter and camera.

As discussed in the Options section of the report, Council could alternatively decide, through the March budget review process, to return the funding from the Sewer Pump Station 2 Capital Sewer budget to the Sewer Reserve.

POLICY IMPLICATIONS

Nil known.

STATUTORY IMPLICATIONS

Nil known.

LEGAL IMPLICATIONS

Nil known.

OPERATIONAL PLAN IMPLICATIONS

The submission of this report complies with the principles entailed in section 20.1 of Council's Delivery Plan: 'Provide safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements'.

RISK MANAGEMENT IMPLICATIONS

The tendered procurement of a new jetter and camera for the use of Council's Water and Wastewater Networks team will have two significant risk management implications. Firstly, through the ability to carry out a more efficient and effective proactive operational maintenance schedule of works enabled through the tendered procurement of a new jetter, the risk of sewage blockage and surcharge incidents will be greatly reduced. Secondly, the risk of manual handling injury will be as much as possible eliminated by the purchase of a new jetter and camera.

12 CORPORATE AND COMMUNITY SERVICES

12.1 MODEL CODE OF CONDUCT AND MODEL CODE OF MEETING PRACTICE

Attachments:	A. Model Code of Conduct 2018 B. Model Code of Conduct Procedures C. Model Code of Meeting Practice for Local Councils in NSW (Word version)
Responsible Officer:	Fiona Plesman - General Manager
Author:	Aleksandar Mitreski - Policy Officer
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

Council is required to review and adopt a new Model Code of Conduct and Procedures for the Administration of the Model Code, and to exhibit a new Model Code of Meeting Practice prior to adoption.

OFFICER'S RECOMMENDATION

- Council adopts the new Model Code of Conduct and Procedures for the Administration of the Model Code.**
- Council exhibits the new Model Code of Meeting Practice for 42 days.**

Moved: _____ **Seconded:** _____

BACKGROUND

Model Code of Conduct for Local Councils in NSW

The Local Government Act 1993 (the Act) requires Council to review its Code of Conduct and Procedure.

In October 2017, the Office of Local Government (OLG) released a new draft Model Code of Conduct for Local Councils in NSW (Model Code of Conduct) and the draft Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW (Model Procedure). After considering feedback from Councils, on 2 September 2018, the OLG released the final Model Code of Conduct and Procedure.

The new 2018 version of the Model Code of Conduct gives effect to a key reform made by amendments passed by the NSW Parliament to consolidate the prescription of all ethical standards for local government into a single statutory instrument. Previously, ethical standards were prescribed from three sources, the pecuniary interest provisions of the LGA and the Regulation and the Model Code of Conduct.

The OLG advises that consolidating all ethical standards into a single instrument was undertaken in order to:

- result in a better understanding of, and compliance, with ethical standards - council officials will no longer need to be familiar with their obligations prescribed from three separate statutory sources, the LGA, the Regulation and the Model Code of Conduct
- allow pecuniary interest breaches by councillors to be treated as “misconduct”, meaning that minor breaches can be dealt with by the Chief Executive of OLG as an alternative to referral to the NSW Civil and Administrative Tribunal (NCAT) and suspensions for pecuniary interest breaches will be counted towards disqualification for the purposes of the “three strikes” automatic disqualification
- allow greater flexibility and efficiency in updating the standards to address emerging issues – amendments will now be able to be made by way of a Regulation amendment.

Model Code of Meeting Practice

Amendments made to the Local Government Act 1993 (LGA) in August 2016 by the Local Government Amendment (Governance and Planning) Act 2016 (the Phase 1 amendments) provide for a model code of meeting practice to be prescribed by the Local Government (General) Regulation 2005 (Regulation).

Previously there was not a uniform set of meeting rules for councils beyond those prescribed under the LGA and the Regulation. In developing the Model Meeting Code, OLG identified significant variability in meeting practices and rules across councils. OLG’s review of councils’ codes of meeting practice noted the following:

- while there are a number of areas of commonality between councils in meetings practice there is significant variability in how this is prescribed in their codes of meeting practice
- a number of councils’ codes of meeting practice contain provisions that are inconsistent with the LGA and the Regulation
- there is significant variation in the quality of the drafting of councils’ codes of meeting practice
- a number of councils’ codes of meeting practice appear to lose sight of the fact that the primary purpose of meetings is to make decisions and contained practices that are not consistent with the efficient conduct of meetings or effective and informed decision-making.

The Model Meeting Code has been designed to achieve a range of outcomes, including:

- promoting, as the principal object of meetings, the making of decisions by the governing bodies of councils that are in the best interests of the council and the community as a whole
- promoting more accessible, orderly, effective and efficient meetings and to provide councils with the tools to achieve these outcomes
- prescribing principles to inform the way in which meetings are conducted and to prescribe meeting rules that are consistent with these principles
- codifying areas of common practice across councils in a way that is clear, efficient, leads to better informed and more effective decision making and that is consistent with the requirements of the LGA
- promoting greater consistency between councils across the State in key areas of meetings practice without losing the ability to allow some variation in practice to meet local needs or expectations

- allowing greater flexibility in the conduct of meetings to accommodate a range of potential scenarios that were not addressed by the previous prescribed meeting rules
- simplifying the language used to make the prescribed meeting rules more accessible and easier to understand
- modernising the rules to accommodate current and emerging technologies (e.g. electronic notice, electronic voting systems and webcasting).
- Councils will be required to webcast meetings from 14 December 2019. Councils that do not currently webcast meetings should take steps to ensure that meetings are webcast by 14 December 2019.

CONSULTATION

General Manager

Manager Integrated Planning, Risk and Governance

REPORT

Model Code of Conduct and Procedures

The Model Code of Conduct is prescribed under section 440 of the Local Government Act 1993 (LGA) and the Regulation. Council's current Code of Conduct and Procedure are based on the Model Code and Procedure that OLG released in 2012.

The new 2018 Model Code and Procedures have now been prescribed under the Regulation.

Key changes include:

- it incorporates the pecuniary interest provisions previously contained in the Local Government Act 1993 and Regulation
- new standards relating to discrimination and harassment, bullying, work health and safety, behaviour at meetings, access to information and maintenance of council records
- new rules governing the acceptance of gifts including mandatory reporting
- a new ongoing disclosure requirement for councillors and designated persons requiring disclosure of new interests in returns of interests within three months of becoming aware of them
- councillors will be required to disclose in their returns of interests whether they are a property developer or a close associate of a property developer.

Council has until 14 June 2019 to adopt a code of conduct and procedures based on the prescribed Model Code of Conduct and Procedures.

The Model Code of Meeting Practice

On 14 December 2018 the Model Code of Meeting Practice was also prescribed under the Regulation.

Before adopting the new Code of meeting practice, under section 361 of the LGA, Council is required to exhibit a draft of the Code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

Attachment C is a proposed Model Code of Meeting Practice for Council and it is ready to be exhibited.

OPTIONS

Option 1: Council adopts the proposed Model Code of Conduct and Procedures and exhibits the Model Code of Meeting Practice for 28 days.

Option 2: Council does not adopt the proposed Model Code of Conduct and Procedures and does not exhibit the Model Code of Meeting Practice.

CONCLUSION

It is recommended that Council adopts the proposed Model Code of Conduct and Procedures and exhibits the Model Code of Meeting Practice for 28 days.

If Council fails to adopt a new Code of Conduct and procedures based on the new Model Code and Procedures within six months of their prescription (by 14 June 2019), the provisions of the new Model Code and Procedures will automatically override any provisions of a Council's adopted code of conduct and procedures that are inconsistent with those contained in the Model Code of Conduct and Procedures through the operation of sections 440(4) and 440AA(4) of the Local Government Act 1993 (unless the inconsistent provisions of a council's adopted code of conduct are more onerous than those contained in the Model Code of Conduct).

Similarly, if Council does not adopt a new Code of Meeting practice by 14 June 2019, under transitional provisions contained in the Regulation and the LGA, any provision of Council's adopted meeting code that is inconsistent with a mandatory provision of the Model Meeting Code prescribed under the Regulation will automatically cease to have any effect to the extent that it is inconsistent with the mandatory provision of the Model Meeting Code. Irrespective of whether Council has adopted a Code of Meeting practice based on the Model Meeting Code, will still be required to webcast meetings of Council and committees of which all members are Councillors from 14 December 2019. The webcasting requirement may be met simply by posting an audio or video recording of the meeting on Council's website.

SOCIAL IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Potential future financial implications may arise from the need to record and/or webcast Council meetings as per the new Model Code of Meeting Practice, but these costs are not currently costed or funded.

POLICY IMPLICATIONS

Procedures will need to be developed to regulate some aspects of the Model Code, such as recording and/or webcasting Council meetings.

STATUTORY IMPLICATIONS

The Local Government Act 1993 (the Act) requires Council to review its Code of Conduct and Procedure and to exhibit the new Model Code of Meeting Practice.

LEGAL IMPLICATIONS

Not applicable.

OPERATIONAL PLAN IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

The Model Code and Procedure will reduce Council's governance risk.

Model Code of Conduct

for Local Councils
in NSW

2018



MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW
2018**ACCESS TO SERVICES**

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Part 1: Introduction

This *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct") is made under section 440 of the *Local Government Act 1993* ("LGA") and the *Local Government (General) Regulation 2005* ("the Regulation").

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council's or joint organisation's adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not "council officials" for the purposes of the Model Code of Conduct (eg volunteers, contractors and members of wholly advisory committees).

A council's or joint organisation's adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council's or joint organisation's adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council's adopted code of conduct applies to, must comply with the applicable provisions of their council's code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a council's code of conduct may give rise to disciplinary action.

Note: References in the Model Code of Conduct to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting the Model Code of Conduct, joint organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Code of Conduct, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

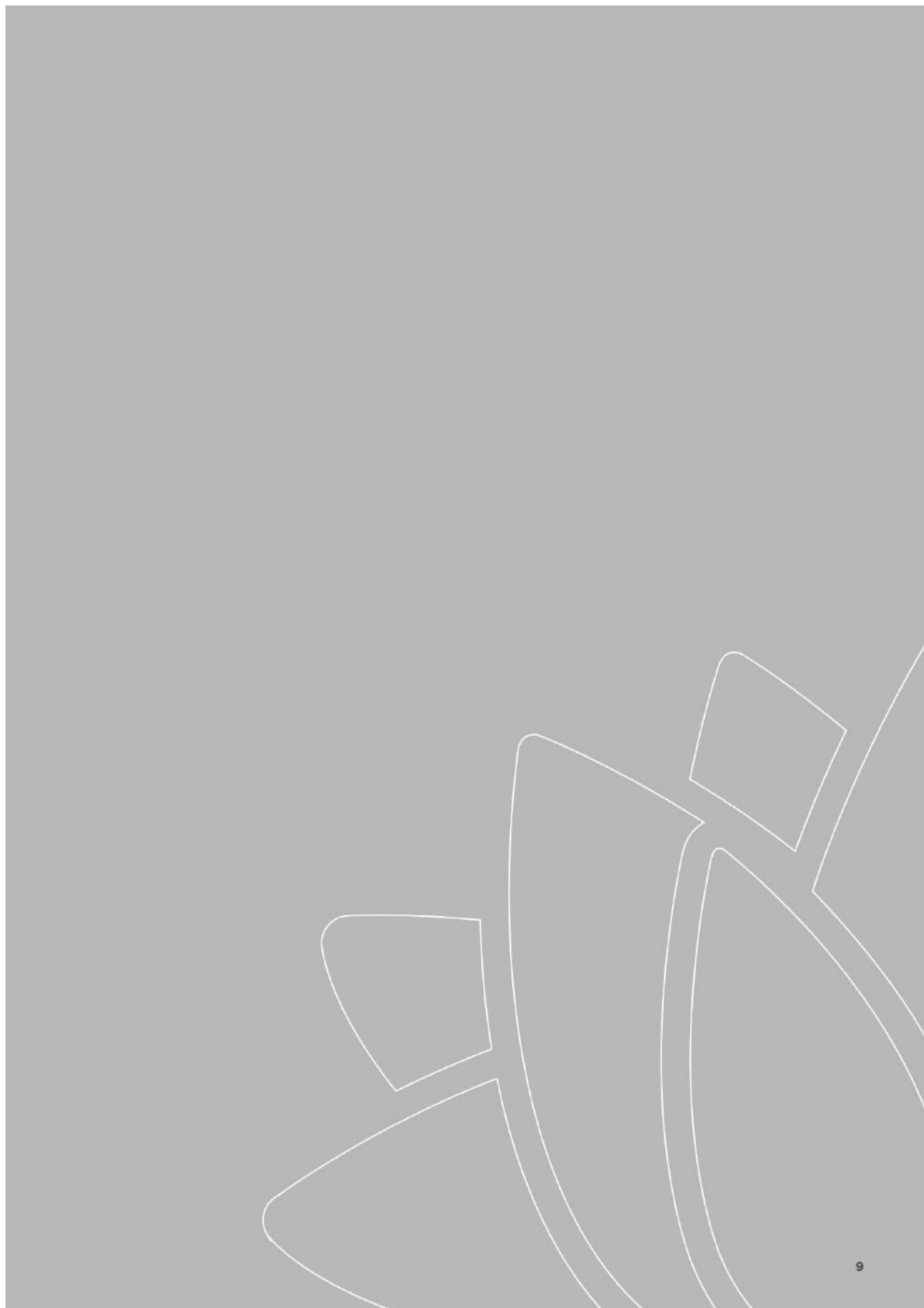
Part 2: Definitions

In this code the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of "council committee"
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of council and, for the purposes of clause 4.16, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
conduct	includes acts and omissions
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 4000 of the LGA
LGA	the <i>Local Government Act 1993</i>
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
mayor	includes the chairperson of a county council or a joint organisation

Model Code of Conduct for Local Councils in NSW

members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to



Part 3:

General Conduct Obligations

General conduct

- 3.1 You must not conduct yourself in a manner that:
- a) is likely to bring the council or other council officials into disrepute
 - b) is contrary to statutory requirements or the council's administrative requirements or policies
 - c) is improper or unethical
 - d) is an abuse of power
 - e) causes, comprises or involves intimidation or verbal abuse
 - f) involves the misuse of your position to obtain a private benefit
 - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act (*section 439*).

Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of sex, pregnancy, breastfeeding, race, age, marital or domestic status, homosexuality, disability, transgender status, infectious disease, carer's responsibilities or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person
 - b) offends, humiliates or intimidates the person, and
 - c) creates a hostile environment.

Bullying

- 3.8 You must not engage in bullying behaviour towards others.
- 3.9 For the purposes of this code, "bullying behaviour" is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
 - b) the behaviour creates a risk to health and safety.
- 3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
- a) aggressive, threatening or intimidating conduct
 - b) belittling or humiliating comments
 - c) spreading malicious rumours
 - d) teasing, practical jokes or 'initiation ceremonies'

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- e) exclusion from work-related events
 - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level
 - g) displaying offensive material
 - h) pressure to behave in an inappropriate manner.
- 3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
- a) performance management processes
 - b) disciplinary action for misconduct
 - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
 - d) directing a worker to perform duties in keeping with their job
 - e) maintaining reasonable workplace goals and standards
 - f) legitimately exercising a regulatory function
 - g) legitimately implementing a council policy or administrative processes.
- a) take reasonable care for your own health and safety
 - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
 - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WH&S Act and any policies or procedures adopted by the council to ensure workplace health and safety
 - d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
 - e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
 - f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WH&S Act in relation to the same matter.

Work health and safety

- 3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WH&S Act). You must comply with your duties under the WH&S Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.

- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.
- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
 - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
 - c) deliberately seek to impede the consideration of business at a meeting.

Part 4:

Pecuniary Interests

What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- a) your interest, or
 - b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
 - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
 - b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
 - b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
 - c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

- 4.6 You do not have to disclose the following interests for the purposes of this Part:
- a) your interest as an elector
 - b) your interest as a ratepayer or person liable to pay a charge
 - c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
 - d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code

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- e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
 - f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
 - g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
 - h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
 - i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:
 - i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
 - ii) security for damage to footpaths or roads
 - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
 - j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
 - k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA
 - l) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
 - m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
 - n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
 - o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.
- 4.7 For the purposes of clause 4.6, "relative" has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- a) the general manager
- b) other senior staff of the council for the purposes of section 332 of the LGA
- c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest
- d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
- b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.

4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council staff other than designated persons?

4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.

4.15 The staff member's manager or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council advisers?

- 4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

- 4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.
- 4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

What disclosures must be made by a councillor?

- 4.20 A councillor:
- a) must prepare and submit written returns of interests in accordance with clause 4.21, and

- b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of interests in written returns

- 4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
- a) becoming a councillor or designated person, and
 - b) 30 June of each year, and
 - c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- a) they made and lodged a return under that clause in the preceding 3 months, or
 - b) they have ceased to be a councillor or designated person in the preceding 3 months.
- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The general manager must keep a register of returns required to be made and lodged with the general manager.

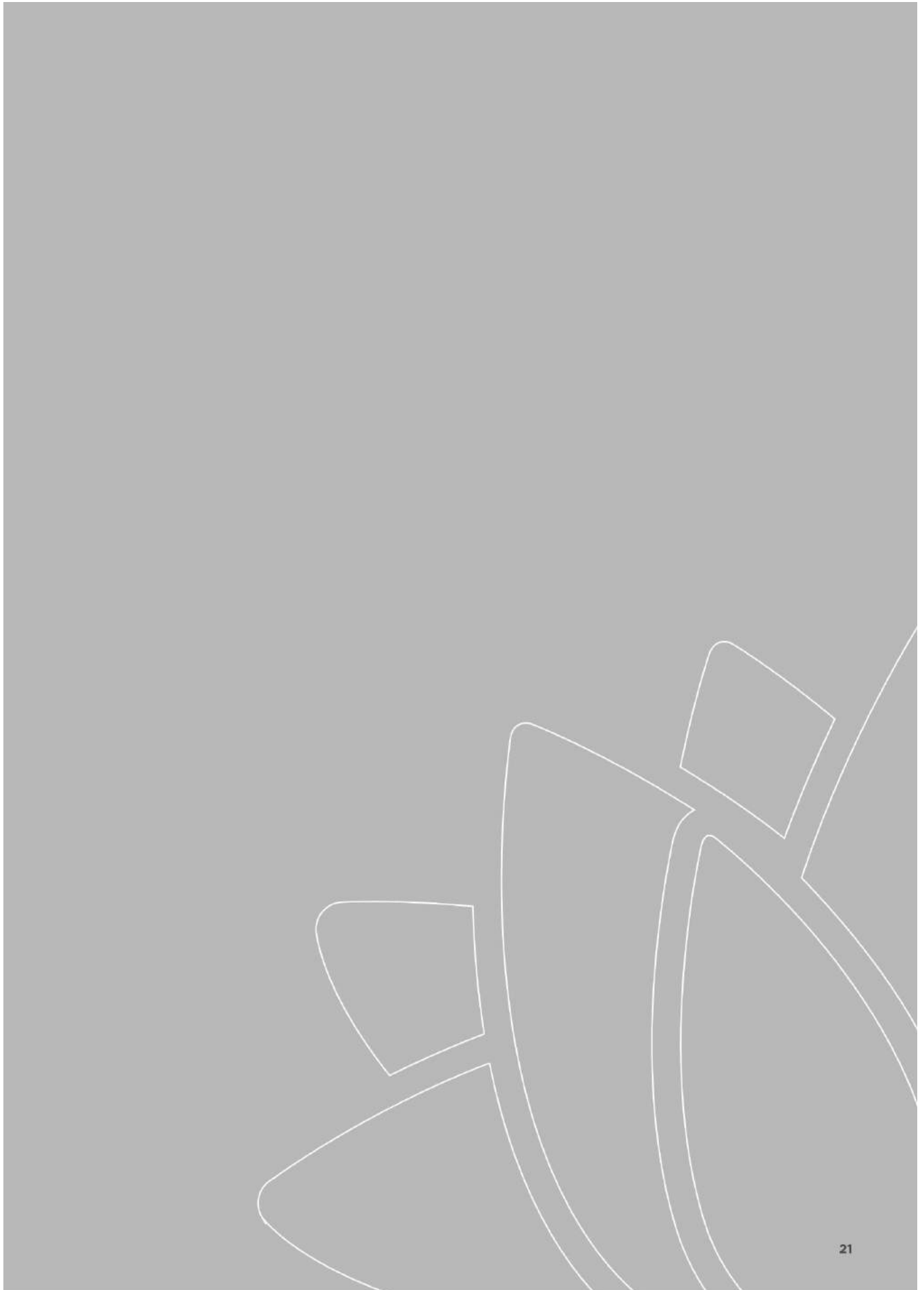
- 4.25 Returns required to be lodged with the general manager under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.
- 4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

- 4.28 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
- at any time during which the matter is being considered or discussed by the council or committee, or
 - at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the general manager in writing by a councillor or a council committee member to the effect that the councillor or council committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:
- a member of, or in the employment of, a specified company or other body, or
 - a partner of, or in the employment of, a specified person.
- Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.
- 4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

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- 4.35 Despite clause 4.29, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.29 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
- a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
 - b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
 - c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.
- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
- a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
 - b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - b) that it is in the interests of the electors for the area to do so.
- 4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.



Part 5: Non-Pecuniary Conflicts of Interest

What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.
- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.
- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
 - a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
 - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship

Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as

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- c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation
 - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
 - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
 - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.
- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

Political donations

- 5.15 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
- made by a major political donor in the previous four years, and
 - the major political donor has a matter before council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A disclosure made under this clause must be recorded in the minutes of the meeting.
- 5.17 For the purposes of this Part:
- a "reportable political donation" has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
 - "major political donor" has the same meaning as it has in the *Electoral Funding Act 2018*.
- 5.18 Councillors should note that political donations that are not a "reportable political donation", or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.
- 5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:
- the matter is a proposal relating to:
 - the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
 - the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
 - the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
 - the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.
- 5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

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- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

5.22 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

Other business or employment

5.23 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.

5.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business and the general manager has given their written approval for the staff member to engage in the employment, work or business.

5.25 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.

5.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.

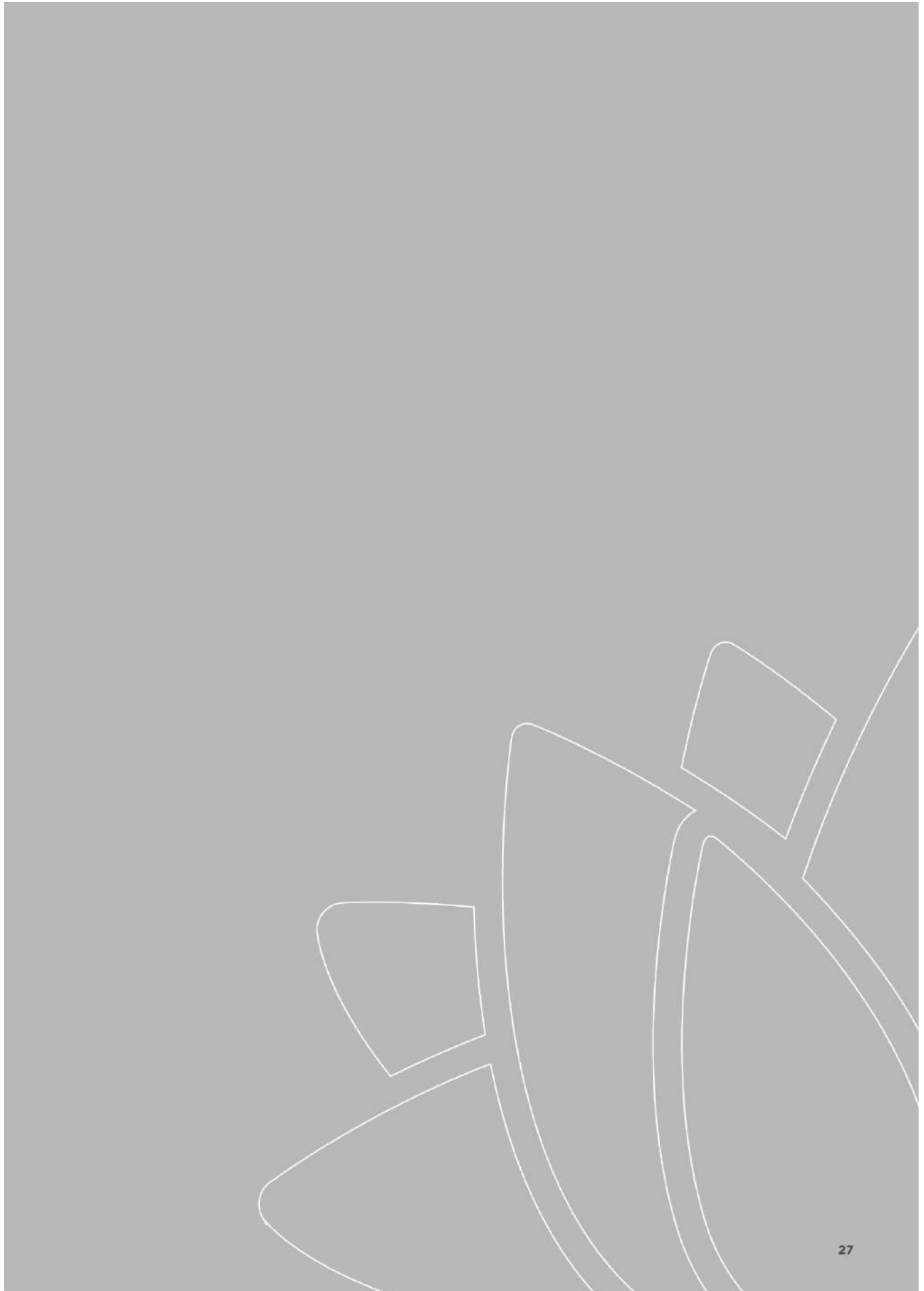
5.27 Members of staff must ensure that any outside employment, work or business they engage in will not:

- a) conflict with their official duties
- b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
- c) require them to work while on council duty
- d) discredit or disadvantage the council
- e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with council

5.28 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.

5.29 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.



Part 6:

Personal Benefit

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) a political donation for the purposes of the *Electoral Funding Act 2018*
 - b) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
 - c) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
 - d) free or subsidised meals, beverages or refreshments of token value provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) council functions or events
 - v) social functions organised by groups, such as council committees and community organisations.

Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
 - b) seek gifts or benefits of any kind
 - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
 - d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
 - e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
 - f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer-supplier relationship with the competition organiser
 - g) personally benefit from reward points programs when purchasing on behalf of the council.

6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing. The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:

- a) the nature of the gift or benefit
- b) the estimated monetary value of the gift or benefit
- c) the name of the person who provided the gift or benefit, and
- d) the date on which the gift or benefit was received.

6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$50. They include, but are not limited to:

- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$50
- b) gifts of alcohol that do not exceed a value of \$50
- c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
- d) prizes or awards that do not exceed \$50 in value.

Gifts and benefits of more than token value

6.9 Gifts or benefits that exceed \$50 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$50, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.

6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$50 in value.

6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-like gifts”

- 6.13 For the purposes of clause 6.5(e), “cash-like gifts” include but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

Part 7: Relationships Between Council Officials

Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
 - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
 - c) contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
 - d) contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.

- 7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

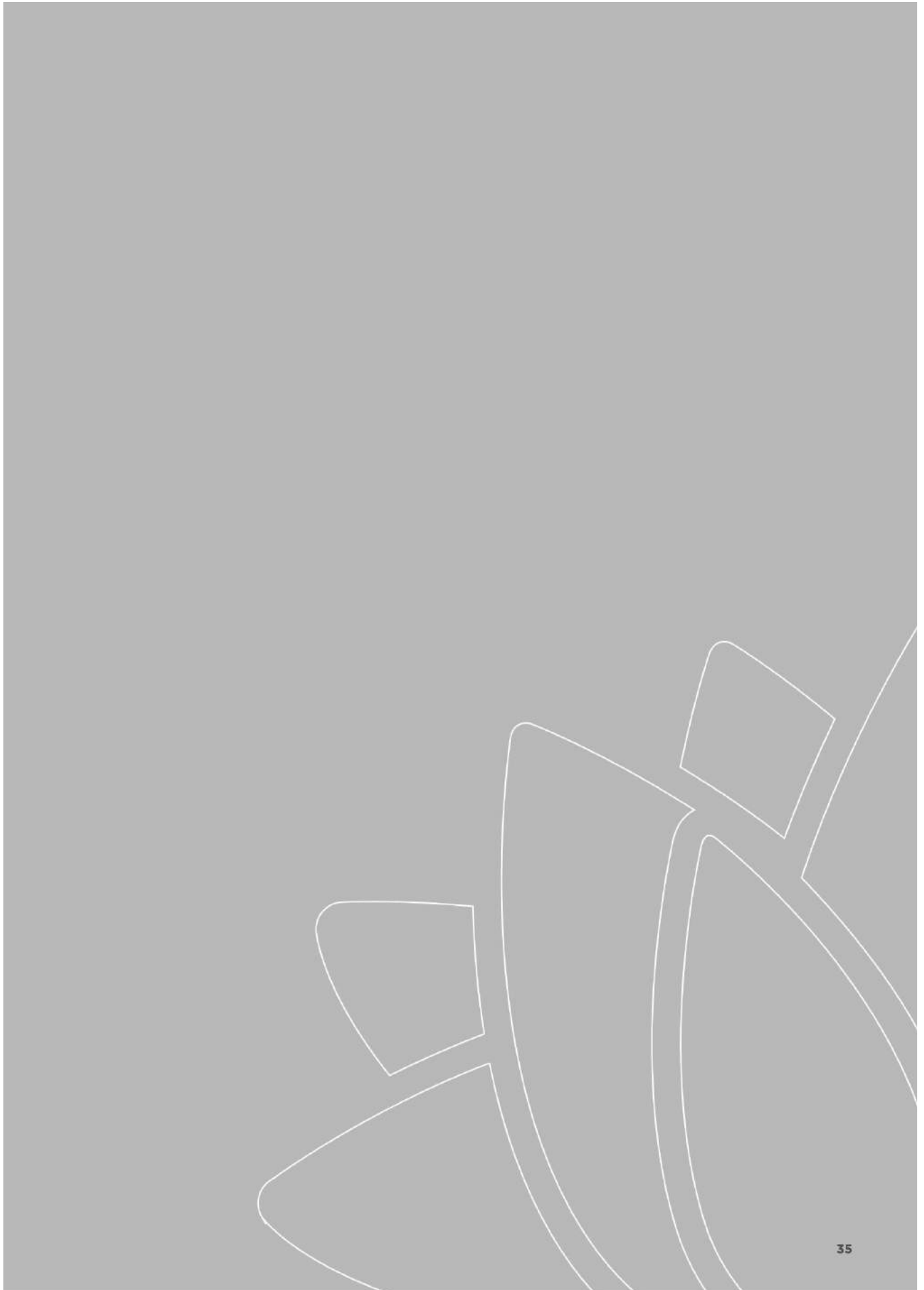
Obligations of staff

- 7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.
- 7.5 Members of staff of council must:
- a) give their attention to the business of the council while on duty
 - b) ensure that their work is carried out ethically, efficiently, economically and effectively
 - c) carry out reasonable and lawful directions given by any person having authority to give such directions
 - d) give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
 - e) ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

Inappropriate interactions

7.6 You must not engage in any of the following inappropriate interactions:

- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor has a right to be heard by the panel at the meeting
- f) councillors and administrators being overbearing or threatening to council staff
- g) council staff being overbearing or threatening to councillors or administrators
- h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make
- j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- l) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.



Part 8:

Access to Information and Council Resources

Councillor and administrator access to information

- 8.1 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 8.2 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 8.3 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 8.4 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 8.5 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 8.6 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise

available to members of the public, or the council has determined to make the information available under the GIPA Act.

Councillors and administrators to properly examine and consider information

- 8.7 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

- 8.8 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

Use of certain council information

- 8.9 In regard to information obtained in your capacity as a council official, you must:
- a) subject to clause 8.14, only access council information needed for council business
 - b) not use that council information for private purposes
 - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
 - d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.11 In addition to your general obligations relating to the use of council information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
 - b) protect confidential information
 - c) only release confidential information if you have authority to do so
 - d) only use confidential information for the purpose for which it is intended to be used

- e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
- f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
- g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

- 8.12 When dealing with personal information you must comply with:
- a) the *Privacy and Personal Information Protection Act 1998*
 - b) the *Health Records and Information Privacy Act 2002*
 - c) the Information Protection Principles and Health Privacy Principles
 - d) the council's privacy management plan
 - e) the Privacy Code of Practice for Local Government

Use of council resources

- 8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.

8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:

- a) the representation of members with respect to disciplinary matters
- b) the representation of employees with respect to grievances and disputes
- c) functions associated with the role of the local consultative committee.

8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.

8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.

8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:

- a) for the purpose of assisting your election campaign or the election campaign of others, or
- b) for other non-official purposes.

8.19 You must not convert any property of the council to your own use unless properly authorised.

Internet access

8.20 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

8.21 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.

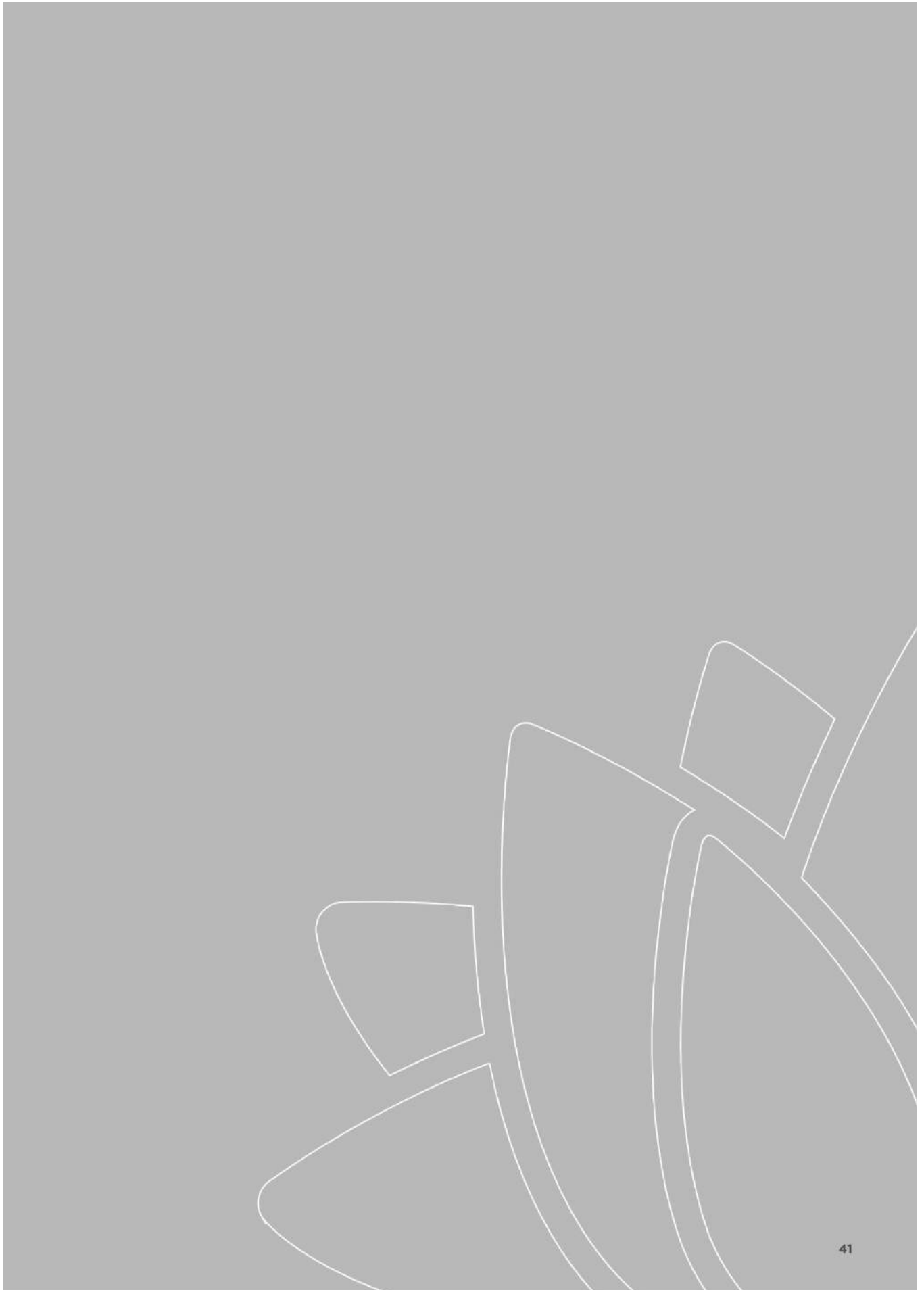
8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.

8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.

8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.25 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as provided for in the procedures governing the interaction of councillors and council staff.
- 8.27 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.



Part 9: Maintaining the Integrity of this Code

Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- to bully, intimidate or harass another council official
 - to damage another council official's reputation
 - to obtain a political advantage
 - to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
 - to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
 - to avoid disciplinary action under the Procedures
 - to take reprisal action against a person for making a complaint alleging a breach of this code
 - to take reprisal action against a person for exercising a function prescribed under the Procedures
 - to prevent or disrupt the effective administration of this code under the Procedures.

Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- injury, damage or loss
 - intimidation or harassment
 - discrimination, disadvantage or adverse treatment in relation to employment
 - dismissal from, or prejudice in, employment
 - disciplinary proceedings.

Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.

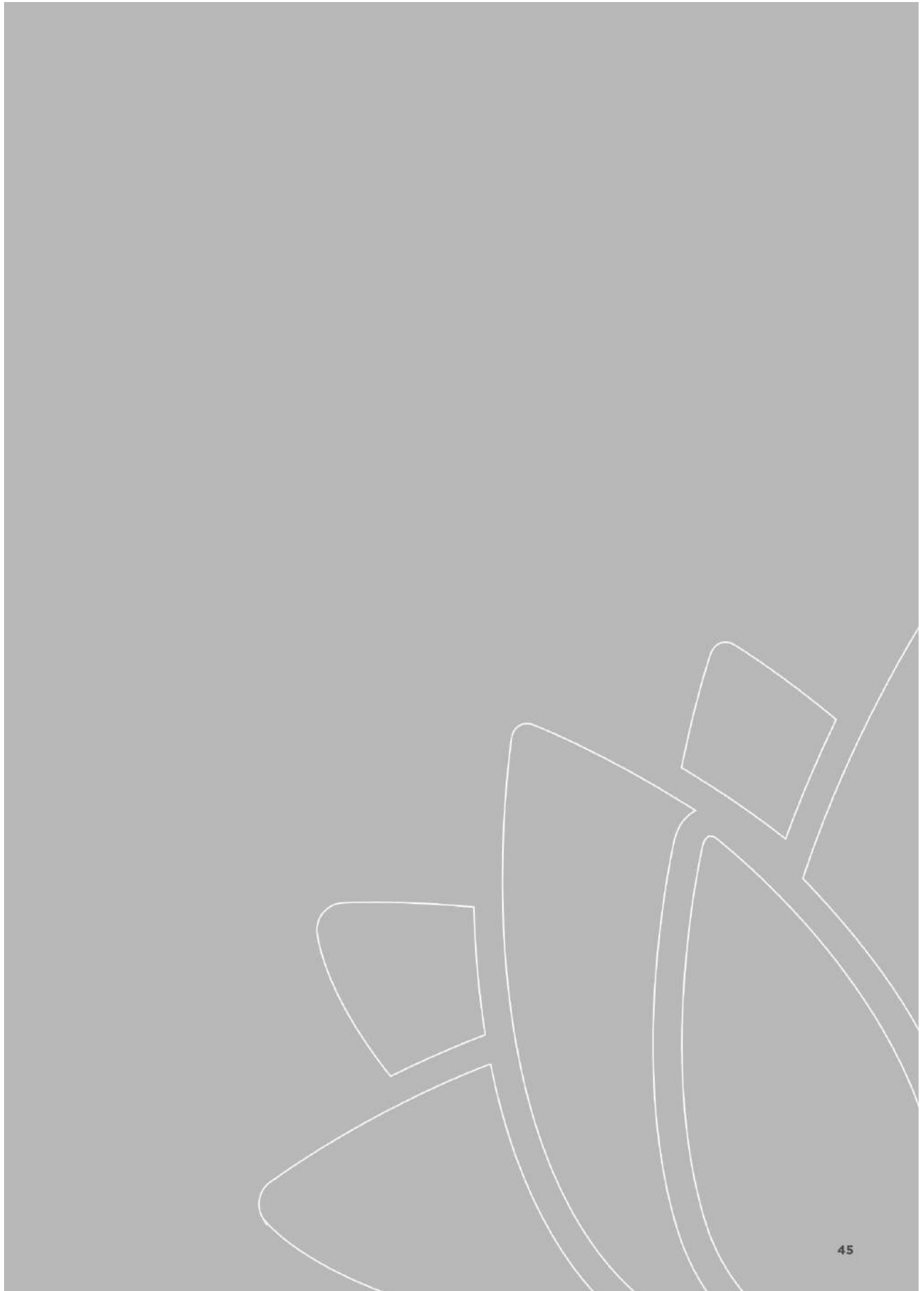
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.
- 9.9 Where you are a councillor or the general manager, you must comply with any council resolution requiring you to take action as a result of a breach of this code.

Disclosure of information about the consideration of a matter under the Procedures

- 9.10 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.11 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.12 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.13 You must not disclose information about a complaint you have made alleging a breach of this code or a matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.14 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 9.15 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.
- 9.16 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.



Schedule 1:

Disclosures of Interest and Other Matters in Written Returns Submitted Under Clause 4.21

Part 1: Preliminary

Definitions

1. For the purposes of the schedules to this code, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property

- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

listed company means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

- 2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- 3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
- 4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns

Real property

5. A person making a return under clause 4.21 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date, and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
 - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

9. A person making a return under clause 4.21 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year, and
 - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
 - c) the donor was a relative of the donee, or
 - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
 - a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
 - b) the dates on which the travel was undertaken, and
 - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.

13. A financial or other contribution to any travel need not be disclosed under this clause if it:

- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
- b) was made by a relative of the traveller, or
- c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
- d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
- e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
- f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
- g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.

14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:

- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
- b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and
- c) the nature of the interest, or the position held, in each of the corporations, and
- d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.

16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:

- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
- b) required to apply its profits or other income in promoting its objects, and
- c) prohibited from paying any dividend to its members.

17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.

18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.

20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

property developer has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
- the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and
 - the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
 - a description of the position held in each of the unions and associations.

22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

Sources of income

26. A person making a return under clause 4.21 of this code must disclose:
 - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
 - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
 - a) in relation to income from an occupation of the person:
 - i) a description of the occupation, and
 - ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
 - iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee, or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
 - a) on the return date, and
 - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
 - a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:

- i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
- ii) the amounts to be paid exceeded, in the aggregate, \$500, or
- b) the person was liable to pay the debt to a relative, or
- c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
 - i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
 - ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

Schedule 2:

Form of Written Return of Interests Submitted Under Clause 4.21

'Disclosures by councillors and designated persons' return

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.

6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

Important information

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Model Code of Conduct for Local Councils in NSW

Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]*

as at *[return date]*

in respect of the period from *[date]* to *[date]*

[councillor's or designated person's signature]

[date]

A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest

B. Sources of Income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]

C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor

D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
---	--------------------------------------	---

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest or held a position at the return date/at any time since 30 June	Nature of interest (if any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
---	-----------------------------	----------------------------------	---

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)**G. Positions in trade unions and professional or business associations**

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
---	-------------------------

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

Schedule 3:

Form of Special Disclosure of Pecuniary Interest Submitted Under Clause 4.37



1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Model Code of Conduct for Local Councils in NSW

Special disclosure of pecuniary interests by *[full name of councillor]*

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the *[name of council or council committee (as the case requires)]*

to be held on the day of 20 .

Pecuniary interest

Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)

Relationship of identified land to councillor
[Tick or cross one box.]

- ☐ The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise).
- ☐ An associated person of the councillor has an interest in the land.
- ☐ An associated company or body of the councillor has an interest in the land.

Matter giving rise to pecuniary interest¹

Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land)²

[Tick or cross one box]

- ☐ The identified land.
- ☐ Land that adjoins or is adjacent to or is in proximity to the identified land.

Current zone/planning control

[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]

- 1 Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.
- 2 A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

Proposed change of zone/planning control

[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]

Effect of proposed change of zone/planning control on councillor or associated person

[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]



Procedures for the
Administration of

The Model Code of Conduct

for Local Councils in NSW

2018



PROCEDURES FOR THE ADMINISTRATION OF THE MODEL CODE OF CONDUCT FOR LOCAL COUNCILS IN NSW

2018

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9.00am to 5.00pm

(Special arrangements may be made if these hours are unsuitable)

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Produced by the NSW Office of Local Government, Department of Planning and Environment

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Part 1: Introduction

These procedures ("the Model Code Procedures") are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct").

The Model Code of Conduct is made under section 440 of the *Local Government Act 1993* ("the LGA") and the *Local Government (General) Regulation 2005* ("the Regulation"). Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the LGA and the Regulation. Section 440AA of the LGA requires every council (including county councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

Note: References in these procedures to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting the Model Code Procedures, joint organisations should adapt them to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Code Procedures, county councils should adapt them to substitute the term "chairperson" for "mayor" and "member" for "councillor".

Note: Parts 6, 7, 8 and 11 of these procedures apply only to the management of code of conduct complaints about councillors (including the mayor) or the general manager.

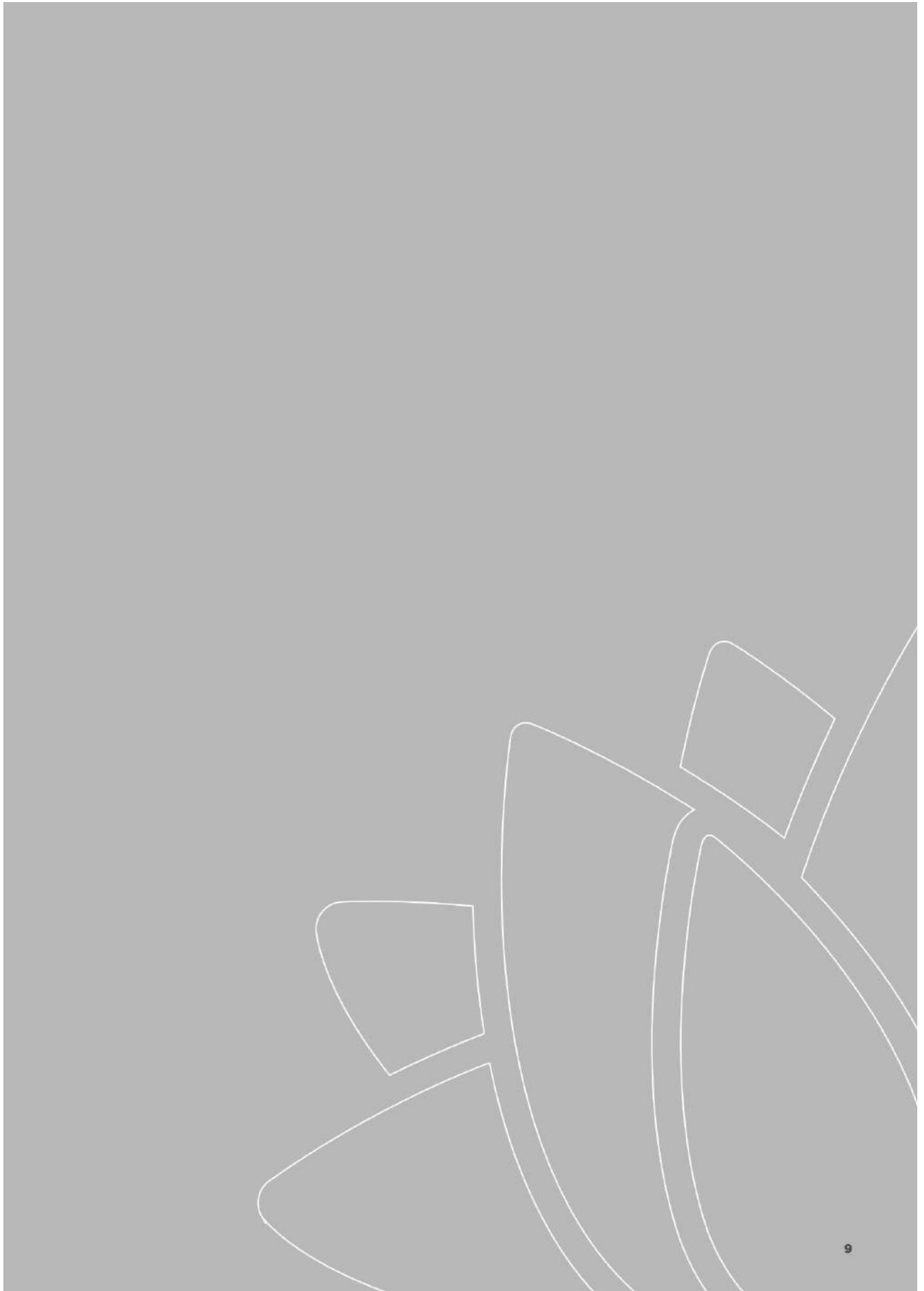
Part 2: Definitions

In these procedures the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
code of conduct	a code of conduct adopted under section 440 of the LGA
code of conduct complaint	a complaint that is a code of conduct complaint for the purposes of clauses 4.1 and 4.2 of these procedures
complainant	a person who makes a code of conduct complaint
complainant councillor	a councillor who makes a code of conduct complaint
complaints coordinator	a person appointed by the general manager under these procedures as a complaints coordinator
conduct reviewer	a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee
councillor	any person elected or appointed to civic office, including the mayor, and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
council official	any councillor, member of staff of council, administrator, council committee member, delegate of council and, for the purposes of clause 4.16 of the Model Code of Conduct, council adviser
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
external agency	a state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the police
general manager	includes the executive officer of a joint organisation
ICAC	the Independent Commission Against Corruption
investigator	a conduct reviewer
joint organisation	a joint organisation established under section 4000 of the LGA

Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW

LGA	the <i>Local Government Act 1993</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	the Office of Local Government
the Regulation	the <i>Local Government (General) Regulation 2005</i>
respondent	a person whose conduct is the subject of investigation by a conduct reviewer under these procedures
wholly advisory committee	a council committee that the council has not delegated any functions to



Part 3:

Administrative Framework

The establishment of a panel of conduct reviewers

- 3.1 The council must by resolution establish a panel of conduct reviewers.
- 3.2 The council may by resolution enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
 - a) an understanding of local government, and
 - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
 - c) knowledge and experience of one or more of the following:
 - i) investigations
 - ii) law
 - iii) public administration
 - iv) public sector ethics
 - v) alternative dispute resolution, and
 - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.
- 3.6 A person is not eligible to be a conduct reviewer if they are:
 - a) a councillor, or
 - b) a nominee for election as a councillor, or
 - c) an administrator, or
 - d) an employee of a council, or
 - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to a council's panel of conduct reviewers where the council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.
- 3.9 A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.10 The council may terminate the panel of conduct reviewers at any time by resolution. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.

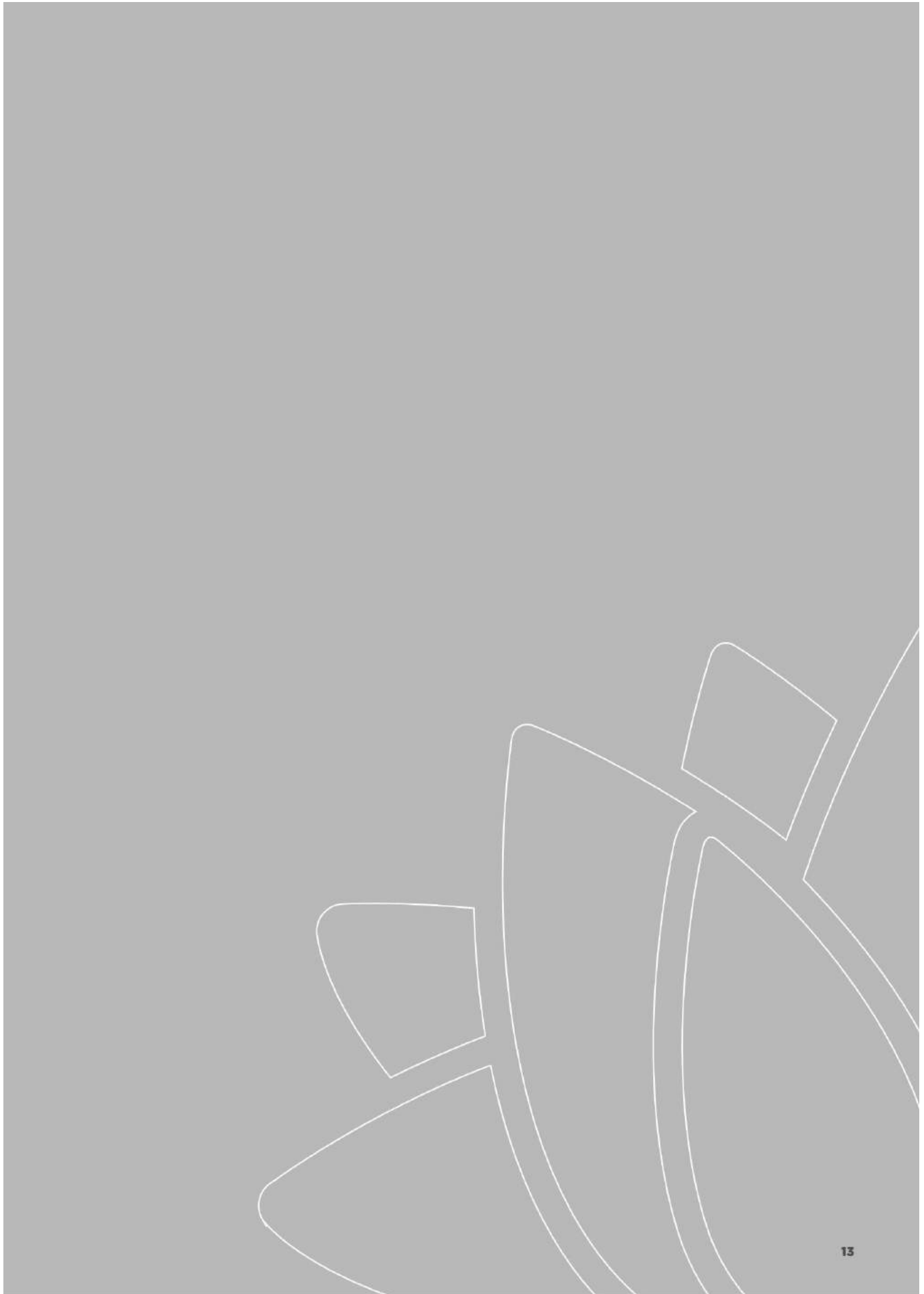
- 3.11 When the term of the panel of conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.12 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council if they continue to meet the selection and eligibility criteria for membership of the panel.

The appointment of an internal ombudsman to a panel of conduct reviewers

- 3.13 Despite clause 3.6(d), an employee of a council who is the nominated internal ombudsman of one or more councils may be appointed to a council's panel of conduct reviewers with the Office's consent.
- 3.14 To be appointed to a council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15 An internal ombudsman appointed to a council's panel of conduct reviewers may also exercise the functions of the council's complaints coordinator. For the purposes of clause 6.1, an internal ombudsman who is a council's complaints coordinator and has been appointed to the council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16 Clause 6.4(c) does not apply to an internal ombudsman appointed to a council's panel of conduct reviewers.

The appointment of complaints coordinators

- 3.17 The general manager must appoint a member of staff of the council or another person (such as, but not limited to, a member of staff of another council or a member of staff of a joint organisation or other regional body associated with the council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff of the council, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.18 The general manager may appoint other members of staff of the council or other persons (such as, but not limited to, members of staff of another council or members of staff of a joint organisation or other regional body associated with the council), to act as alternates to the complaints coordinator.
- 3.19 The general manager must not undertake the role of complaints coordinator.
- 3.20 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.
- 3.21 The role of the complaints coordinator is to:
- coordinate the management of complaints made under the council's code of conduct
 - liaise with and provide administrative support to a conduct reviewer
 - liaise with the Office and
 - arrange the annual reporting of code of conduct complaints statistics.



Part 4:

How May Code of Conduct Complaints be Made?

What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official that would constitute a breach of the standards of conduct prescribed under the council's code of conduct if proven.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
- a) complaints about the standard or level of service provided by the council or a council official
 - b) complaints that relate solely to the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
 - c) complaints about the policies or procedures of the council
 - d) complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of conduct complaint are to be dealt with under the council's routine complaints management processes.

When must a code of conduct complaint be made?

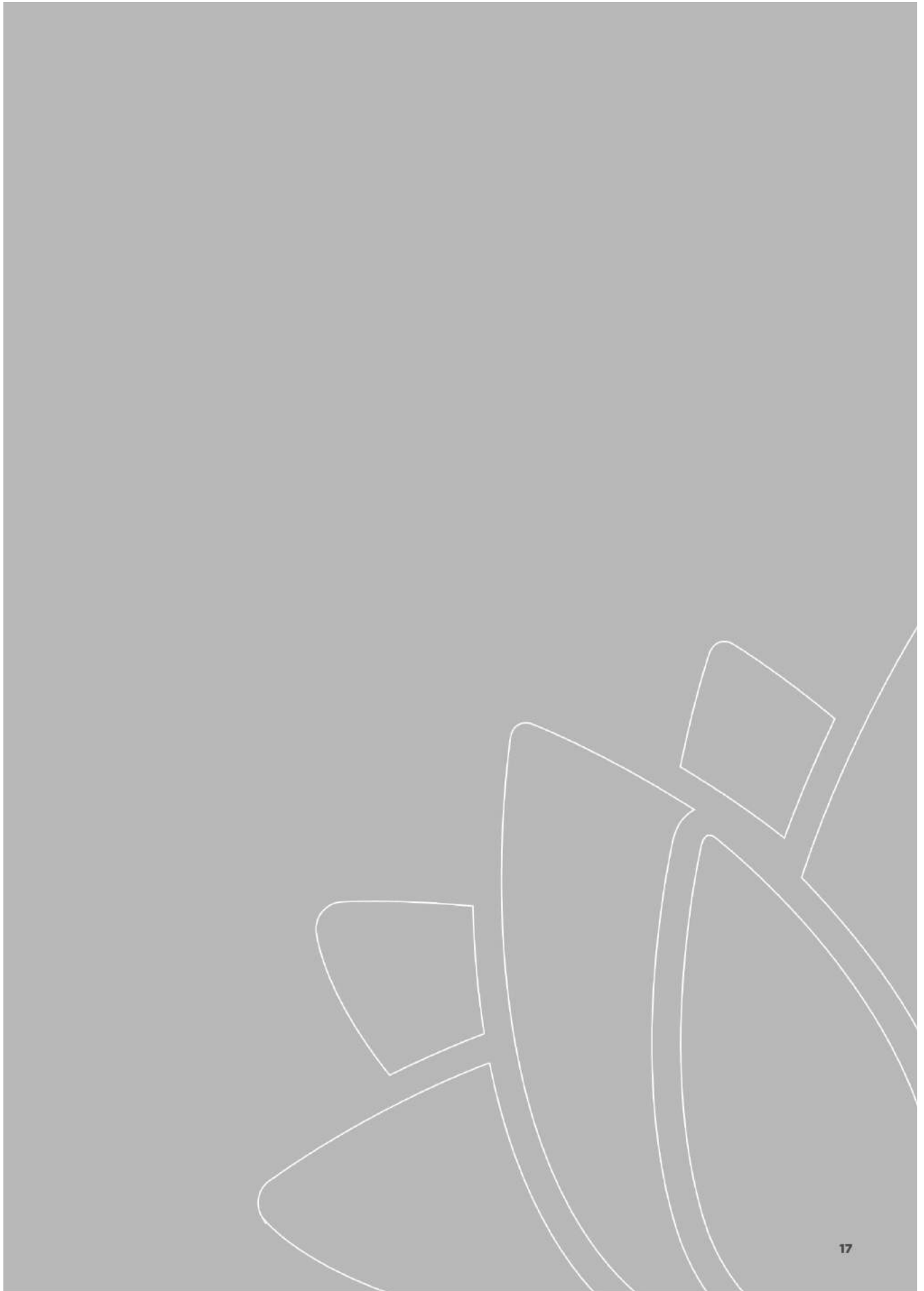
- 4.4 A code of conduct complaint must be made within three months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 months may only be accepted if the general manager or their delegate, or, in the case of a complaint about the general manager, the mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the code of conduct.

How may a code of conduct complaint about a council official other than the general manager be made?

- 4.6 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.9 The general manager or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding clauses 4.6 and 4.7, where the general manager becomes aware of a possible breach of the council's code of conduct, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

How may a code of conduct complaint about the general manager be made?

- 4.11 Code of conduct complaints about the general manager are to be made to the mayor in writing. This clause does not operate to prevent a person from making a complaint about the general manager to an external agency.
- 4.12 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15 Notwithstanding clauses 4.11 and 4.12, where the mayor becomes aware of a possible breach of the council's code of conduct by the general manager, they may initiate the process for the consideration of the matter under these procedures without a written complaint.



Part 5:

How are Code of Conduct Complaints to be Managed?

How are Code of Conduct Complaints to be Managed?

Delegation by general managers and mayors of their functions under this Part

- 5.1 A general manager or mayor may delegate their functions under this Part to a member of staff of the council or to a person or persons external to the council other than an external agency. References in this Part to the general manager or mayor are also to be taken to be references to their delegates.

- d) relates to a matter the substance of which has previously been considered and addressed by the council and does not warrant further action, or
- e) is not made in a way that would allow the alleged conduct and any alleged breaches of the council's code of conduct to be readily identified.

Consideration of complaints by general managers and mayors

- 5.2 In exercising their functions under this Part, general managers and mayors may consider the complaint assessment criteria prescribed under clause 6.31.

How are code of conduct complaints about staff (other than the general manager) to be dealt with?

- 5.4 The general manager is responsible for the management of code of conduct complaints about members of staff of council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.

What complaints may be declined at the outset?

- 5.3 Without limiting any other provision in these procedures, the general manager or, in the case of a complaint about the general manager, the mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:

- a) is not a code of conduct complaint, or
- b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
- c) is trivial, frivolous, vexatious or not made in good faith, or

- 5.5 The general manager must refer code of conduct complaints about members of staff of council alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.

- 5.6 The general manager may decide to take no action in relation to a code of conduct complaint about a member of staff of council other than one requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.

- 5.7 Where the general manager decides to take no action in relation to a code of conduct complaint about a member of staff of council, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.

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- 5.8 Code of conduct complaints about members of staff of council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9 Sanctions for breaches of the code of conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are code of conduct complaints about delegates of council, council advisers and council committee members to be dealt with?

- 5.10 The general manager is responsible for the management of code of conduct complaints about delegates of council and council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.11 The general manager must refer code of conduct complaints about council advisers, delegates of council and council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 5.12 The general manager may decide to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member other than one requiring referral to the Office

under clause 5.11 where they consider that no action is warranted in relation to the complaint.

- 5.13 Where the general manager decides to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about delegates of council or council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.15 Where the general manager resolves a code of conduct complaint under clause 5.14 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.16 Sanctions for breaches of the code of conduct by delegates of council and/or council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure

How are Code of Conduct Complaints to be Managed?

- b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the general manager
 - c) prosecution for any breach of the law
 - d) removing or restricting the person's delegation
 - e) removing the person from membership of the relevant council committee.
- 5.17 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.16, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of the council's code of conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and
 - b) the person must be given an opportunity to respond to the allegation, and
 - c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.16.

How are code of conduct complaints about administrators to be dealt with?

- 5.18 The general manager must refer all code of conduct complaints about administrators to the Office for its consideration.

- 5.19 The general manager must notify the complainant of the referral of their complaint in writing.

How are code of conduct complaints about councillors to be dealt with?

- 5.20 The general manager must refer the following code of conduct complaints about councillors to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
 - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the LGA)
 - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
 - d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.21 Where the general manager refers a complaint to the Office under clause 5.20, the general manager must notify the complainant of the referral in writing.
- 5.22 The general manager may decide to take no action in relation to a code of conduct complaint about a councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.

- 5.23 Where the general manager decides to take no action in relation to a code of conduct complaint about a councillor, the general manager must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.24 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.25 Where the general manager resolves a code of conduct complaint under clause 5.24 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.26 The general manager must refer all code of conduct complaints about councillors, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

How are code of conduct complaints about the general manager to be dealt with?

- 5.27 The mayor must refer the following code of conduct complaints about the general manager to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
 - b) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
 - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.28 Where the mayor refers a complaint to the Office under clause 5.27, the mayor must notify the complainant of the referral in writing.
- 5.29 The mayor may decide to take no action in relation to a code of conduct complaint about the general manager, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30 Where the mayor decides to take no action in relation to a code of conduct complaint about the general manager, the mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

How are Code of Conduct Complaints to be Managed?

- 5.31 Where the mayor considers it to be practicable and appropriate to do so, the mayor may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.32 Where the mayor resolves a code of conduct complaint under clause 5.31 to the mayor's satisfaction, the mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.33 The mayor must refer all code of conduct complaints about the general manager, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

How are complaints about both the general manager and the mayor to be dealt with?

- 5.34 Where the general manager or mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the general manager and the mayor, the general manager or mayor must either:
- a) delegate their functions under this part with respect to the complaint to a member of staff of the council other than the general manager where the allegation is not serious, or to a person external to the council, or
 - b) refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

Referral of code of conduct complaints to external agencies

- 5.35 The general manager, mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.
- 5.36 The general manager, mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.
- 5.37 Where the general manager, mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.

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5.38 Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless the council is subsequently advised otherwise by the referral agency.

Disclosure of the identity of complainants

5.39 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:

- a) the complainant consents in writing to the disclosure, or
- b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
- c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
- d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
- e) it is otherwise in the public interest to do so.

5.40 Clause 5.39 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.

5.41 Where a councillor makes a code of conduct complaint about another councillor or the general manager, and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.

5.42 A request made by a complainant councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.

5.43 The general manager or mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant councillor, but they are not obliged to comply with the request.

5.44 Where a complainant councillor makes a request under clause 5.41, the general manager or mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

Code of conduct complaints made as public interest disclosures

5.45 These procedures do not override the provisions of the *Public Interest Disclosures Act 1994*. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, the council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.

5.46 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these

How are Code of Conduct Complaints to be Managed?

procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.

- 5.47 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the general manager or the mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the *Public Interest Disclosures Act 1994*.

Special complaints management arrangements

- 5.48 The general manager may request in writing that the Office enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.49 Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
 - b) impeded or disrupted the effective administration by the council of its code of conduct, or
 - c) impeded or disrupted the effective functioning of the council.

- 5.50 A special complaints management arrangement must be in writing and must specify the following:

- a) the code of conduct complaints the arrangement relates to, and
- b) the period that the arrangement will be in force.

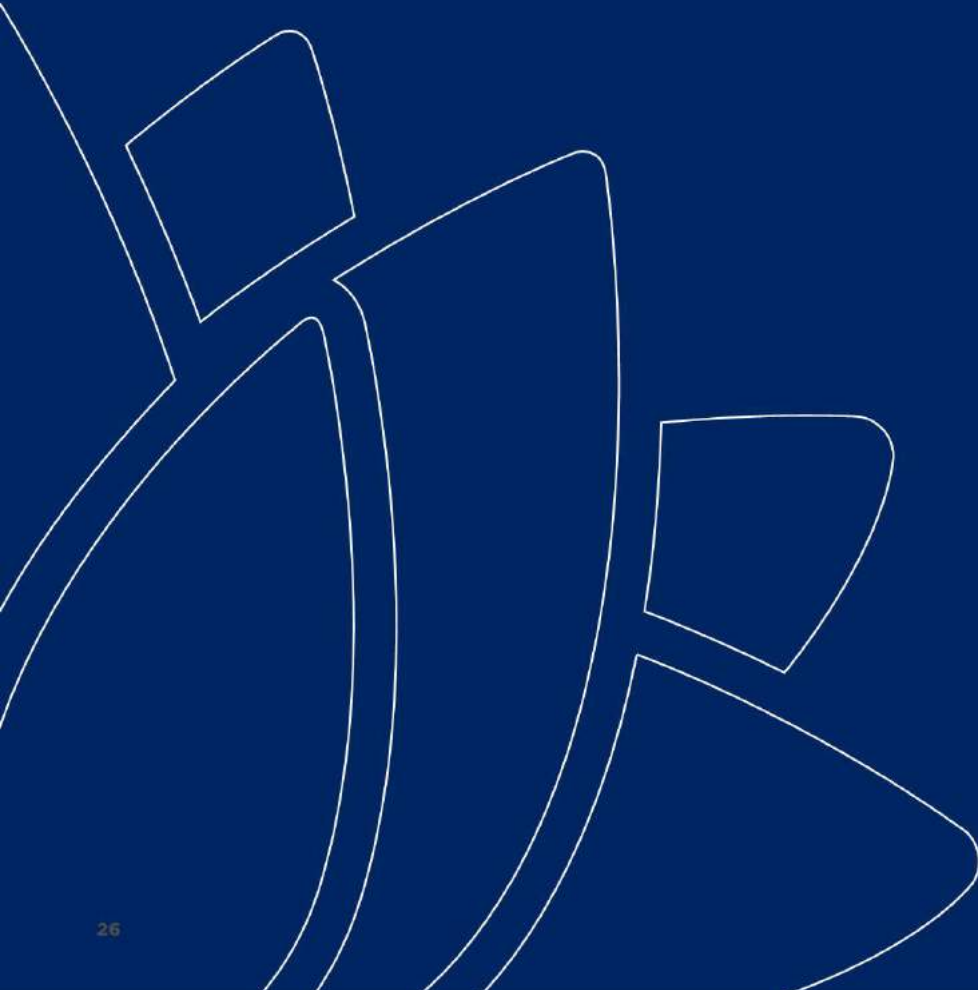
- 5.51 The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.

- 5.52 While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.

- 5.53 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.

- 5.54 Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the general manager, review the arrangement to determine whether it should be renewed or amended.

- 5.55 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.



Part 6:

Preliminary Assessment of Code of Conduct Complaints About Councillors or the General Manager by Conduct Reviewers

Referral of code of conduct complaints about councillors or the general manager to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager that have not been referred to an external agency or declined or resolved by the general manager, mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the general manager or the mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the council, or
 - b) a panel of conduct reviewers established by an organisation approved by the Chief Executive of the Office.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interest in relation to the matter referred to them, or
 - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
 - c) they or their employer has entered into one or more contracts with the council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or
 - d) at the time of the referral, they or their employer are the council's legal service provider or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council, including any information about previous proven

breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.

- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
- 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
- a) comply with these procedures in their consideration of the matter, or
 - b) comply with a lawful and reasonable request by the complaints coordinator, or
 - c) exercise their functions in a timely or satisfactory manner.
- 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.

Preliminary assessment of code of conduct complaints about councillors or the general manager by a conduct reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
- a) to take no action
 - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - d) to refer the matter to an external agency
 - e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.

**Preliminary Assessment of Code of Conduct Complaints About
Councillors or the General Manager by Conduct Reviewers**

- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17 The conduct reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
- 6.18 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.19 The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 6.20 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 6.21 Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 6.22 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
 - b) that the alleged conduct is sufficiently serious to warrant investigation, and
 - c) that the matter is one that could not or should not be resolved by alternative means.
- 6.23 In determining whether a matter is sufficiently serious to warrant investigation, the conduct reviewer is to consider the following:
- a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the council
 - b) the likely impact of the alleged conduct on the reputation of the council and public confidence in it
 - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
 - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.24 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.
- 6.25 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

Referral back to the general manager or mayor for resolution

- 6.26 Where the conduct reviewer determines to refer a matter back to the general manager or to the mayor to be resolved by alternative and appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the mayor, recommending the means by which the complaint may be resolved.
- 6.27 The conduct reviewer must consult with the general manager or mayor prior to referring a matter back to them under clause 6.13(c).
- 6.28 The general manager or mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.
- 6.29 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager or, in the case of a complaint about the general manager, the mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.30 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager or, in the case of a complaint about the general manager, the mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

Complaints assessment criteria

- 6.31 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:
- a) whether the complaint is a code of conduct complaint for the purpose of these procedures
 - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under the council's code of conduct
 - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
 - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code of conduct
 - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
 - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
 - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
 - h) whether the issue/s giving rise to the complaint have previously been addressed or resolved

**Preliminary Assessment of Code of Conduct Complaints About
Councillors or the General Manager by Conduct Reviewers**

- i) any previous proven breaches of the council's code of conduct
- j) whether the conduct complained of forms part of an ongoing pattern of behaviour
- k) whether there were mitigating circumstances giving rise to the conduct complained of
- l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
- m) the significance of the conduct or the impact of the conduct for the council
- n) how much time has passed since the alleged conduct occurred
- o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

Part 7:

Investigations of Code of Conduct Complaints About Councillors or the General Manager

What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an "investigator") may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the mayor.
- 7.3 The general manager or the mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
 - a) disclose the substance of the allegations against the respondent, and
 - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
 - c) advise of the process to be followed in investigating the matter, and
- d) advise the respondent of the requirement to maintain confidentiality, and
- e) invite the respondent to make a written submission in relation to the matter within at least 14 days or such other period specified by the investigator in the notice, and
- f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
- 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
- 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within at least 14 days or such other period specified by the investigator in the amended notice.
- 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the complainant, the complaints coordinator and the mayor. The notice must:

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- a) advise them of the matter the investigator is investigating, and
- b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
- c) invite the complainant to make a written submission in relation to the matter within at least 14 days or such other period specified by the investigator in the notice.

- 7.13 Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.
- 7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

Written and oral submissions

- 7.9 Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12 Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.

How are investigations to be conducted?

- 7.15 Investigations are to be undertaken without undue delay.
- 7.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

Referral or resolution of a matter after the commencement of an investigation

- 7.20 At any time after an investigator has issued a notice of investigation and before they have issued a draft report, an investigator may determine to:
- resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - refer the matter to the general manager, or, in the case of a complaint about the general manager, to the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
 - refer the matter to an external agency.
- 7.21 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22 The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 7.23 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the respondent, the complainant, the complaints coordinator and the mayor, discontinue their investigation of the matter.
- 7.24 Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 7.25 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

Draft investigation reports

- 7.26 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27 The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within at least 14 days or such other period specified by the investigator.
- 7.28 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within at least 14 days or such other period specified by the investigator.

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- 7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they must provide the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.
- a) make findings of fact in relation to the matter investigated, and,
- b) make a determination that the conduct investigated either,
- i) constitutes a breach of the code of conduct, or
- ii) does not constitute a breach of the code of conduct, and
- c) provide reasons for the determination.
- 7.36 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may make one or more of the following recommendations:
- a) that the council revise any of its policies, practices or procedures
- b) that the respondent undertake any training or other education relevant to the conduct giving rise to the breach
- c) that the respondent be counselled for their conduct
- d) that the respondent be removed from membership of a committee of the council or any other body or organisation that the respondent serves on as the council's representative
- e) that the respondent gives an undertaking not to repeat the offending behaviour in such time and form specified by the recommendation
- f) that the respondent apologise to any person or organisation affected by the breach in such a time and form specified by the recommendation
- g) that findings of inappropriate conduct be made public by publishing the investigator's findings and determination in the minutes of the council meeting at which the matter is considered

Final investigation reports

- 7.33 Where an investigator issues a notice of investigation they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 7.35 The investigator's final report must:

Investigations of Code of Conduct Complaints About Councillors or the General Manager

- h) in the case of a breach by the general manager, that action be taken under the general manager's contract
 - i) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA
 - j) in the case of a breach by a councillor, that the council resolves as follows:
 - i) that the councillor be formally censured for the breach under section 440G of the LGA, and
 - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.37 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may make one or more of the following recommendations:
- a) that the council revise any of its policies, practices or procedures
 - b) that a person or persons undertake any training or other education.
- 7.38 In making a recommendation under clause 7.36, the investigator may have regard to the following:
- a) the seriousness of the breach
 - b) whether the breach can be easily remedied or rectified
 - c) whether the respondent has remedied or rectified their conduct
 - d) whether the respondent has expressed contrition
 - e) whether there were any mitigating circumstances
 - f) the age, physical or mental health or special infirmity of the respondent
 - g) whether the breach is technical or trivial only
 - h) any previous proven breaches
 - i) whether the breach forms part of an ongoing pattern of behaviour
 - j) the degree of reckless intention or negligence of the respondent
 - k) the extent to which the breach has affected other parties or the council as a whole
 - l) the harm or potential harm to the reputation of the council or local government in general arising from the conduct
 - m) whether the findings and recommendations can be justified in terms of the public interest and would withstand public scrutiny
 - n) whether an educative approach would be more appropriate than a punitive one
 - o) the relative costs and benefits of taking formal disciplinary action as opposed to taking no action or taking informal action
 - p) what action or remedy would be in the public interest.
- 7.39 Where the investigator proposes to make a recommendation under clause 7.36(j), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.40 At a minimum, the investigator's final report must contain the following information:
- a) a description of the allegations against the respondent

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- b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
 - c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
 - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
 - e) a description of any attempts made to resolve the matter by use of alternative means
 - f) the steps taken to investigate the matter
 - g) the facts of the matter
 - h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
 - i) the investigator's determination and the reasons for that determination
 - j) any recommendations.
- 7.41 The investigator must provide a copy of their report to the complaints coordinator and the respondent.
- 7.42 At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
 - b) the investigator's determination and the reasons for that determination
 - c) any recommendations, and
 - d) such other additional information that the investigator considers may be relevant.
- 7.43 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor, and this will finalise consideration of the matter under these procedures.
- 7.44 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraph (a) only, the complaints coordinator must provide a copy of the investigator's report to the general manager. Where the general manager agrees with the recommendation/s, the general manager is responsible for implementing the recommendation/s.
- 7.45 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraphs (b) or (c) only, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor. The general manager is responsible for arranging the implementation of the recommendation/s where the report relates to a councillor's conduct. The mayor is responsible for arranging the implementation of the recommendation/s where the report relates to the general manager's conduct.
- 7.46 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation or recommendations under clause 7.36, paragraphs (d) to (j) (whether or not in conjunction with recommendations made under clause 7.36, paragraphs (a) to (c)),

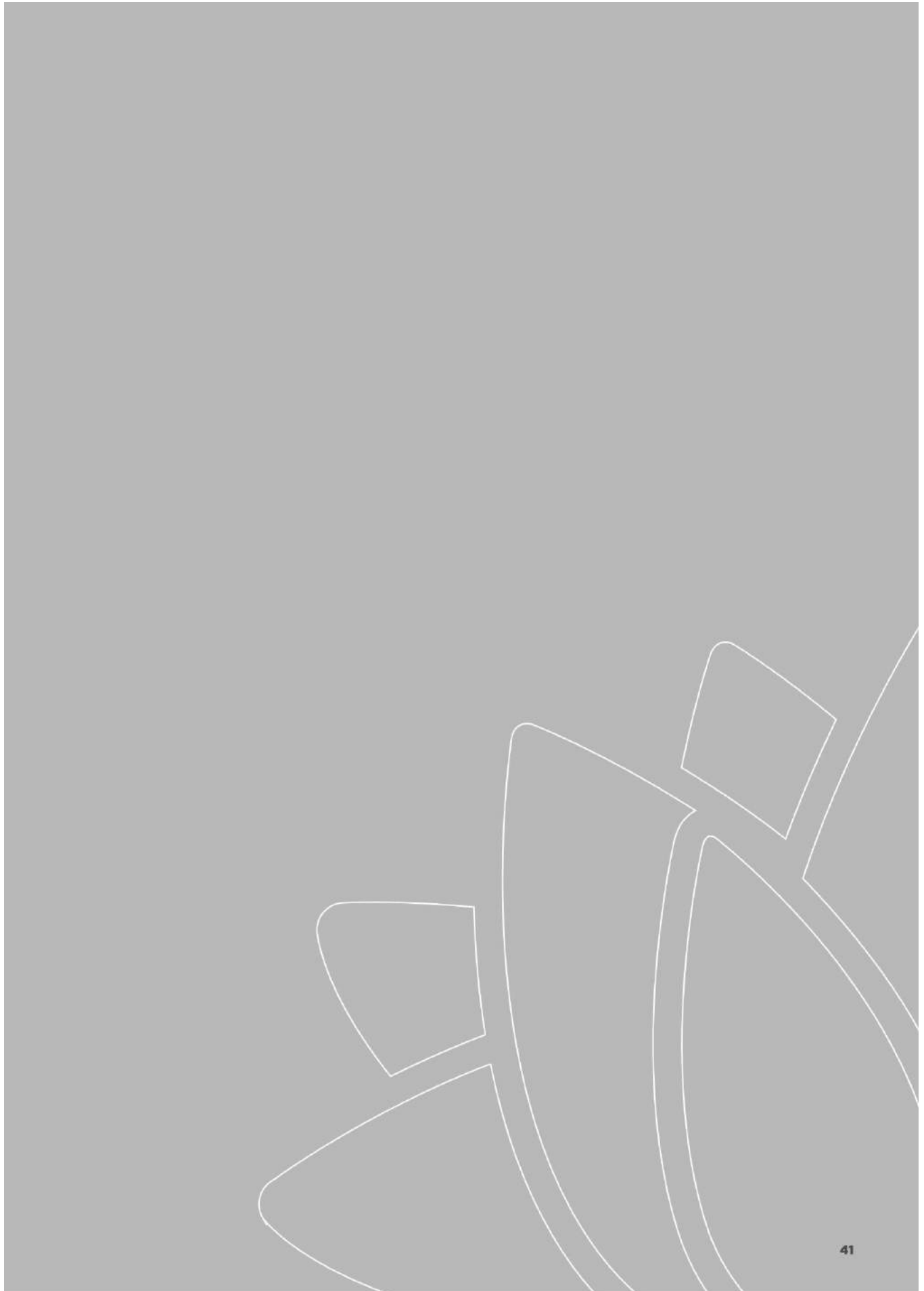
the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.

Consideration of the final investigation report by council

- 7.47 The role of the council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.36, paragraphs (d) to (j) (whether or not in conjunction with recommendations made under clause 7.36, paragraphs (a) to (c)).
- 7.48 The council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LGA.
- 7.49 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the code of conduct.
- 7.50 Prior to imposing a sanction, the council must provide the respondent with an opportunity to make a submission to the council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation/s.
- 7.51 Once the respondent has made their submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 7.52 The council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 7.53 Prior to imposing a sanction, the council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
 - b) seek an opinion from the Office in relation to the report.
- 7.54 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.55 The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.56 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council and the respondent.
- 7.57 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.58 The council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.
- 7.59 A council may by resolution impose one or more of the following sanctions on a respondent:

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- a) that the respondent undertake any training or other education relevant to the conduct giving rise to the breach
 - b) that the respondent be counselled for their conduct
 - c) that the respondent be removed from membership of a committee of the council or any other body or organisation that the respondent serves on as the council's representative
 - d) that the respondent gives an undertaking not to repeat the offending behaviour in such time and form specified by the resolution
 - e) that the respondent apologise to any person or organisation affected by the breach in such a time and form specified by the resolution
 - f) that findings of inappropriate conduct be made public by publishing the investigator's findings and determination in the minutes of the meeting
 - g) in the case of a breach by the general manager, that action be taken under the general manager's contract for the breach
 - h) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA
 - i) in the case of a breach by a councillor:
 - i) that the councillor be formally censured for the breach under section 440G of the LGA, and
 - ii) that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.60 The council is not obliged to adopt the investigator's recommendation/s. Where the council proposes not to adopt one or more of the investigator's recommendation/s, the council must resolve not to adopt the recommendation/s and state in its resolution the reasons for its decision.
- 7.61 Where the council proposes to impose a sanction on the respondent under clause 7.59 that is different to the sanction recommended by the investigator in their final report, the council must state in its resolution the reasons for its decision.
- 7.62 Where the council resolves not to adopt the investigator's recommendation/s or imposes a sanction on the respondent under clause 7.59 that is different to the sanction recommended by the investigator, the complaints coordinator must notify the Office of the council's decision and the reasons for it.



Part 8:

Oversight and Rights of Review

The Office's powers of review

- 8.1 The Office may, at any time, whether or not in response to a request, review the consideration of a matter under a council's code of conduct where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct in their consideration of a matter.
- 8.2 The Office may direct any person, including the council, to defer taking further action in relation to a matter under consideration under the council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3 Where the Office undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

Complaints about conduct reviewers

- 8.4 The general manager or their delegate must refer code of conduct complaints about conduct reviewers to the Office for its consideration.
- 8.5 The general manager must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 8.6 The general manager must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

Practice rulings

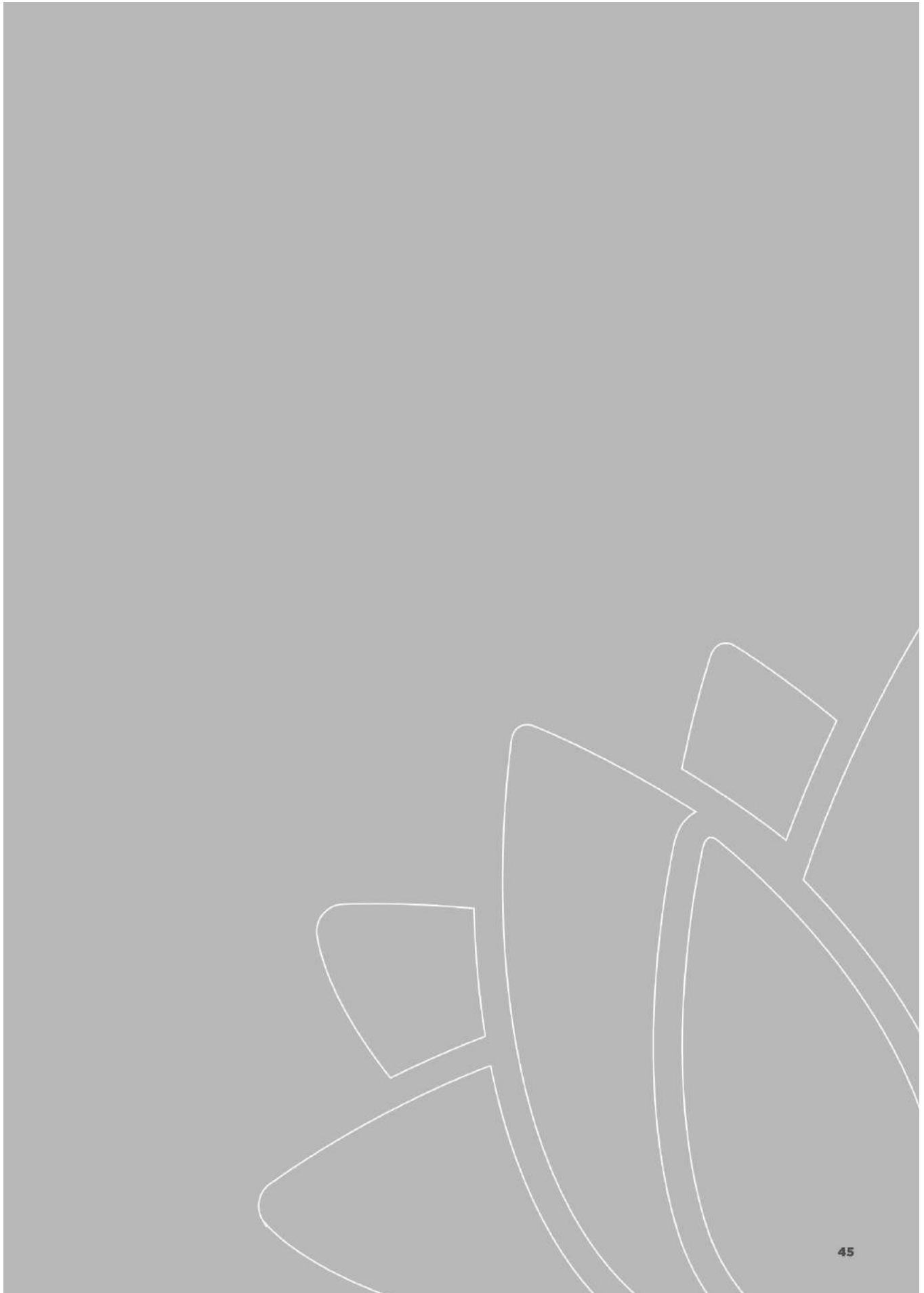
- 8.7 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 8.8 Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 8.9 Where the Office makes a practice ruling, all parties must comply with it.
- 8.10 The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

Review of decisions to impose sanctions

- 8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.59, paragraph (i), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.
- 8.12 A review under clause 8.11 may be sought on the following grounds:
 - a) that the investigator has failed to comply with a requirement under these procedures, or
 - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or

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- c) that in imposing its sanction, the council has failed to comply with a requirement under these procedures.
- 8.13 A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.
- 8.14 The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15 The Office may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16 The Office will undertake a review of the matter on the papers. However, the Office may request that the complaints coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Office.
- 8.17 Where a person requests a review under clause 8.11, the Office may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Office.
- 8.18 The Office must notify the person who requested the review and the complaints coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.
- 8.19 Where the Office considers that the investigator or the council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed.
- 8.20 In the case of a sanction implemented by the general manager or mayor under clause 7.45, where the Office recommends that the decision to impose a sanction be reviewed:
 - a) the complaints coordinator must provide a copy of the Office's determination in relation to the matter to the general manager or the mayor, and
 - b) the general manager or mayor must review any action taken by them to implement the sanction, and
 - c) the general manager or mayor must consider the Office's recommendation in doing so.
- 8.21 In the case of a sanction imposed by the council by resolution under clause 7.59, where the Office recommends that the decision to impose a sanction be reviewed:
 - a) the complaints coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
 - b) the council must:
 - i) review its decision to impose the sanction, and
 - ii) consider the Office's recommendation in doing so, and
 - iii) resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 8.22 Where, having reviewed its previous decision in relation to a matter under clause 8.21, the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.



Part 9:

Procedural Irregularities

- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
- a) the non-compliance is isolated and/or minor in nature, or
 - b) reasonable steps are taken to correct the non-compliance, or
 - c) reasonable steps are taken to address the consequences of the non-compliance.

Part 10: Practice Directions

Practice Directions

- 10.1 The Office may at any time issue a practice direction in relation to the application of these procedures.
- 10.2 The Office will issue practice directions in writing, by circular to all councils.
- 10.3 All persons performing a function prescribed under these procedures must consider the Office's practice directions when performing the function.

Part 11:

Reporting Statistics on Code of Conduct Complaints About Councillors and the General Manager

Reporting Statistics on Code of Conduct Complaints About Councillors and the General Manager

- 11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:
- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
 - b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
 - c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
 - d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
 - e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
 - f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
 - g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.
- 11.2 The council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

Part 12: Confidentiality

- 12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the general manager or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3 Prior to seeking the Office's consent under clause 12.2, the general manager or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within at least 14 days or such other period specified by the general manager or their delegate, and consider any submission made by them.
- 12.4 In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the general manager or their delegate.
- 12.5 The general manager or their delegate must give written notice of a determination made under clause 12.2 to:
- a) the complainant
 - b) the complaints coordinator
 - c) the Office, and
 - d) any other person the general manager or their delegate considers should be notified of the determination.
- 12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the general manager or their delegate under clause 12.2.
- 12.7 Clause 12.6 does not override any entitlement a person may have to access to council information under the *Government Information (Public Access) Act 2009* or to receive information under the *Public Interest Disclosures Act 1994* in relation to a complaint they have made.





**muswellbrook
shire council**

MODEL CODE OF MEETING PRACTICE

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1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary council meetings

3.1 Ordinary meetings of the council will be held on the 2nd Monday in each month commencing at 6.00 pm.

3.2 Meetings will normally be held in the Council Chambers, Administration Centre, 157 Maitland Street, Muswellbrook. However, Council may determine to meet at other locations throughout the Shire from time to time and will advertise these details as required by this Code.

Extraordinary meetings

3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

Notice to the public of council meetings

- 3.4 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

- 3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

- 3.8 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

- 3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted by 9am on Monday, 7 business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.

- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.13 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
 - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.

- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Availability of the agenda and business papers to the public

- 3.23 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.23 reflects section 9(2) and (4) of the Act.

- 3.24 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.24 reflects section 9(2A)(b) of the Act.

- 3.25 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.25 reflects section 9(3) of the Act.

- 3.26 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.26 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.27 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.28 Despite clause 3.27, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 3.29 A motion moved under clause 3.28(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.30 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.28(a) can speak to the motion before it is put.
- 3.31 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.28(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.32 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.33 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.34 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.

- 3.36 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.37 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums are to be chaired by the mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by no later than 9am two (2) days prior to the day of the meeting before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.5 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.6 The chairperson can decide the maximum number of speakers to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.7 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.8 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase

the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.

- 4.9 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than 3 days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.10 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.11 Each speaker will be allowed 2 minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.12 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.13 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.14 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to 2 minutes.
- 4.15 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.16 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to 2 minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.17 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.18 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.19 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker

fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.

- 4.20 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.21 Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.22 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

5 COMING TOGETHER

Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.
- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.

- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.6 reflects section 234(1)(d) of the Act.

- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.8 reflects section 368(1) of the Act.

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.9 reflects section 368(2) of the Act.

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- 5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the

meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.

- 5.14 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Entitlement of the public to attend council meetings

- 5.15 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.15 reflects section 10(1) of the Act.

- 5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.17 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.17 reflects section 10(2) of the Act.

Webcasting of meetings

- 5.18 All meetings of the council and committees of the council are to be webcast on the council's website.
- 5.19 All meetings of the council are to be recorded and audio recordings of meetings uploaded on the council's website at a later time.
- 5.20 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.21 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.22 A recording of each meeting of the council and committee of the council is to be retained on the council's website for 6 months. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

- 5.23 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.23 reflects section 376(1) of the Act.

- 5.24 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.24 reflects section 376(2) of the Act.

- 5.25 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.25 reflects section 376(3) of the Act.

- 5.26 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

6 THE CHAIRPERSON

The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.

- 6.4 The election of a chairperson must be conducted:

- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.

- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 The general order of business for an ordinary meeting of the council shall be:
- 1. Acknowledgement of Country
 - 2. Civic Prayer
 - 3. Apologies
 - 4. Confirmation of Minutes
 - 5. Disclosure of any Pecuniary or Non-Pecuniary Interests
 - 6. Mayoral Minute
 - 7. Public Participation
 - 8. Business Arising (from previous meetings)
 - 9. Business (Specific Reports)
 - 10. Correspondence

11. General Manager's Report
12. Director of Corporate and Community Services Report
13. Director of Community Infrastructure Report
14. Director of Environmental Services Report
15. Minutes of Committee Meetings
16. Record of Proceedings of Committee Meetings
17. Notices of Motion
18. Relevant Matters Report
19. Councillors Reports
20. Written Questions
21. Questions for Next Meeting
22. Closed Council

- 8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.
- 8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
- (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause 3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 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, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.

- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:

- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11 VOTING

Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at council meetings

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.

- 11.6 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

Voting on planning decisions

- 11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12–11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

12 COMMITTEE OF THE WHOLE

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on

balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:

- (i) should not be deferred (because of the urgency of the matter), and
- (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by 12 noon of the day of the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than 8 speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than 8 speakers to make representations in such order as determined by the chairperson.

- 14.17 Each speaker will be allowed 2 minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Information to be disclosed in resolutions closing meetings to the public

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:

- (a) contravenes the Act or any regulation in force under the Act or this code, or
- (b) assaults or threatens to assault another councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

15.12 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) or (b), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council.

15.15 Clause 15.14, does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

- 15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.
- 15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.20 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.22 Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

17 DECISIONS OF THE COUNCIL

Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

Note: Under section 400U(4) of the Act, joint organisations may specify more stringent voting requirements for decisions by the board such as a 75% majority or consensus decision making. Where a joint organisation's charter specifies more stringent voting requirements, clause 17.1 must be adapted to reflect those requirements.

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.

- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than **[council to specify the period of time]** after the meeting at which the resolution was adopted.

- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.

- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
- (b) to confirm the voting on the resolution.

- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.

- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed

alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude no later than **[council to specify the time]**.
- 18.2 If the business of the meeting is unfinished at **[council to specify the time]**, the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at **[council to specify the time]**, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

- 19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
 - (b) if the council has not decided a number – a majority of the members of the committee.

Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
- (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
- (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:
- (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.

- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 A motion at a committee of a joint organisation is taken to be lost in the event of an equality of votes.

Note: Clause 20.17 reflects clause 397E of the Regulation. Joint organisations must adopt clause 20.17 and omit clause 20.16. Councils must not adopt clause 20.17.

- 20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

- 20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) details of each motion moved at a meeting and of any amendments moved to it,
 - (b) the names of the mover and seconder of the motion or amendment,
 - (c) whether the motion or amendment was passed or lost, and
 - (d) such other matters specifically required under this code.
- 20.24 All voting at meetings of committees of the council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITIES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of

- interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
- (e) a failure to comply with this code.

Note: Clause 21.1 reflects section 374 of the Act.

22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion

foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2005</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June

12.2 POLICY UPDATES

- Attachments:**
- A. Financial Assistance and Sponsorship Policy MSC05E
 - B. Volunteer Policy MSC06E
 - C. Policy B15-1 - Gifts, Bribes Benefits
 - D. Fraud and Corruption Policy
 - E. Draft Policy C45-1
 - F. Policy C40-1 Council Colours
 - G. Draft Policy S25-10
 - H. Draft Policy S25-39
 - I. Draft Policy S25-6
 - J. Policy - Workplace Display Material - MSCWHS013
 - K. Draft Policy C50-1
 - L. Draft Policy B50-1
 - M. Policy T30-1 Travel- Interstate and Overseas
 - N. Policy - Staff No Smoking - MSCWHS015
 - O. Policy - Council Administration Centre Smoke Free Premises - MSCWHS016
 - P. Policy C38-8 Council Buildings or Property No Smoking
 - Q. Policy - Staff No Smoking - MSCWHS015
 - R. Keeping of Roosters in Residential Areas
 - S. Draft Policy H10-1
 - T. Policy F16-1 - Financial Assistance Policy
 - U. Policy S20-1 - Corporate Sponsorship of Council Events or Activities
 - V. Water Drinking Quality Policy MSC05I
 - W. Equal Employment Opportunity Policy MSC04I

Responsible Officer: Fiona Plesman - General Manager

Author: Aleksandar Mitreski - Policy Officer

Community Plan Issue: *Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community*

Community Plan Goal: *Enhanced collaboration with Council's community and stakeholders to ensure Council and its elected arm is best placed to make decisions in the best interest of the community.*

Community Plan Strategy: *Implement and maintain a diverse range of communication channels between Council and community stakeholders..*

PURPOSE

This report

OFFICER'S RECOMMENDATION

Council:

1. ENDORSES the Financial Assistance and Sponsorship Policy MSC05E and Volunteer Policy MSC06E for a period of public exhibition of 28 days.

2. RESCINDS the following policies:

- Gifts, Bribes, & Benefits B15/1;
- Fraud and Corruption;
- Coat of arms C45/1;
- Council Colours C40/1;
- STAFF – Employee Assistance Program S25/10;
- STAFF – Harassment and Workplace Bullying Policy S25/29;
- STAFF – Critical Incident Management Policy S25/6;
- Workplace Display Material S25/35;
- Compensation Claims – Stained Clothing C50/1;
- Buy locally Policy – Plant Purchased Above \$20 000 B50/1;
- Travel Policy T30/1; Council – Smoke Free Premises C39/2;
- Council Buildings or Property – No Smoking C38/8;
- Staff - No Smoking policy S25/13;
- Council Administration Centre Smoke Free Premises C39/1;
- Keeping of Roosters in Residential Areas N1/1;
- Horses on Private property H10/1;
- Financial Assistance F16/1; and
- Corporate Sponsorship of Council Events or Activities S20/1.

3. NOTES that the General Manager has adopted the following policies:

- Water Drinking Quality Policy MSC05I; and
- Equal Employment Opportunity Policy MSC04I.

Moved: _____ Seconded: _____

BACKGROUND

The following report aligns with Council's commitment to reduce its Governance risk and it follows recommendations outlined in the Internal Auditor's report.

CONSULTATION

All policies which are proposed to be adopted or rescinded have been discussed with relevant Council staff and MANEX.

REPORT**1. Updating existing policies****Financial Assistance and Sponsorship Policy MSC05E**

Financial assistance provided by Council: This policy regulates the process for providing financial assistance to local not-for-profit community groups, organisations and sporting groups who are interested in working towards enhancing the social, cultural and recreational well-being of the communities of the Muswellbrook Shire.

Sponsorship provided to Council: the policy also regulates how Council will seek, negotiate, secure and maintain corporate sponsorship agreements.

Volunteer Policy MSC06E

This policy will provide a safe work environment for volunteers and effectively administer and support volunteer activities. The Volunteer policy is an essential document in the 'Welcome pack' provided to all volunteers across all departments.

2. Rescission of existing policies

The table below provides the names of current and existing Council policies that require rescission and provides reasons:

Policy name	Reason
1. Gifts, Bribes, & Benefits B15/1	Content absorbed in new the Governance Policy
2. Fraud and Corruption (no code)	Content absorbed in the Governance Policy
3. Coat of arms C45/1	Content absorbed in the new Governance Policy
4. Council Colours C40/1	Content absorbed in the new Governance Policy
5. STAFF – Employee Assistance Program S25/10	New internal policy created
6. STAFF – Harassment and Workplace Bullying Policy S25/29	Content absorbed in the new Equal Employment Opportunity
7. STAFF – Critical Incident Management Policy S25/6	Converted to a procedure
8. Workplace Display Material S25/35	Content absorbed in the new Equal Employment Opportunity
9. Compensation Claims – Stained Clothing C50/1	Dated policy
10. Buy locally Policy – Plant Purchased Above \$20 000 B50/1	Dated policy
11. Travel Policy T30/1	Converted to a procedure
12. Council – Smoke Free Premises C39/2	Content absorbed in the new No Smoking Policy
13. Council Buildings or Property – No Smoking C38/8	Content absorbed in the new No Smoking Policy
14. Staff - No Smoking policy S25/13	Content absorbed in the new No Smoking Policy
15. Council Administration Center Smoke Free Premises C39/1	Content absorbed in the new No Smoking Policy

Policy name	Reason
16. Keeping of Roosters in Residential Areas N1/1	Content absorbed in the new Local Orders Policy
17. Horses on Private property H10/1	Content absorbed in the new Local Orders Policy
18. Financial Assistance F16/1	Content absorbed in the new Financial assistance and Sponsorship policy
19. Corporate Sponsorship of Council Events or Activities S20/1	Content absorbed in the new Financial assistance and Sponsorship policy

3. Internal policies adopted by the General Manager

Water Drinking Quality Policy MSC05I

This policy reduces Council's governance risk and provides a foundation for additional procedures and guidelines for the safe management and distribution of water in the Shire.

In particular, this policy highlights Muswellbrook Shire Council's commitment to supplying safe, quality drinking water to the residents of Muswellbrook, Denman and Sandy Hollow, which appropriately meets the requirements of the Australian Drinking Water Guidelines of 2011 (ADWG 2011), and other regulatory requirements.

Equal Employment Opportunity Policy MSC04I

Equal Employment Opportunity (EEO) policy seeks to ensure that all staff have equal access to opportunities within the workplace. Also to demonstrate management and organisational commitment to EEO to ensure that there is within Council and its staff, an understanding of EEO principles and awareness of issues relating to EEO Management.

OPTIONS

Option 1:

1. Council approves the Financial Assistance and Sponsorship Policy MSC05E and Volunteer Policy MSC06E for a period of public exhibition.
2. Council rescinds the following list of policies: Gifts, Bribes, & Benefits B15/1; Fraud and Corruption; Coat of arms C45/1; Council Colours C40/1; STAFF – Employee Assistance Program S25/10; STAFF – Harassment and Workplace Bullying Policy S25/29; STAFF – Critical Incident Management Policy S25/6; Workplace Display Material S25/35; Compensation Claims – Stained Clothing C50/1; Buy locally Policy – Plant Purchased Above \$20 000 B50/1; Travel Policy T30/1; Council – Smoke Free Premises C39/2; Council Buildings or Property – No Smoking C38/8; Staff - No Smoking policy S25/13; Council Administration Center Smoke Free Premises C39/1; Keeping of Roosters in Residential Areas N1/1; Horses on Private property H10/1; Financial Assistance F16/1; Corporate Sponsorship of Council Events or Activities S20/1.
3. Council notes that the General Manager adopted Water Drinking Quality Policy MSC05I and Equal Employment Opportunity Policy MSC04I.

Option 2:

Council does not approve the proposed policies and does not rescind all 19 policies listed in this report.

CONCLUSION

It is recommended that Council endorses the Financial Assistance and Sponsorship Policy MSC05E and Volunteer Policy MSC06E for public exhibition, rescinds all 19 attached policies as suggested in this

report, and notes that the General Manager adopted Water Drinking Quality Policy MSC05I and Equal Employment Opportunity Policy MSC04I.

Should Council chooses not to follow the recommendation in this report, there will be a significant governance risk due to the dated policies which will continue to be valid, duplicate policies which may be contradictory, and, by not adopting the new updated policies, some areas may be insufficiently regulated.

SOCIAL IMPLICATIONS

Not applicable.

FINANCIAL IMPLICATIONS

Not applicable.

POLICY IMPLICATIONS

Recommendations in this report reduce the number of dated policies, remove duplicate policies, and update existing policies in accordance to Council's Governance Policy.

STATUTORY IMPLICATIONS

Not applicable.

LEGAL IMPLICATIONS

Not applicable.

OPERATIONAL PLAN IMPLICATIONS

Not applicable.

RISK MANAGEMENT IMPLICATIONS

Recommendations in this report mitigate Council's governance risk.



muswellbrook shire council

Financial Assistance and Sponsorship Policy

MSC05E

This document is a controlled document. Before using this document, check it is the latest version by referring to Council's EDRMS and ensuring you are using the Last Approved Version. Printed or downloaded versions of this document are uncontrolled.

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Policy Objective

The objective of this policy to ensure that the administration of financial assistance and sponsorship activities follow best practice principles of corporate governance. This policy aims:

1. To regulate the process for providing financial assistance to local not-for-profit community groups, organisations and sporting groups who are interested in working towards enhancing the social, cultural and recreational well-being of the communities of the Muswellbrook Shire.
2. To provide Councillors, staff and community groups or committees with guidelines to be used when seeking, negotiating, securing and maintaining corporate sponsorship agreements.

Risks being addressed

This policy outlines principles on allocation of funds thereby mitigating the risk of misappropriation of Council resources. At the same time, the policy supports the implementation of the Council's Community Strategic Plan, as well as other goals outlined in Council's Delivery Plan and Operational Plan.

Scope

This policy regulates the entire financial assistance given by Council to third parties. Council departments that provide any type of grants from their operational budgets also must comply with the principles outlined here. Also regulated with this policy is any sponsorship received by a third party for any Council activity, function or event. The policy applies to all Council staff and Councillors.

Definitions

Financial Assistance – official help given to a third party in the form of money (e.g donations, grants) or waiving of fees. Council does not provide in-kind assistance. All requests for Council works and services are costed through the Financial Assistance Program

Sponsorship - means a contribution in money or kind, generally by the corporate sector or private individuals, in support of a Council activity, function or event. It does not include the selling of advertising space, joint ventures, consultancies and gifts or donations where the reciprocal benefit provided by the Council does not extend beyond the acknowledgment and terms of the agreement.

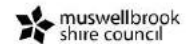
Policy Statement

1. Financial Assistance

1.1. General

- 1.1.1. This policy outlines the administration for financial assistance applications and memberships to community groups, organisations, sporting groups and incorporated bodies.
- 1.1.2. Council's allocation of funding for financial assistance is reviewed annually as part of Council's budgeting preparation; therefore allocations may vary from year to year according to the priorities adopted by Council.
- 1.1.3. Council approves financial assistance to eligible applicants: not-for-profit, volunteer organisations, hall committees and sporting and community groups.
- 1.1.4. A written request must be received by Council for consideration of an allocation for financial assistance. All application must address the selection criteria outlined in clause 1.6 in this policy and follow any additional guidelines related to the call for applications.
- 1.1.5. Part of its budget process Council adopts a list of groups and organisations to provide financial assistance each year. This list of groups and organisations is subject to change by Council in the process of adopting each annual budget.
- 1.1.6. Applications for financial assistance will be assessed against the following criteria:
 - a. **Economic:** Delivers significant economic benefits to the Muswellbrook Shire.
 - b. **Local Identity:** Delivers identity, brand and reputational benefits to the Muswellbrook Shire.
 - c. **Smart:** Delivers on innovation and leadership benefits for the Muswellbrook Shire.
 - d. **Community:** Delivers on significant social and community benefits for the Muswellbrook Shire.
 - e. **Liveability:** Delivers on enhanced liveability for Muswellbrook Shire residents, workers and visitors.
 - f. **Environmental:** Delivers on sustainability benefits to the Muswellbrook Shire.
- 1.1.7. Applications for financial assistance over the value of \$350 are assessed during regular funding rounds throughout the year and a recommendation on selected applicants is referred to Council for approval. Where applicable, Council will give at least 28 days public notice of a proposal to pass a resolution to grant financial assistance prior to doing so, in accordance to Section 356 of the Act.
- 1.1.8. The General Manager, at a recommendation of a committee of at least three Council officers (or, where relevant, a combination of Council officers and community members) may approve requests for financial assistance received which comply with the principles of this policy up to the value \$350. All decisions should be in line with this policy and subject to availability of funds.
- 1.1.9. Generally Council does not provide financial assistance to any individual for recreational and/or cultural pursuits. Any application received and considered worthy of support will be assessed in accordance with section 356 (2) and (3) of the Local Government Act 1993 (the Act).

Note: An exception to this clause is the support of the Youth Awards in conjunction with Australia Day awards.



- 1.1.10. Financial assistance requests will not be funded retrospectively. An application for financial assistance must be received prior to the event.
- 1.1.11. Only one successful application for financial assistance per community group, organisation or sporting group will be considered each year.
- 1.1.12. The total amount of financial assistance made in accordance with this policy will be listed in Council's Annual Report.
- 1.1.13. Council does not support requests for financial assistance from outside the Muswellbrook Shire unless it can be demonstrated there is a significant benefit or contribution to the Muswellbrook Shire community.
- 1.1.14. Following Council's consideration of applications successful and non-successful applicants will be advised. Payment to successful organisations will be made as soon as practicable after the request has been approved.

1.2 Acknowledgement of Council's financial assistance

1.2.1 All third parties receiving financial assistance from Council must acknowledge Council's financial assistance in all media and promotional material, and meet any other obligations prescribed in the agreement. Failure to do so may result in:

- a. Early termination of the agreement, and/or
- b. Excluding the third party from future consideration for financial assistance from Council.

1.3 Acquittal process

1.3.1 Successful applicants must provide an acquittal of the monies received with evidence of expenses and other evidence of the project's completion, such as before and after photos, testimonials, newspaper articles, etc. This must be submitted to Council's General Manager within 1 month of project completion.

1.3.2 Successful applicants must follow all other requirements stipulated in the guidelines for each financial assistance program at Council, such as the guidelines listed in the *Associated Council Documentation* section in this policy.

1.4. Specific Financial Assistance Recipients

1.4.1 Council recognizes that community halls are an important part of the social and cultural sphere in Muswellbrook Shire and provide significant benefits to the community.

1.4.2 Subject to the rate assessment in respect of the rural community halls being paid in full during the current rating period, Council may provide financial assistance to the relevant Hall Committee of an amount equivalent to 75% of the General Rate for that year.

1.4.3 Council will make an annual allocation for the maintenance of the following rural community halls, upon application from the hall committee outlining the need and feasibility of the project for which the money will be used and subject to existing budgetary allocations:

- c. Baerami Creek Hall

- d. Wybong Hall
- e. McCullys Gap Hall
- f. Sandy Hollow Hall

Note: The relevant hall committees are eligible to apply, however Council is not obliged to provide assistance to all hall committees each year. Council does not levy rates on Martindale Hall and it is therefore not included in the list.

1.4.4 Council requires that all applications under clause 1.3 of this policy be accompanied by a statement from the committees outlining all benefits provided to the community in the year for which the rates were paid for.

2. Sponsorship

2.1.1. Council maintains an open approach to seeking sponsorship. Expressions of interest will be advertised, where appropriate, for a specific event, activity or purpose. The expressions of interest advertised would in general terms, describe certain selection criteria required for sponsorship agreement.

2.1.2. If after fourteen days from the publication of Council's advertisement there has been no response, or inappropriate response (ie responses which do not comply with a set of predetermined criteria), individual organisations or persons may be approached with the approval of the General Manager or their designated senior officer.

2.1.3. All sponsorship agreements are to be approved by the General Manager or his designated senior officer. No formal agreement will be entered into without this approval.

2.1.4. Unsolicited proposals may arise by a potential sponsor without any action that Council has taken. In this situation, the sponsorship offer will be considered by the General Manager and delegates of their choosing. This is to ensure that no conflict of interest exists and that the proposal is consistent with the market value of a similar agreement.

Note: In the case Council is seeking large, high profile sponsorship agreements, methods not limited to tendering or expression of interest will be considered.

2.2. Assessment of Sponsorship Proposals

2.2.1. Sponsorship proposals are to be assessed against predetermined criteria which have been published in advance or which are circulated to organisations or persons who have submitted an expression of interest. The assessment shall be done by persons who have relevant qualifications and can act, and be seen to act, impartially. Each proposal shall be assessed on the individual merits of the proposed sponsor and the products or services that are supplied or provided by that sponsor. Any consideration given by Council to the establishment of a sponsorship agreement shall give regard to the following:

- a. ensuring that sufficient resources are available to enable the promised sponsor benefits to be delivered.

- b. each sponsorship agreement will include an early termination clause if the sponsor is found to be in breach of the Council's Code of Conduct. If a breach is suspected, a preliminary investigation will be undertaken to establish the merits of the allegation.
- c. that agreements be entered into only with reputable organisations or persons whose public image, products and services are consistent with the values, goals, objectives and specific policies of this Council. Specifically, in relation to sponsor products the following are excluded:
 - any organisation or person involved in the manufacture, distribution and sale of tobacco related products or alcohol related products (but not excluding the negotiation of corporate sponsorship agreements with Licensed Clubs and Hotels),
 - any organisation or person involved in the manufacture, distribution and/or sale of addictive drugs, and
 - any organisation or people whose services or products are injurious to health, or are seen to be in conflict with Council's policies and responsibilities to the Community.

2.3. Conflict with Council's Regulatory or Inspectorial Responsibilities

2.3.1. No sponsorship arrangements will be entered into which impose or imply conditions that would limit, or appear to limit, Council's ability to carry out its functions fully and impartially.

2.3.2. If a sponsorship agreement is entered into with an organisation or person who is, or is likely to be, subject to regulation or inspection by Council during the life of the agreement, the sponsor is to be informed in writing that their sponsorship will have no bearing on Council's regulatory or inspectorial responsibilities.

2.3.3. The sponsor is also to be informed in writing that should the sponsor engage in any activity that contravenes Council's regulations the sponsorship agreement will be terminated immediately.

2.4. Prohibition of Personal Benefits to Councillors and Employees

2.4.1. No Councillor or employee, or members of their families, are to receive a personal benefit from a sponsorship. Should a Councillor or employee perceive a potential conflict of interest in dealing with a sponsor on Council's behalf, that potential conflict of interest is to be declared to the General Manager.

2.5. Non-Endorsement of Sponsor or Sponsor's Product or Service

2.5.1. Sponsorship of Council activities will not involve explicit endorsement of the sponsor or the sponsor's product or service. Any sponsorship agreement which involves the exchange of products will be evaluated against the predetermined criteria. Council will accept the products only if deemed to be appropriate in the terms of the agreement.

2.6. Inclusion in Council's Annual Report

2.6.1. All sponsorship arrangements will be listed in Council's Annual Report. This listing will contain the name of the sponsor, the activity sponsored, the amount and the duration of the sponsorship.

Delegations

The General Manager has delegated authority to approve requests for financial assistance received which comply with the principles of this policy up to the value \$350.

Legislation

Local Government Act 1993

Local Government (General) Regulation 2005

Independent Commission Against Corruption (ICAC) Sponsorship in the Public Sector May 2006

References

Revenue Policy

Dispute Resolution

The General Manager is the interpreter of this Policy and shall be the sole arbiter in respect to the application of this Policy.

Associated Council Documentation

Community Grants Guidelines

Sport and Recreation Large Capital Grants Program Guidelines

Sport and Recreation Small Capital Grants Program Guidelines

Community Strategic Plan

Delivery Plan

Operational Plan

Authorisation Details

Authorised by:	
Minute No:	
Date:	

Review timeframe:	
Department:	
Document Owner:	

Details History

Version No.	Date changed	Policy type	Modified by	Amendments made



muswellbrook shire council

Volunteer Policy

MSC06E

This document is a controlled document. Before using this document, check it is the latest version by referring to Council's EDRMS and ensuring you are using the Last Approved Version. Printed or downloaded versions of this document are uncontrolled.

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Policy Objective

Muswellbrook Shire Council aims to:

- i. Provide, as far as reasonably practical, a safe work environment for volunteer activities;
- ii. Determine and document the range of activities to be performed by a volunteer as a handbook, list or letter provided by the volunteer coordinator or relevant manager;
- iii. Provide appropriate supervision, instruction and training to enable the volunteer to safely and effectively perform activities; and
- iv. Provide policies and procedures that effectively administer and support volunteer activities.

With the expectation that a Volunteer will;

- i. Safely perform activities required by Council;
- ii. Comply with relevant Council policies and procedures; and
- iii. Undertake induction, orientation or other ongoing training required by Council.
- iv. Ensure that an adequate induction and instructions have been provided prior to the commencement of volunteer work to feel competent of what is required.

Risks being addressed

Provide a safe work environment for volunteers and effectively administer and support volunteer activities.

Scope

This policy applies to all volunteers engaged in activities organized by Council.

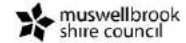
Definitions

Volunteer – is an individual who performs activities of their own free will, without payment, excluding expense incurred from the activity, which will be of benefit to Council and the wider community. This definition also includes any trainees on an unpaid workplace placement that is intended to give a trainee experience of the job they are training for (paid work placements are not part of this policy).

Volunteer Coordinator – a paid employee of Muswellbrook Shire Council, who may have another role(s) but is responsible for the induction of the volunteer(s) at each relevant event or worksite.

Policy Statement

Muswellbrook Shire Council respects, supports and encourages the active involvement of volunteers in community and in the activities of the Council. These activities undertaken by volunteers are for benefit of Council and the broader community.



All volunteer activities will be conducted in accordance with this Policy and approved procedures.

The Volunteer Coordinator may not necessarily be physically present at all times during the period of volunteering, although should be always contactable. Volunteers should not undertake activities outside of the agreed tasks discussed with the Volunteer Coordinator.

Responsibilities

All activities performed by volunteers are subject to the provisions of the Work Health and Safety Act 2011 (WH&S Act) along with any relevant regulations, codes of practice and Council safety procedures. The activities to be performed by volunteers must be covered by a previously conducted and documented risk assessment and appropriate control measures implemented.

A written procedure will apply to all volunteers performing activities directly for Muswellbrook Shire Council, including members of community organisations performing work on Council property.

Muswellbrook Shire Council has the right not to register a volunteer if there is a perceived health risk to the volunteer or the effective management of council.

A volunteer may require a current driver's license and/or working with children check.

Roles

Volunteer activities do not replace or remove work by employees, but may complement and support work by employees. However, there should be no expectation on the part of staff or volunteers that volunteer activity leads to employment.

All activities performed by a volunteer will be described in the form of a handbook or manual, or may take the form of a letter or list.

Volunteers will be responsible to the Volunteer Coordinator and to the person at Council who manages the tasks performed by the volunteer.

Either Council or a volunteer may cease a volunteer arrangement at any time. Confirmation of a volunteer's intention to cease volunteering would be appreciated in writing.

Delegations

The Human Resources Coordinator is the interpreter of this policy.

Legislation

Work Health and Safety Act 2011 (WH&S Act)

Dispute Resolution

Discrimination, harassment and bullying are not tolerated within Council and all employees and volunteers of Council must not engage in discriminatory conduct for a prohibited reason. Complaints will be dealt with in accordance with Muswellbrook Council's Code of Conduct and any other policies that apply.

Associated Council Documentation

Muswellbrook Shire Code of Conduct

Social Media Policy

Authorisation Details

Authorised by:	Council
Minute No:	
Date:	
Review timeframe:	
Department:	Integrated Planning, Risk and Governance
Document Owner:	Human Resources Coordinator

Details History

Version No.	Date changed	Policy type	Modified by	Amendments made
1	11 July, 2016	External	Manager of Community Services	



muswellbrook shire council

Gifts, Bribes & Benefits

Policy No. B15/1

**Adopted By Council
11 June 2013**

**Minute No.
369**

Doc ID 428474

Gifts, Bribes & Benefits.

B15/1

POLICY OBJECTIVES

Muswellbrook Shire Council understands the need for its business to be conducted in a fair, ethical and honest manner. The aim of this policy is to ensure council officials are informed on Council's position and expectations in relation to offers of gifts, bribes or personal benefits.

POLICY STATEMENT

1. Council officials, at some stage in their career may be offered a gift or benefit in the course of their work. The gift or benefit could be offered innocently in good faith or could be an attempt to influence. It is important that council officials are aware of this concept and respond accordingly to offers of gifts, bribes or benefits.
2. Individuals attempting to corrupt council officials often start with small inducements that appear to have no improper motive behind them, however escalate quickly creating a sense of obligation or preferred treatment. Corruptly receiving a gift, bribe or benefit, no matter how big or small, is an offence under both the common law and New South Wales legislation, this offence extends to the offering or seeking of a gift, bribe or benefit.
3. This policy applies to all those persons covered by the term 'council official' in Council's Code of Conduct.
4. It is the position of this Council, where possible and regardless of the value, that gifts and benefits be respectfully be declined. In a situation where it would be rude or inappropriate do to so, the gift or benefit must be reported to the General Manager, Public Officer or Mayor as soon as practicable after the event.
5. For the purposes of this policy, a reference to a gift, bribe or benefit does not include a political donation or contribution to an election fund that is subject to the provisions of the relevant election funding legislation.
6. Under no circumstances is an offer of cash or cash like alternative (bribe), defined in Council's Code of Conduct, to be accepted.
 - i. Council officials must not seek a bribe, receiving a bribe is an offence under both the common law and New South Wales legislation, with a maximum penalty of imprisonment.
 - ii. The common law offence of bribery is defined as receiving or offering any undue reward by, or to, any person in public office in order to influence his or her behaviour in that office, and to incline that person to act contrary to the known rules of honesty and integrity.
 - iii. Bribes should never be accepted. A person offered a bribe should refuse it and report the incident as soon as possible to their direct supervisor and the General Manager immediately. Council will then take steps to report the matter to Independent Commission Against Corruption (ICAC) and the police.

Doc ID 428474

- iv. In the case a Councillors is offered a bribe, this should be reported to the Mayor and General Manager immediately. Council will then take steps to report the matter to Independent Commission Against Corruption (ICAC) and the police.

- 7. For the purposes of this policy "token value" is described as goods and/or services with a value of less than \$20, as defined in Council's Code of Conduct.

- i. Token value

Some examples of gifts and benefits having token value are cheap marketing trinkets or corporate mementos and may include the following:

- a) Inexpensive pens and pencils;
- b) Notepads;
- c) Key rings;
- d) Diaries; and
- e) Computer mouse pads.

- ii. More than Token value

Some examples of gifts and benefits having more than token value include:

- a) Tickets to sporting events or other entertainment;
- b) Goods and items donated to Council and employee functions;
- c) Meals or hospitality over "token" value;
- d) Discounted products for personal use;
- e) Use of facilities such as gyms and holiday homes;
- f) Free or discounted travel;
- g) Free "training excursions";
- h) Obtaining fly-buys, frequent flyer points etc as a consequence of Council transactions; and
- i) Lucky door prizes or competition prizes.

- 8. As a council official, you must not by virtue of your position acquire a personal benefit or advantage which has a monetary value, other than one of a token value.

- 9. You must not seek or accept any payment, gift or benefit intended or likely to influence you, or that could be reasonably perceived by an impartial observer as intended or likely to influence you to:

- i. act in a particular way (including making a particular decision);
 - ii. fail to act in a particular circumstance; and
 - iii. otherwise deviate from the proper exercise of your official duties.

- 10. You may, however it is not recommended, accept gifts or benefits of token value that does not create a sense of obligation on your part. Council officials must complete a Gifts, Bribes and Benefits declaration form for all gifts that could potentially be of token value.

- 11. It is Council's preferred position that:

- i. gifts and benefits not be offered to council officials;
 - ii. gifts and benefits are not to be solicited;
 - iii. gifts and benefits should be actively discouraged by council officials; and
 - iv. people doing business with Council should understand that they do not need to offer gifts or benefits to council officials to get high quality service (Council policy Business Ethics B45/1 provides further information).

12. From time-to-time council officials may purchase gifts or provide certain benefits to visiting dignitaries, such as Government Ministers. A common sense approach to gifts or benefits provided in such situations should be exercised. The appropriateness of gifts being purchased should be meaningful and of local significance rather than a lavish gift which can create a sense of obligation on the other party.
 - i. All gifts purchased for visiting dignitaries should be approved by the General Manager or Mayor and be within the council officials delegation of authority.
 - ii. All gifts purchased for visiting dignitaries will be recorded in Council's Gifts Register in the same manner as a council official would receiving a gift.
13. The purchasing of gifts for awards or prizes part of a competition or event hosted or in conjunction with Council is not subject to this policy.

LEGISLATION

Local Government Act 1993

Crimes Act 1900

Muswellbrook Shire Council Code of Conduct.

Muswellbrook Shire Council Procedures for Administration of the Code of Conduct.

PROCEDURE

Bribes

What to do if you receive an offer of a bribe.

1. If you think you have been offered a bribe, your supervisor (or appropriate senior officer) must inform senior management immediately. If your supervisor (or appropriate senior officer) does not do this, you should inform senior management yourself.
2. If you have been offered a bribe, the ICAC and the Police must be notified immediately. This will ordinarily be done by the Council. However, if this action is not taken expeditiously the employee may do so themselves.
3. For additional information and guidance on this issue of bribes please refer to;
 - i. Council's Code of Conduct
 - ii. Council's Business Ethics Policy B45/1

Gifts and Benefits

What to do if you receive an offer of a gift or benefit of more than token value, even those rejected.

1. Report the matter to your supervisor immediately (Councillors to Mayor or General Manager)
2. Complete details in writing (Form 1 attached can be used). Details should include
 - i. Date, time and place of the incident;
 - ii. Name of person to whom gift or benefit was offered;
 - iii. Name of person (and organisation) who offered gift or benefit and contact details (if known);
 - iv. Response to the offer;

Doc ID 428474

- v. Other relevant details; and
- vi. Signature of the writer and date.

Gifts Register

1. Council will maintain a gifts and benefits register. The register will contain the following information.
 - i. The name of the recipient;
 - ii. The name of the person who offered the gift and their organisation;
 - iii. The decision taken in relation to the gift; and
 - iv. The signature of the Public Officer, General Manager, Mayor or appropriate officer.

It will be used to record all gifts and benefits that are received that are above a token value.

Author Scott McNamara (Executive Officer)

Date May 2013

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:	369	219	171	820
Meeting Date:	11/06/2013	13/11/2006	09/02/2004	08/07/2002
Review Date:	May 2015.			
Rescind Date:				



muswellbrook shire council

Fraud & Corruption Policy No. POLICY NO.

Assembled by
Ken Gill

Adopted By Council
XXX
Minute No. XX

Doc Id 247214

Fraud & Corruption

POLICY NO.

POLICY OBJECTIVES

The purpose of this policy is to demonstrate Muswellbrook Shire Council's commitment to the prevention, deterrence, detection and investigation of all forms of corrupt conduct to aid in the prevention of fraud.

It is important for council to establish an environment in which fraud is not tolerated and in which Councillors and staff are naturally reluctant to act dishonestly. This environment will promote a culture where all fraudulent activities once noticed or legitimately suspected are reported, investigated and resolved in a timely manner.

Scope

This policy applies to all staff, Councillors, and volunteers engaged directly by the Muswellbrook Shire Council, as well as all agents and contractors either engaged by the Council or by an authorised contractor of the Muswellbrook Shire Council. All reports received by Council will be fully investigated and appropriate action taken dependent on the severity of the allegations made.

Councillors and staff will be made aware of the Council's intention to suspend or dismiss staff involved corrupt activities, once a legitimate case of fraud has been established. The General Manager may choose to involve police support in order to prosecute Councillors or staff and any other parties to the matter, found to be involved in fraudulent behaviour. Council will pursue the recovery of any financial loss through civil proceedings.

POLICY STATEMENT

The Muswellbrook Shire Council is committed to protecting its revenue, expenditure and assets from any attempt by members of the public, contractors, agents, intermediaries, volunteers, Councillors and staff to gain financial or other benefits by deceit, bias or dishonest conduct.

The Council's commitment to fraud control will be managed by ensuring that fraudulent or corrupt activity is discouraged, conflict of interests are avoided, and auditing systems are in place to deter and/or identify corrupt activities.

In accepting its responsibility of good governance, Council will set the example for honesty and integrity in the provision of services to the community and the management of the council.

Definition of Fraud

Fraud, by Australian Standards AS8001-2008, is defined as:

"Dishonest activity causing actual or potential financial loss to any person or entity including theft of moneys or other property by employees or other persons external to the entity and where deception is used at the time, immediately before or immediately following the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use

for normal business purpose or the improper use of information or position for personal financial benefit.

The theft of property belonging to an entity by a person or persons internal to the entity but where deception is not used is also considered "fraud" for the purpose of this definition.

Examples are:

- Theft and/or misappropriation of council revenue in the form of cash, cheques, money order, electronic funds transfer or other negotiable instrument
- Unauthorised removal of equipment, parts, software, and office supplies from Council premises
- Deliberate over-ordering of materials or services to allow a proportion to be used for personal purposes
- Submission of sham taxation arrangements for an employee or contractor to circumvent the Council's procedures for engagement of employees and contractors
- Submission of fraudulent applications for reimbursement
- Payment of fictitious employees or suppliers
- Falsification of time records
- Damage, destruction or falsification of documents for the purpose of material gain
- Failure to disclose a conflict of interest in the performance of duties as a Councillor, employee or contractor of council
- Any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purpose or misappropriation of council owned software

Definition of Corruption

Corruption, in Australian Standard AS8001-2008, is defined as:

"Dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity:"

This definition is to be read in conjunction with the definition of "Corrupt Conduct" contained within the Protected Disclosures Act 1994.

Roles and Responsibilities

Responsibility for fraud prevention rests with all levels of management, Councillors, staff, volunteers and agency or contractors who represent the Council and who collectively must accept ownership of the controls relative to this policy. All parties must comply with the policy.

Executive Group

The Executive Group has principal responsibility for fraud control to ensure compliance with the Standards and Guidelines and appropriate governance structures are in place.

Directors

Directors have a responsibility to;

- Identify risk exposures to corrupt and fraudulent activities within their department;
- Establish controls and procedures for prevention and detection of such activities;
- Provide guidance and instructions all staff relative to responsibilities and fraud reporting requirements;
- Maintain effective auditing and reporting on key financial systems;
- Undertake a risk assessment on fraud control every two years or when a major change occurs;
- Implement action plans identified in risk assessment to eliminate or reduce the risk of fraud;

Directors will ensure that all contractors working for their department are aware of Council's Fraud Policy and that it is incorporated into the contract. This will ensure that all contractors are made aware of their responsibilities and acceptable behaviour whilst conducting work for Council.

Staff/Contractors/Volunteers

Staff/contractors/volunteers shall assist in the identification of risk exposures to corrupt and fraudulent activities in the workplace and the immediate reporting of the possible activities.

Councillors

Councillors shall be aware of this policy along with what corruption is and the consequences associated when undertaking fraudulent activities.

Training

Councillors and staff members will be informed of Council's Policy and the consequences arising from fraud, and who to speak to if they suspect fraud is occurring. Training on the conduct of risk assessment will also be provided by the Risk management Committee. This policy shall be included in the induction program for new staff members.

Fraud Risk Assessment

The Council's commitment to fraud control will be met by identifying opportunities for fraud, and implementing risk avoidance, prevention, minimization procedures in day to day operations and showing coverage in Council's risk register.

Reporting Fraud and Corruption

The following procedure shall be used for reporting of suspected fraudulent activity.

Staff

Where a staff member suspects that an act of fraud or fraudulent conduct is occurring or has occurred, that staff member should report such suspicions to their manager.

Where the staff member does not feel comfortable reporting their suspicions to their Manager they should report such matters to the respective Director. If neither of the above options is appropriate, then the staff member should report such matters to the Human Resources Manager.

Director or Manager

On receiving a report of suspected fraud or corrupt conduct the Director or Manager must record details of the report, including the time and date the report is made and details of matters raised. Where the issue may involve disciplinary action against a staff member, the Human Resources Manager must be advised.

Notifying the General Manager

Except where it has been reported as a whistleblower action (which is a specifically legislated protected action), all reported incidents of suspected fraud or fraudulent conduct must be reported to the general Manager immediately and prior to any investigation of such allegations being undertaken.

Anonymous Reports

Although not encouraged, anonymous reports may be directed to the General Manager. Adequate supporting information to enable an investigation to be undertaken must be provided.

Contractors

Contractors or other people involved in the contracting process may become aware of, or have information indicating fraudulent or unfair activity in relation to the tender processes or service provision. Contractors may feel reluctant to report suspected fraud or behaviour that is intimidatory or grossly unfair, for fear of repercussions affecting their future business dealings with council. If these circumstances arise, contractors are requested to contact Council's Chief financial Officer, general manager or relevant director.

Pre-employment screening

Pre-employment screening is considered by Muswellbrook Shire Council to be an important first step in reducing the likelihood of fraud occurring, by ensuring Council employs honest and trustworthy people. As part of our pre-employment screening process, criminal history checks may be requested from people who will be in positions where fraud is more likely to occur.

PROCEDURE

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Procedure for fraud Investigation**Preliminary Investigation**

Where information received by the General Manager is assessed to warrant an investigation, arrangements for such an investigation will be made with the relevant director. This arrangement will include securing all related documentation and may include suspension of staff member(s) being investigated.

Reports will be received in confidence and the person reporting the event will be protected from any adverse repercussions, provided that there is no evidence of malice.

Any person contacted by an investigator should co-operate with the process.

Investigation

Depending on the nature of the allegations, investigations will be undertaken in accordance with sound investigative practices.

Where external investigation is required, for example the NSW Police or other independent investigators, they will be in charge of such investigation.

Where the allegation has arisen through a Whistleblower Disclosure, then the investigation will be in accordance with Council's Whistleblower Guidelines and Procedures.

In all cases confidentiality and natural justice will be maintained.

Media

The Muswellbrook Shire Council media process shall be observed at all times, and no staff member, councillor or other persons associated with council, shall make any public comment in relation to any suspected fraud or corruption, whether proven or otherwise.

Audit Committee (External Reporting)

All incidences of approved fraud are to be reported to the Chair of the audit committee in a timely fashion.

LEGISLATION

Local Government act 1999

Australian Standard on Fraud control and Corruption controls (AS8001:2008)

Australian Standard in Risk management (AS 4360:2004)

Author: Ken Gill, Manager of HR & OH&S

Date: 25th February 2011.

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:				
Meeting Date:				
Review Date:				
Rescind Date:				



muswellbrook shire council

Coat of Arms – Use Of
Policy No. C45/1

Assembled by
XXX

Adopted By Council
vvv

Coat of Arms – Use Of

Policy No. C45/1

POLICY

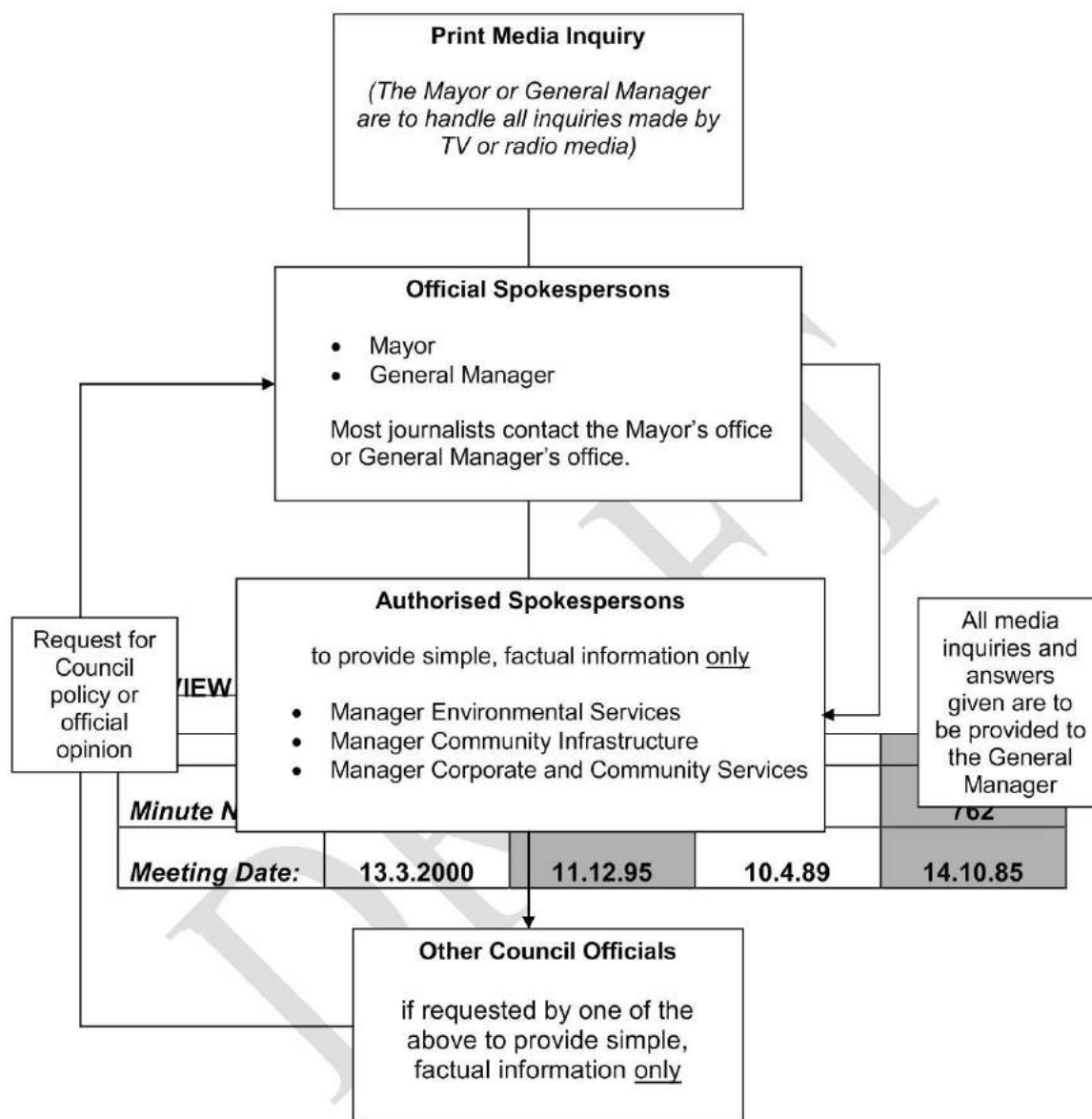
That no other body or organisation be permitted to use the Council's Coat of Arms without the written approval of the Council.

Muswellbrook Shire Council

2

Doc ID 264308

Appendix 1. MEDIA RELATIONS FLOW CHART



Muswellbrook Shire Council

3

Doc ID 264308



C40/1

POLICY REGISTER

Subject: Council Colours

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	679	792	225	762
<i>Meeting Date:</i>	13.3.2000	11.12.95	10.4.89	14.10.85

POLICY

That the official colours of the Shire be green and white.

"Principal colour and the principal metal on the arms which are repeated in the mantling, namely vert and argent or green and silver or white (the two are interchangeable)".

Somerset Herald December, 1984

Muswellbrook Shire Council

[https://infoxpert.edrms/docs/Business Classification Scheme/Controlled Documents/Policies/Policy C40-1 Council Colours.doc](https://infoxpert.edrms/docs/Business%20Classification%20Scheme/Controlled%20Documents/Policies/Policy%20C40-1%20Council%20Colours.doc)
Doc ID 258157



muswellbrook shire council

STAFF - Employee Assistance Program

Policy No. **S25/10**

Assembled by
XXX

Adopted By Council
XXX
Minute No. XX

STAFF - Employee Assistance Program

Policy No. **S25/10**

POLICY

Muswellbrook Shire Council values its staff and actively promotes their health, welfare and safety therefore council is committed to assisting staff to maintain high levels of work performance through the provision of an Employee Assistance Program (EAP).

PRINCIPLES

Access to the EAP is available to all permanent, permanent part-time and contract staff.

Use of the EAP is voluntary. Staff may be encouraged to utilise the EAP but shall not be directed to participate in the EAP. Staff may choose to access any or all the services provided under the EAP.

Detailed information relating to staff or their immediate families utilising the EAP is confidential and shall not otherwise be released to any person without written consent of the employee or their legal representative, except to prevent a serious threat to a person's health or life; and/or as required by law.

Access to the EAP is available to the family members of staff when the provider deems it necessary.

Staff must advise their supervisor of visits to the EAP provider if they wish to attend appointments within working hours. Should staff members wish for their visits to be completely confidential they must attend appointments outside of work hours or take leave to attend.

Council will be provided feedback from providers which are non specific to individuals. This feedback may include:

- Number of staff members seen;
- Number of sessions provided to each employee;
- General categories regarding the nature of issue eg. Family, relationship, drug or alcohol, work related, mental health, bereavement;
- Non-specific details related to the outcome of the intervention.

(Council reserves the right to review, vary or revoke this policy)

DEFINITIONS

Family member – As defined by the Local Government (State) Award as a person who the council employee would be entitled to access carers leave.

RELEVANT LEGISLATION

Occupational Health & Safety Act 2000

Workplace Injury Management and Workers Compensation Act 1998

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Doc ID 264585

RELATED POLICIES

Workplace Safety Policy
Employee Assistance Guidelines

REVIEW DATE

June 2006

AUTHORISATION

MB Colreavy
General Manager

FURTHER INFORMATION

Contact: Human Resources Officer, OHS Officer, Human Resources Manager

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Doc ID 264585

Employee Assistance Program

Guidelines

Muswellbrook Shire Council values its staff and actively promotes their health, welfare and safety therefore council is committed to assisting staff to maintain high levels of work performance through the provision of an Employee Assistance Program (EAP).

Counselling

Eligibility for counselling

All full time, permanent part-time and contract staff of Muswellbrook Shire Council are eligible for this service. Access to the EAP is available to the family members of staff when the EAP provider deems it necessary.

Process of referral

Supervisors, Manager or the Human Resources section may refer employees when either:

- 1) the employee's behaviour at work appears to warrant counselling or
- 2) the employee in question indicates to a supervisor, manager or Human Resources section that they require counselling.

Employees are encouraged to refer themselves for counselling, to gain assistance for personal issues before the problem impacts on their work performance.

In either case the supervisor, manager along with the Human Resources section is to agree that referral to the EAP is appropriate.

The human resources section or the employee themselves may contact council's EAP provider to arrange an appointment. A referral form must be faxed to the EAP provider confirming all details.

Attending Counselling Sessions

Staff attending counselling sessions during a normal work time must coordinate their absence with their supervisor who may authorise any absence. Staff who do not wish to notify their supervisor, manager or human resources section may arrange to attend counselling sessions whilst on annual leave, rostered day off, time in lieu or outside of working hours.

No overtime will be paid to attend counselling sessions.

Staff who, without good cause, fail to attend counselling sessions for which council is invoiced may be precluded from further access to counselling sessions at council's expense until a review is conducted.

Counselling Session Limits

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Each staff member of Muswellbrook Shire Council is able to access the EAP for up to four (4) one (1) hour counselling sessions per annum. In addition, family members of the staff member may also access up to four (4) one hour (1) hour counselling sessions per annum if deemed appropriate by the EAP provider.

Additional counselling sessions may be approved, for employees only, should the supervisor and/or manager, human resources section and the EAP provider deem it necessary.

Reporting

Council's EAP provider will maintain confidentiality between counsellors and clients. Council will be provided feedback from providers which are non specific to individuals. This feedback may include:

- Number of employees seen;
- Number of sessions provided to each employee;
- General categories regarding the nature of issue eg. Family, relationship, drug or alcohol, work related, mental health, bereavement;
- Non-specific details related to the outcome of the intervention.

Council's EAP provider will notify Council if the case becomes a workers compensation issue and the EAP services will be terminated should a workers compensation claim be accepted. The case will then be handled through council's workers compensation policy.

Travelling to Counselling Sessions

Travelling to counselling sessions will be at the staff member's expense and in their own time. Council will not supply a motor vehicle for staff member to attend counselling sessions or pay travelling allowance.

Definitions

Family member – As defined by the Local Government (State) Award as a person who the council employee would be entitled to access carers leave.

Client/s – The council staff member and/or family member who is receiving counselling by the EAP provider.

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:	12			
Meeting Date:	12/07/04			

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Doc ID 264585



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STAFF - Harassment and Workplace
Bullying Policy

Policy No. S 25/29

Assembled by
XXX

Adopted By Council
XXX
Minute No. XX

STAFF - Harassment and Workplace Bullying Policy

Policy No. S 25/29

Primary Responsibility: Councillors, Management, Committee members including community representatives, delegates of Council, volunteers and all Staff.

Policy

The code of conduct requires that you must not must not harass, discriminate against, or support others who harass and discriminate against colleagues or members of the public. This includes, but is not limited to harassment and discrimination, on the grounds of sex, pregnancy, age, race (including their colour, nationality, descent, ethnic or religious background), political affiliation, marital status, disability, homosexuality or transgender.

It is the policy of Council that all staff should enjoy good working relationships with each other and with management. This means that everyone should feel comfortable in the workplace and that differences should be respected.

An important part of good working relationships is that everyone must be able to work in an environment free from harassment, including bullying.

All forms of harassment, which is:

- sexual or sex-based, racial or relates to a person's martial status, disability, age, pregnancy or homosexuality, transgender (transsexuality) is discriminatory: **or**
- repeated conduct that is unreasonable in the circumstances, causes a risk to the health and safety of staff, victimises, humiliates, undermines or threatens staff; will not be tolerated in the workplace.

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Doc ID 264498

Terms

The term “you” used in this policy refers to council officials.

Council official includes councillors, members of staff of council and delegates of council. Council has extended the policy to include council's contractors, consultants, and volunteers, members and community representatives of advisory and section 355 committees.

The term workplace means the definition of place of work and premises as set out in the Occupational Health and Safety Act 2000, Section 4 definitions.

(At May 2005, place of work means premises where persons work. Premises includes any place, and in particular includes: any land, building or part of any building, or any vehicle.....)

Procedure

- ❖ Harassment and bullying will not be tolerated under any circumstances. It is not O.K.,
- ❖ Any staff member can complain about harassment, or bullying to their Supervisor or other Managers, Equal Employment Opportunity Officer, Harassment Officer, their union or the Anti-Discrimination Board,
- ❖ Councillors, community member on committees, volunteers can complain about harassment, or bullying to the General Manager,
- ❖ All harassment and bullying complaints will be treated seriously, sympathetically, quickly and privately,
- ❖ All harassment and bullying complaints will be investigated fairly and impartially,
- ❖ Action will be taken to make sure that harassment or bullying stops,
- ❖ People making complaints and witnesses will not be victimised in any way for making a complaint,
- ❖ Complaints should be settled within the workplace wherever possible.

What is Harassment?

Harassment offends, upsets, humiliates or scares another person. It makes the workplace uncomfortable and unpleasant.

Harassment is not always intended – acts or behaviour, which are funny or don't mean much to one person may hurt or offend another. A workplace **without** harassment is a workplace where people respect and tolerate the rights and differences of others.

Harassment often happens when power is used wrongly. The power may be related to:

- ❖ Position (e.g. a supervisor over someone they are in charge of),

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- ❖ Cultural difference (e.g. men over women in a society where men hold most of the power or of a white person over a person of colour in a traditionally Anglo-Saxon society),
- ❖ Number (e.g. women over men in a workplace where most of the workers are women).

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Types of Harassment

Harassment in the workplace can take many forms. It can be overt (obvious) or subtle, direct or indirect (for example, where a hostile feeling/environment is created without any direct attacks being made on a person).

Some forms of verbal harassment:

- ❖ Sexual or suggestive remarks,
- ❖ Making fun of someone,
- ❖ Imitating someone's accent,
- ❖ Propositions (sexual invitations),
- ❖ Spreading rumors,
- ❖ Obscene telephone calls/unsolicited letters, faxes or E-mail messages,
- ❖ Repeated unwelcome invitations,
- ❖ Offensive jokes,
- ❖ Repeated questions about personal life,
- ❖ Threats or insults,
- ❖ The use of language that is not suitable in the workplace,
- ❖ Name calling,
- ❖ Calling someone who is transgender (transsexual) "it" or refusing to refer to them by their preferred gender or name.

Some forms of non-verbal harassment:

- ❖ Putting sexually suggestive, offensive or degrading/insulting material on walls, computer screen savers, E-mail and so on,
- ❖ Suggestive looks or leers,
- ❖ Unwelcome practical jokes,
- ❖ Displaying or circulating racist, sexist or offensive cartoons or literature,
- ❖ Mimicking someone with a disability,
- ❖ Following someone home from work,
- ❖ Ignoring someone or being particularly cold or distant with them,
- ❖ Not sharing information,
- ❖ Offensive hand or body gestures,
- ❖ Unnecessarily leaning over someone,
- ❖ Sending offensive material through computer, fax or E-mail,
- ❖ Wolf whistling,
- ❖ Continually ignoring or dismissing someone's contribution in a meeting/discussion.

Some forms of physical harassment:

- ❖ Unnecessary physical contact (pinching, patting, brushing up against a person, touching, kissing, hugging against a person's will),
- ❖ Indecent or sexual assault or attempted assault,
- ❖ Pushing, shoving or jostling,
- ❖ Putting your hand or an object (like a payslip or a wage packet) into someone's pocket (especially breast, hip or back pocket).

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What is workplace bullying?

Unlike sexual harassment, there is no legal definition of workplace bullying. While there is no accepted definition a number of guidelines published provide the following examples of definitions of bullying i.e.

- repeated conduct
- that is unreasonable in the circumstances
- causes a risk to the health and safety of the staff
- victimises, humiliates, undermines or threatens

Generally for conduct to constitute bullying the conduct has to be repeated. A one-off incident would not normally be considered workplace bullying. There is no requirement that the person deliberately or intentionally bully the person, however, intention may be a relevant consideration in assessing the level and severity of the conduct.

Some commonly reported effects of bullying include:

- stress, anxiety and tension
- feelings of social isolation at work
- loss of confidence and self esteem
- loss or deterioration of personal relationships
- headaches, backaches, stomach cramps and depression.

What to Do if You are Harassed or Bullied

1. If you can, tell the person(s) to stop. You should also tell them that you do not like what they are doing and that it is not OK with you or with management. Note: You do not have to do this, you may prefer to go to step 2.
2. If they do not stop, you should tell your supervisor if you can. Your supervisor should take action to prevent further harassment. You may go to one of the designated officers instead, who will help you with your complaint. The designated officers are appointed from time to time by the General Manager. The current contact details can be obtained from the human resources section.
3. If they do not stop, you should also tell the General Manager. The General Manager will take action to prevent further harassment/bullying. You may go to one of the designated officers instead, who will help you with your complaint.
4. Keep a note of any harassment that happens with dates, times, witnesses if any, what happened and what you said, did or felt.

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The Responsibility of Managers and Supervisors

Legally, your employer is responsible for what happens in the workplace. Management is responsible for making sure that all staff and supervisors understand that harassment or bullying will not be allowed in the workplace, that complaints will be taken seriously and handled in accordance with the **Dispute and Grievance Resolution Policy**.

At all times, management must make sure that complete privacy is maintained. The names of anyone involved in a complaint must not be discussed with others except those immediately involved in the complaint.

Because management is legally responsible for making sure that no staff member is harassed, you should tell them immediately if any harassment or bullying is going on. If a manager feels that they not the best person to be handling the complaint they will refer the matter to an officer who can better help you. This also applies to councillors, committee members, volunteers and members of the public. All matters should be referred to the General Manager.

The Responsibility of Staff

It is the responsibility of all staff to respect the rights of others and never encourage harassment or bullying. If you become aware that someone you work with is being harassed, help prevent it by offering your support to the person being harassed or bullied. You can do this by:

- ❖ Telling them that you are willing to act as a witness if the person being harassed or bullied decides to lodge a complaint,
- ❖ Refusing to join in with any harassing activity,
- ❖ Backing them up or supporting them to say no.

The Responsibility of Councillors, Committee Members, Volunteers and Community Members of Advisory Committees.

It is the responsibility of all to respect the rights of others and never encourage harassment or bullying. If you become aware that someone you are associated with is being harassed or bullied, help prevent it by offering your support to the person being harassed. You can do this by:

- ❖ Telling them that you are willing to act as a witness if the person being harassed or bullied decides to lodge a complaint,
- ❖ Refusing to join in with any harassing or bullying activity,
- ❖ Backing them up or supporting them to say no.

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REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:	54	195	88	
Meeting Date:	13/03/2006	20/06/2005	13/10/2003	
Review Date:	February 2008			

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Staff - Critical Incident Management Policy

Policy No. S25/6

Assembled by
XXX

Adopted By Council
XXX
Minute No. XX

Staff - Critical Incident Management Policy

Policy No. S25/6

POLICY OBJECTIVES

The aim of this policy is to:

- Assist staff in responding appropriately to incidents that are likely to cause trauma to individuals or affect the Council as a whole; and
- Establish basic procedures and reporting systems to cover preventative measures, immediate responses, follow-up actions to deal both with the immediate consequences and the longer term implications of a critical incident. and
- Minimise grievances by taking preventative or corrective action.

APPLICABILITY

This policy applies to all Staff, Councillors, Volunteers and Contractors of Muswellbrook Shire Council.

PROCEDURE

The Critical Incident Management Procedures are attached.

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Doc Id 264494

CRITICAL INCIDENT MANAGEMENT PROCEDURES

Contents

1. **Introduction**
(Principles and aims of the Critical Incident Management Policy)
2. **Contact Telephone Numbers**
(External and Internal)
3. **Definition**
(What is a critical incident?)
4. **Critical Incident Response Counsellors**
(Their role)
5. **Prevention and Preparation**
(Safety and planning)
6. **The Immediate Response**
(Guide to a coordinated and effective response)
7. **Follow-up Action**
(Procedures after the incident)
8. **Evaluation**
(Continuing policy development)
9. **Other Council Committees & Procedures**
(OH&S, EEO, EAP)

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Doc Id 264494

1. INTRODUCTION

The Muswellbrook Shire Council Critical Incident Management Policy (CIMP) was developed to have procedures and management strategies for the Muswellbrook Shire Council's co-ordinated response to critical incidents affecting staff and volunteers.

The policy is designed as a guide to assist staff in responding appropriately to incidents that are likely to cause trauma to individuals and/or affect the Council as a whole. The policy establishes basic procedures and reporting systems to cover preventative measures, immediate responses, and follow-up actions to deal both with the immediate consequences and the longer term implications of a critical incident. Given that the needs of the individual sites may vary and to allow for the individual abilities and judgement of staff, the policy is in broad terms and is designed to be amended to incorporate ongoing feedback which is essential to the management of all critical incidents.

A short statement explaining the nature of this document will be prepared. It is the responsibility of the Human Resources Manager to ensure that all staff receive a copy of this statement and are aware of the policy and basic guidelines that it contains. Copies should automatically be given to new staff when they report to Human Resources for their general induction. Copies of the actual policy document will be made available to all sections, teams and departments of the Council.

While this deals policy specifically with the management of critical incidents, it is not intended that it should stand alone but should be used in conjunction with other Council manuals, policies and procedures.

2. CONTACT TELEPHONE NUMBERS

Internal:

Human Resources Manager	65493729
Human Resources Officer	65493727
Occupational Health & Safety Coordinator	65493719

External:

Muswellbrook Police	000
Ambulance	000
Fire Brigade	000
Muswellbrook Hospital	65422000
Denman Hospital	65473999
State Emergency Services	132500
Lifeline	131114
Sexual Assault Unit	1 800 424 017
Red Cross Rural Support Link	1 800 451 526

3. **DEFINITION**

In general terms, a critical incident is defined as a traumatic event which does or is likely to cause extreme physical and/or emotional distress to staff and may be regarded as outside the normal range of experience of the people affected. A critical incident may take place either on or off the work area. In other words, this policy is not limited to handling only those incidents that might occur on Council worksites.

Assessment of an incident must take into account both the reaction of the individual or individuals directly affected and the wider ranging effects on members of the Council community at large that is staff, volunteers Councillors and their respective families. It should also be borne in mind that people react in different ways both in their immediate and in their longer term responses to events.

In assessing a critical incident, consideration must be given to the prevailing factors and mood of the staff at the time of the incident. For example, if a major incident such as vandalism or assault has occurred in a specific building and this is followed soon after by a minor incident such as petty theft in the same building, given the mood of those who have been affected by the first incident, the second minor incident may well produce additional stress for these people. In this case, the second incident should be regarded as a critical incident although normally petty theft would be regarded as minor.

Some examples of critical incidents:

Any fatality, near fatality or incident likely to affect seriously a number of staff and/or volunteers;

- Serious traffic accidents;
- Murder or suicide involving staff/volunteers or their family members;
- Physical or sexual assault;
- Injury or death of a colleague;
- Fire, explosion, bomb threat;
- Hold-up or attempted robbery;
- Threats of violence to staff/volunteers;
- Major theft or vandalism;
- Threat of HIV infection;
- Incidents involving pain or abuse of children;
- Incidents in which sights, sounds, or smells are distressing;
- Storms or natural disasters;
- Critical illness of staff/volunteers;

4. CRITICAL INCIDENT RESPONSE COUNSELLORS

Qualified Critical Incident Response Counsellors will be provided by the Council for assistance with debriefing, defusing and follow-up. It is the council's responsibility to determine whether or not the incident is a critical incident, and if so deemed, to put into place the Critical Incident Management Procedures.

An incident or potential incident should be reported to the relevant Supervisor immediately if there is an immediate risk to life or property. Where necessary, in such cases, evacuation procedures should be put in place. If the incident does not appear to require the immediate dispatch of Emergency Services, the relevant Manager should be notified immediately and given the full details of the situation including the exact location of the incident and the type of incident. It is then their responsibility to pass on the information to the nominated authority who will determine the gravity of the situation together with advising the General Manager of the situation.

5. PREVENTION AND PREPARATION

While it is impossible to foresee a critical incident, staff are encouraged to be aware of the importance of planning to mitigate the effects of a traumatic event. The following should be used as a guide to prevention and preparation:

Emergency telephone contact numbers for both the External Emergency Services (000) and relevant Council staff should be prominently displayed in all offices and common staff areas.

The availability of appropriate resources and the development of safety measures will be monitored on a regular basis through the relevant sections of Council and the Occupational Health and Safety Committee (see Item 9). Staff and volunteers should be encouraged to bring issues of safety to the attention of their immediate supervisors who should bring such issues to the attention of management. Risk Assessments should be undertaken or reviewed to include the likelihood of a traumatic event occurring.

The Occupational Health & Safety Coordinator will maintain regular liaison with local and regional services to provide contact numbers for information during emergency situations.

Each Manager will consider the provision of training programs for staff in areas of responding to emergency situations and stress management. It is important that staff members with supervisory responsibilities receive special training.

All staff and volunteers are to be made aware of safety and evacuation policies as listed in Item 9.

Amendments to this policy will be circulated via the Staff Consultative and Occupational Health & Safety Committees.

6. **THE IMMEDIATE RESPONSE**

The key to an effective and relevant response to a critical incident is COORDINATION. This will be achieved by following these important steps:

The initial response to a critical incident will be notification of the incident to the appropriate Emergency Services, if necessary, and then to Councils Human Resources Manager.

The Human Resources Manager will immediately contact the General Manager and the appropriate Department Manager.

Notification should include the type of incident, the exact location and details of any person or persons who might be injured, in distress, or at risk. This should be documented to aid recollection later.

If people are at risk, they will be removed from the area and/or assistance will be rendered as necessary. The incident area will be sealed off if required.

Contact telephone numbers for all staff, volunteers or people affected will be collected. If any incident affects a person under the age of 18 years the parent/guardian will be notified.

7. **FOLLOW-UP ACTION**

A critical incident does not end with the immediate response. Important follow-up procedures must be implemented in the areas of counselling, information dissemination, and debriefing. These issues are the responsibility of the Human Resources Section who will:

- Disseminate appropriate follow up information regarding the incident to staff, volunteers, and all those affected by the incident. Only the General Manager (or the nominated officer) is permitted to release information to the media in accordance with Councils Public Comment Policy (P45/1).
- Complete full reports of the incident and provide a copy to the General Manager, including the date, time location, people involved, witnesses, description of the incident and immediate action taken.
- Lodge statements with the Police if required.
- Notify the Mayor and Councillors if required.
- Provide literature to those affected by the incident on the possible short- and long-term effects.

Debriefing should be offered within 48 hours of incident. The choice of accepting debriefing lies with the affected person. All those affected should be offered debriefing, if it is refused this should be reported to the General Manager.

Those that chose to undergo debriefing should be given the choice of Counsellors. It is preferable if the Counsellors were located locally.

If counsellors are engaged to provide debriefing to affected staff, Council needs to ensure that the Counsellor is prepared to provide written documents to Councils Insurer if the incident results in a Workers Compensation Claim.

Staff Emergency Callout

If an incident occurs where Council staff are called upon to provide expertise and/or assistance, those staff will be required to attend for a debriefing as soon as practicable after the incident or within 72 hours.

Senior management will be informed of the incident and will ensure that the debriefing occurs within the appropriate time frame.

Where staff wish not to participate in the debriefing, the debrief provider shall contact the staff member at two and four week intervals to ascertain if further actions are required.

Employee Assistance Program (EAP)

Council has approved an EAP for the provision of employee counselling services to Council staff and their families free of charge (up to 4 visits) as part of an ongoing Employee Assistance Program. Details are available from Human Resources Staff.

8. EVALUATION

Evaluation of the Council's response to a critical incident is essential to the on-going development and effectiveness of the critical incident procedures. The following guidelines should be noted:

Shortly after the incident, the Critical Incident Response Counsellors, in consultation with the Human Resources Manager, will evaluate the implementation of procedures and responses.

Ongoing consultations will be held with staff and volunteers on critical response strategies as necessary.

Supervisory staff will be encouraged to undertake training relevant to the handling of a critical incident and post-trauma stress management. Senior Staff will be asked to include such training in their annual programs.

9. OTHER COUNCIL COMMITTEES AND PROCEDURES

Guidelines and checklists in this policy should be considered in conjunction with other Council committees and documented procedures.

Occupational Health & Safety Committees

The responsibility of these Committees is to oversee the Council's various Occupational Health and Safety Policies to ensure, on each worksite, a safe and healthy workplace for staff, volunteers, and visitors. The Committees oversee regular safety audits of buildings, action plans to ensure safe working practices and a continuous consultative process on occupational health and safety matters. The Incident Report form, which is supplied to all sections of Council, is to be used to report all hazardous acts and/or conditions, which

could result in illness or injury, as well as all accidents, injuries and cases of ill health which are directly related to a person's occupation.

Equal Employment Opportunity Committee

The responsibility of the Equal Employment Opportunity Committee is to provide information on anti-discrimination legislation, the Council's policy on freedom from harassment, and general equity issues.

Human Resources Section

Staff from this area will conduct audits of the effectiveness of this CIMP and Procedures, facilitate relevant training of supervisory staff, and ensure all staff are made aware of this policy and procedure during the induction process.

Author: Mr David Kidd
OH&S Co-Ordinator

Date: 13 September, 2007

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	Not required	54		
<i>Date:</i>	19/09/2007	13/03/2006		
<i>Review Date:</i>	February 2010			
<i>Rescind Date:</i>				

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Doc Id 264494



S25/35

POLICY REGISTER

Subject: Staff - Workplace Display Material

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	43	137		
<i>Meeting Date:</i>	12/03/01	6/04/98		

POLICY: That the display of sexist, racist, sexually-denigrating, racially-denigrating or otherwise offensive material is banned from Council premises, workplaces, vehicles, plant and equipment.

PROCEDURE: Council has a responsibility to ensure that its workplaces reflect community expectations and do not have the potential to be offensive.

RESPONSIBILITY: All Managers and Supervisors must enforce this policy by removing offensive materials or taking appropriate action.

Council will regard breaches of this policy very seriously, offenders may be subject to disciplinary action.

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muswellbrook shire council

COMPENSATION CLAIMS – Stained Clothing Policy No. C50/1

Assembled by
XXX

COMPENSATION CLAIMS – Stained Clothing

Policy No. C50/1

POLICY

Council will pay compensation to households of Denman and Sandy Hollow who are adversely affected by dirty water causing staining on the following basis:

- (1) A claim must be made within one month of the dirty water event;
- (2) Reimbursement of the full cost of new clothes where the staining renders the garment no longer useable – stained garments become the property of Council;
- (3) Reimbursement of up to 50% of the replacement cost of near-new clothes where the staining renders the garment no longer useable – stained garments become the property of Council;
- (4) The General Manager will institute a system of delegation to determine reimbursement of costs for stained garments.

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	88			
<i>Meeting Date:</i>	13/10/2003			

Muswellbrook Shire Council

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Doc Id 264309



muswellbrook shire council

**Buy Locally Policy – Plant
Purchased Above \$20,000
Policy No. B50/1**

**Assembled by
XXX**

**Adopted By Council
XXX
Minute No. XX**

Buy Locally Policy – Plant Purchased Above \$20,000

Policy No. B50/1

POLICY

In relation to Plant purchases above \$20,000, a Product Comparison Report be prepared in respect of each item and:

A. In relation to quotes:

- i) where the Product Comparison Report suggests the purchase of an item which is the lowest quote, such quote be accepted;
- ii) where the Product Comparison Report suggests the purchase of an item which is not the lowest quote but:
 - a) the supplier is a firm located in the Council area; or
 - b) No local supplier has submitted a quotation

Then such quotation be accepted.

OR

- c) the supplier is located outside of the Council area, then the matter be reported to Council for decision.

B. In relation to tenders (generally \$100,000 and over):

- i) All tenders shall be reported to Council together with the Product Comparison Report for a decision by the Council.

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	679	792	359	
<i>Meeting Date:</i>	13.3.2000	11.12.95	19.6.95	

Muswellbrook Shire Council

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Doc ID 264157



muswellbrook shire council

Travel Policy

T30/1

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Details History:

Version No.	Date changed	Modified by	Amendments made

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Doc ID 536747

POLICY OBJECTIVE

The objective of this policy is to define under what circumstances travel may be approved.

EXCLUSIONS

There are instances where Council representatives may visit Canberra for official purposes. In the context of this policy, the Australian Capital Territory (ACT) is regarded as being within NSW and not regarded as Interstate Travel.

POLICY

1. Travel expenses shall be separately identified and approved within the budget.
2. All interstate and overseas travel must be within budget.
3. Where travel expenses are forecast to exceed budget, then Council must approve the budget variation prior to travel being approved.

INTERSTATE TRAVEL

The General Manager has authority to approve interstate travel.

1. Where Councillors or staff propose to travel interstate:
 - a. Applications must be approved by the General Manager prior to the travel being arranged.
2. Where the cost of the travel is expected to exceed \$1,500 per person, then the application for travel is to outline:
 - a. Who is to take part in the travel
 - b. The objectives to be achieved, including any staff professional development, organisational or community benefits
 - c. Details of costs
 - d. Any contribution proposed by the applicant.

OVERSEAS TRAVEL

Proposals for overseas travel by Councillors and Staff members on Council business including staff professional development must be reported to Council for approval. Proposals should indicate:

1. Who is to take part in the travel
2. The objectives to be achieved, including any staff professional development, organisational or community benefits
3. Details of costs and any contribution proposed by the applicant
4. A report shall be provided to Council after the overseas travel, outlining any outcomes, learnings or benefits achieved.

SPONSORED TRAVEL

If the travel is to be sponsored by private enterprise, Independent Commission against Corruption (ICAC) guidelines and reporting structures are to be followed.

A detailed report is to be included in the Annual Report in the year in which the travel was undertaken, outlining how the travel's objectives were met and how the community benefited.



S 25/13

POLICY REGISTER

Subject: Staff - No Smoking Policy

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:	43	137		
Meeting Date:	12/03/01	6/04/98		

POLICY: That Council provides a smoke-free working environment.

PROCEDURE:

Medical research indicates that smoking damages health, therefore, Council has an obligation under the Occupational Health and Safety Act, to ensure the health and safety of their employees by providing a smoke free working environment.

Conversely, Council employees have an obligation to co-operate with Council in implementing Occupational Health Policies by prohibiting smoking in all Council buildings (except residences), Council swimming pool areas and all Council vehicles, trucks, plant and equipment.

Muswellbrook Shire Council

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C 39/1

POLICY REGISTER

Subject: Council Administration Centre – Smoke Free Premises

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:	195			
Meeting Date Adopted:	20/06/05			

Review Date: May 2007

POLICY

Introduction

The aim of this policy is to create smoke free premises in and around the Council Administration Centre, 157 Maitland Street Muswellbrook.

PRIMARY RESPONSIBILITY: Management and all Staff

TERMS

Premises

premises includes any place, and in particular includes:

- (a) any land, building or part of any building, or
- (b) any vehicle, vessel or aircraft, or
- (c) any installation on land, on the bed of any waters or floating on any waters, or
- (d) any tent or moveable structure.

Place of work

Place of work means premises where persons work.

Council official

Council official includes councillors, members of staff of council and delegates of council

Muswellbrook Shire Council

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POLICY STATEMENT

Muswellbrook Shire Council is committed to ensuring that all responsibilities under the Occupational Health and Safety legislation are undertaken and take all reasonable steps to provide council officials and visitors with a safe place to work and visit.
(Council reserves the right to review, vary or revoke this policy)

ISSUES TO CONSIDER***Hazards of Tobacco Smoking***

The medical evidence clearly establishes that tobacco smoke, either directly inhaled or indirectly inhaled (passive) is a serious health hazard. The Council is therefore committed to introduce policies to eliminate the involuntary exposure of council officials and visitors to the hazard.

Community attitudes

Community attitudes towards smoking have changed in recent times. There is strong community acceptance of restrictions on workplace smoking.

Legal use of tobacco

In adopting a policy for control of the hazard associated with tobacco smoke the Council recognizes that for council officials and visitors the purchase and use of tobacco is not an illegal activity. Therefore any policy must recognize, and accept, that it ought not to seek to unduly restrict an activity that is legal.

While recognizing that tobacco smoking is legal, council officials and visitors who voluntarily use tobacco products should not impose used cigarette emissions on non-smokers in the place of work.

GENERAL PRINCIPLES***Smoke free place of work***

The Council has adopted the following principles;

- All council officials and visitors are entitled to a smoke free place of work.
- Smoking is prohibited in the Council Administration Building.
- Smoking is prohibited in all council vehicles.

Adjacent to building

Adjacent to building means the smoking activity is not in the physical proximity of the building which;

- Require people using the entrance or exit to pass through the tobacco smoke emission
- Allows tobacco smoke to enter the building.

The specific areas adjacent to the building where smoking is prohibited are shown on the attached diagram. The areas are described as:

Muswellbrook Shire Council

C:\Users\gemmas\Desktop\WHS\Policies\Master - Policy - Council Administration Centre Smoke Free Premises - MSCWHS016.doc

- Front entry between car park and building.
- Staff entry between car park and entry door.
- Paved area outside councillors room.

Fire hazard

The use of tobacco in premises is recognized to be a serious fire hazard. Tobacco smoking is not permitted adjacent to any outdoor area where there are combustibles or flammables.

Environmental degradation

Discarded cigarette butts are not only visually unpleasant, they also degrade the environment and require resources to clean the area. The littering of Council grounds by cigarette butts is an unacceptable and unlawful practice as set by the Protection of the Environment Operations Act 1997

IMPLEMENTATION AND RESPONSIBILITIES:

Particular attention will be given to ensure that;

- all council officials, regular visitors and other authorized persons are fully aware of the policy and their obligations.
- Consultation will be held to assist people with the implementation of the policy.
- management is aware of its responsibility to ensure the policy is fully enforced.
- complaints with regard to alleged breaches of the policy are dealt with in an expeditious manner.
- it is, in the first instance, the responsibility of managers to seek to resolve any breaches of the policy.
- appropriate signage will be provided to advise people of the smoke free areas and receptacles will be provided for disposal of cigarette butts.

SOCIAL FUNCTIONS

The policy applies to any social functions held at the Administration Centre.

USE OF BUILDING BY GROUPS

Users of the Administration Centre are to be advised of Councils policy at the time of booking facilities. Prior to commencement of use, the responsible person will be required to advise those present of Councils policy.

Failure to enforce the policy may result in the group being asked to vacate the building.

RELEVANT LEGISLATION

Occupational Health and Safety Act 2000 No 40

Local Government Act 1993

Protection of the Environment Operations Act 1997

Muswellbrook Shire Council

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RELATED POLICIES

Occupational Health & Safety: Alcohol And Other Drugs S5/4

Council premises – Smoke free premises C39/2

Recruitment Policy

EVALUATION

The effectiveness of this policy will be measured by no complaints regarding smoking in smoke free areas.

FURTHER INFORMATION

Council's Code of Conduct

Contact: Human Resources

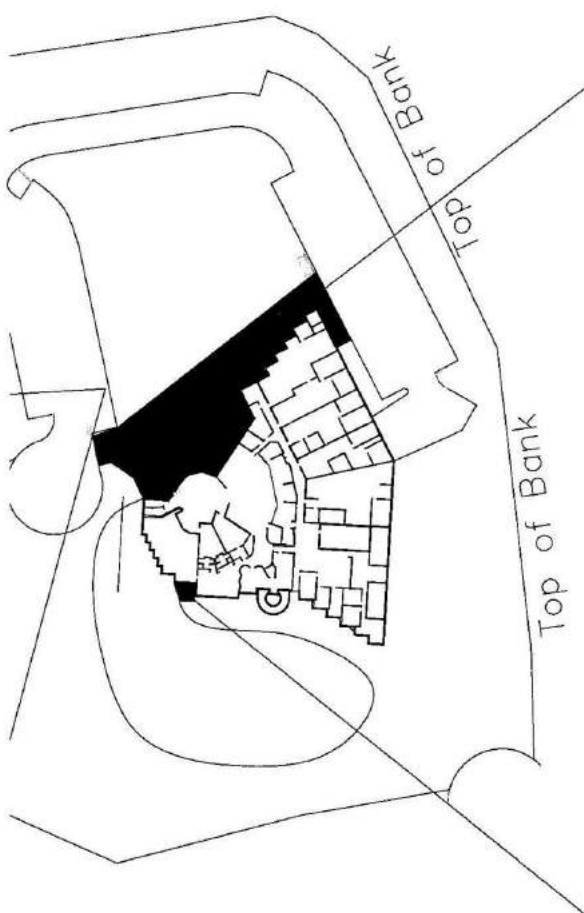
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Administration Centre

&

Car parking Area



Muswellbrook Shire Council

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C38/8

POLICY REGISTER

Subject: Council Buildings or Property – No Smoking

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	679	792	225	591
<i>Meeting Date:</i>	13.3.2000	11.12.95	10.4.89	10.10.88

POLICY

That all Council buildings (except residences), Council swimming pool areas and all Council vehicles, trucks and plant items (during working hours) be declared smoke free zones.

Muswellbrook Shire Council

Doc ID 258152



C 39/1

POLICY REGISTER

Subject: Council Administration Centre – Smoke Free Premises

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
Minute No:	195			
Meeting Date Adopted:	20/06/05			

Review Date: May 2007

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Place of work

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Council official

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Muswellbrook Shire Council

Doc ID 258159

POLICY STATEMENT

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Muswellbrook Shire Council

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RELEVANT LEGISLATION

Occupational Health and Safety Act 2000 No 40

Local Government Act 1993

Protection of the Environment Operations Act 1997

Muswellbrook Shire Council

RELATED POLICIES

Occupational Health & Safety: Alcohol And Other Drugs S5/4
Council premises – Smoke free premises C39/2
Recruitment Policy

EVALUATION

The effectiveness of this policy will be measured by no complaints regarding smoking in smoke free areas.

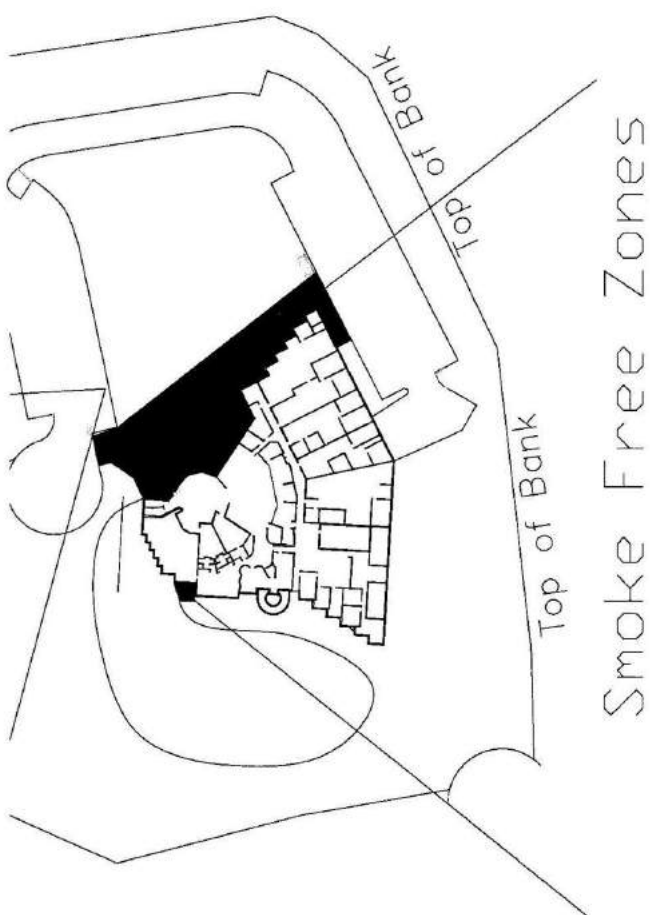
FURTHER INFORMATION

Council's Code of Conduct
Contact: Human Resources

Muswellbrook Shire Council

Doc ID 258159

Administration Centre & Car parking Area



Muswellbrook Shire Council

Doc ID 258159



muswellbrook shire council

Keeping of Roosters in Residential Areas

Policy No. N1/1

**Assembled by
T.Holmes**

**Adopted By Council
XXX
Minute No. XX**

KEEPING OF ROOSTERS IN RESIDENTIAL AREAS

N1/1

POLICY OBJECTIVES

To guide Council's response to rooster noise nuisance complaints, and provide a clear procedure for resolving complaints as efficiently as possible.

POLICY STATEMENT

For those affected by rooster noise, the ongoing disturbance through persistent crowing results in sleep deprivation and affects an individual's health, professional, personal and normal way of life.

LEGISLATION

Local Government Act (Orders) 1993
Local Government (General) Regulation 2005
Protection of the Environment Operations Act 1997

PROCEDURE

Under the Local Government (General) Regulation 2005, there is no limit to the number of poultry residents can choose to keep, however, they must not be kept in such conditions as to create a nuisance or to be dangerous or injurious to health. Poultry yards must at all times be kept clean and free from offensive odours.

In the event of a rooster noise complaint, Council will investigate the matter and attempt to rectify it with the poultry owner.

If further noise complaints are received, Council will issue a Notice of Intention to Issue Order 18 under the Local Government Act 1993, giving the poultry owner 14 days to rectify the noise disturbance.

If no change has been recorded, an Order number 18 under the *Local Government Act 1993* will be issued, requiring the rooster to be removed due to "an inappropriate kind or number"¹ being kept on the premises.

Authorised officers may use at their discretion, the *Protection of the Environment Operations Act 1997* to issue a Noise Abatement Direction.

Complainants will also be advised that they can take private action by applying to the Local Court for a Noise Abatement Order.

¹ Local Government Act 1993



muswellbrook shire council

Horses on private property Policy No. H10/1

**Assembled by
XXX**

**Adopted By Council
XXX
Minute No. XX**

Horses on private property

Policy No. H10/1

THAT Council invoke the powers listed in Clause 6 Division 3 of Schedule 5 of the Local Government (Orders) Regulation under the Local Government Act 1993, to regulate in urban areas the keeping of horses and preventing any public health nuisance associated with the practice.

THAT regarding the keeping of a horse on private property in urban areas Council require:

- a) the lodgement of an application and notification of the application to adjoining landowners and occupiers;
- b) if such application is approved the imposition of condition listed in Clause 6 Division 3 of Schedule 5 of the Local Government (Orders) Regulation, currently:
 1. the provision of a water proof and fly proof manure receptacle
 2. all manure to be removed from the yard and paved areas daily, and from the premises at weekly.
 3. all feed receptacles to be vermin and fly proof.
 4. the property is to be maintained free from public nuisance, flies, vermin and offensive odours.
 5. horses are to be kept no closer than 9 metres from any dwelling, schoolshop, office factory, workshop, church or other place of worship, public hall or premises used for the manufacturer, preparation or storage of food.
 6. the floors of stables must be paved with concrete or mineral asphalt or other equally impervious material, and must be properly graded to drain.
 7. horse yards must be so enclosed as to prevent the escape of horses.
 8. the internal fence of the yard is to be separated from the adjoining neighbour's boundary fence and at least one metre from such boundary.

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	919	147	394	762
<i>Meeting Date:</i>	14.8.2000	11.3.96	10.7.89	14.10.85

Muswellbrook Shire Council

2

Doc Id 264357



**muswellbrook
shire council**

Financial Assistance Policy

Policy No F16/1

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Policy Objective

Muswellbrook Shire Council recognises a need to assist not-for-profit community groups, organisations and sporting groups who are interested in working towards enhancing the social, cultural and recreational well-being of the communities of the Muswellbrook Shire. Council is committed to providing financial assistance, where possible, throughout the community for events, festivals and other activities that increases the profile of the Shire and encourages participation in such events. Council welcomes any application for assistance which upholds the values and principles of this policy.

Policy Statement

1. This policy outlines the administration for donations, financial assistance applications and memberships to Community groups, organisations, sporting groups and incorporated bodies.
2. Council's allocation of funding for financial assistance is reviewed annually as part of Council's budgeting preparation; therefore allocations may vary from year to year according to the priorities adopted by Council.
3. Council approves financial assistance to not-for-profit and volunteer organisations, sporting and community groups by a specific allocation in the donations section of the annual budget. A written request must be received by Council for consideration of an allocation for financial assistance.
4. Council's Annual Revenue Policy (Fees and Charges) provide a fee exemption for local registered charities for the casual use of Council's sporting fields. The payment of a deposit is still required. To qualify, an organisation must provide evidence of its registration with the Australian Charities and Not-for-profits Commission and operate in the Muswellbrook Local Government Area.
5. Part of its budget process Council adopts a list of groups and organisations to provide financial assistance each year. This list of groups and organisations is subject to change by Council in the process of adopting each annual budget.
6. All requests for financial assistance which have been approved by Council in adopting its annual budget are paid without further reference to Council. However; these allocations are still subject to a request by the specified organisation.
7. Council within the annual budget has the provision for a sundries allocation, in which, organisations and groups not listed in Council's annual budget may make an application to Council for financial assistance. These requests will be assessed against;
 - a. the quality of the program or event to be funded;
 - b. the capacity for the organisation to support the activity,
 - c. the event's development potential; and
 - d. the economic value to the Muswellbrook Shire.
8. Applications for financial assistance not listed in the annual budget over the value of \$350 are referred to the appropriate Council Committee to assess the application and make a recommendation to Council.
9. The General Manager has delegated authority to approve requests for financial assistance received which comply with the principles of this policy up to the value \$350 which have not been adopted in Council's annual budget.

10. Generally Council does not provide financial assistance to any individual for recreational and/or cultural pursuits. Any application received and considered worthy of support will be assessed in accordance with section 356 (2) and (3) of the Local Government Act 1993 (the Act).

Note; An exception to this clause is the support of the Youth Awards in conjunction with Australia Day awards.

11. Council will consider financial assistance requests for one off, start up operational resources for not-for-profit, non-partisan incorporated community organisations that reflect community and social justice values on a case by case basis. Financial assistance of this nature will be subject to a Council report outlining the current status of the donations budget to assess the likelihood of exceeding existing budgetary allocations. The application must be assessed against the criterion stated in clause 5.
12. Financial assistance requests will not be funded retrospectively. An application for financial assistance must be received prior to the event.
13. Only one successful application for financial assistance per community group, organisation or sporting group will be considered each year.
14. The total amount of financial assistance made in accordance with this policy will be listed in Council's Annual Report. Significant allocations over \$2,000 will be itemised.
15. Council does not support requests for financial assistance from outside the Muswellbrook Shire unless it can be demonstrated there is a significant benefit or contribution to the Muswellbrook Shire community.
16. Following Council's consideration of applications successful and non successful applicants will be advised. Payment to successful organisations will be made as soon as practicable after the request has been approved.

Specific Financial Assistance Recipients.

17. Subject to the rate assessment in respect of the rural community halls being paid in full during the current rating period, Council will provide financial assistance to the relevant Hall Committee of an amount equivalent to 75% of the General Rate for that year.
18. Council will make an annual allocation for the maintenance of the following rural community halls, upon application from the hall committee subject to existing budgetary allocations.
- a. Baerami Creek Hall
 - b. Wybong Hall
 - c. Martindale Hall
 - d. McCullys Gap Hall
 - e. Sandy Hollow Hall

Note; The following hall committees are eligible to apply, however Council is not obliged to provide assistance to all hall committees each year:

19. An annual allocation will be made for the Council staff appreciation day, the annual union picnic day and the Corporate Training/Christmas party.

Waiving of Fees and Charges

20. Application fees paid in respect of development applications, complying development certificate applications and applications for activity approvals are to be waived where the application relates to: -



- a. An activity or event being held for the purposes of raising funds for the Westpac Rescue Helicopter Service;
- b. The following Service Clubs situated in the Muswellbrook Shire Local Government Area such as Rotary, Apex, Lions/Lioness, Men's Sheds or any other such not for profit club that has a turnover under \$200,000;
- c. A charitable and not for profit organisation operating in the Muswellbrook Shire Local Government Area
- d. A community hall, that operates as a rural hall.

21. The applicable fees waived pursuant to this Policy are to be met from Council's Donations Budget."

Legislation

Local Government Act 1993

Local Government (General) Regulation 2005

Associated Council Documentation

List any council document that is applicable

Authorisation Details

Authorised by:	Council
Minute No:	219
Date:	14/02/17
Review timeframe:	2019
Department:	Planning, Community & Corporate Services
Document Owner:	Co-Ordinator, Executive Services

Details History

Version No.	Date changed	Modified by	Amendments made
V1	8/03/2004		
V2	11/10/2004		
V3	14/11/2005		
V4	13/05/2013		Waiving User Hire Fees and Development Application Fees for Charitable organisations



muswellbrook shire council

Corporate Sponsorship of
Council Events or Activities.

Policy No. S20/1

Adopted By Council
11 June 2013

Minute No.
369

Doc ID 428473

Corporate Sponsorship of Council Events or Activities S20/1**POLICY OBJECTIVES**

To provide Councillors, staff and community groups or committees with guidelines to be used when seeking, negotiating, securing and maintaining corporate sponsorship agreements.

DEFINITION:

"Sponsorship" means a contribution in money or kind, generally by the corporate sector or private individuals, in support of a council activity, function or event. It does not include the selling of advertising space, joint ventures, consultancies and gifts or donations where the reciprocal benefit provided by the Council does not extend beyond the acknowledgment and terms of the agreement.

POLICY STATEMENT**1. General Manager's Consent**

Before seeking expressions of interest to a sponsorship proposal the General Manager, or his designated senior officer, is to be consulted and agreement in principle with the proposal obtained. The General Manager is to be provided with an outline of the proposed sponsorship arrangement, including:

- i. the type of sponsorship arrangement being sought,
- ii. the obligations and benefits arising out of the proposal for both Council and the proposed sponsor.
- iii. how the proposed sponsorship is to be resourced so that the promised sponsor benefits can be delivered, and
- iv. a project budget giving details of anticipated income and expenditure.

2. Advertisement.

Council maintains an open approach to seeking sponsorship. Expressions of interest will be advertised, where appropriate, for a specific event, activity or purpose. The expressions of interest advertised would in general terms, describe certain selection criteria required for sponsorship agreement.

If after fourteen days from the publication of Council's advertisement there has been no response, or inappropriate response (ie responses which do not comply with a set of predetermined criteria), individual organisations or persons may be approached with the approval of the General Manager or his designated senior officer.

All sponsorship agreements are to be approved by the General Manager or his designated senior officer. No formal agreement will be entered into without this approval.

Unsolicited proposals may arise by a potential sponsor without any action that Council has taken. In this situation, the sponsorship offer will be considered by the General Manager and delegates of his choosing. This is to ensure that no conflict of interest exists and that the proposal is consistent with the market value of a similar agreement.

Doc ID 428473

Note; In the case Council is seeking large, high profile sponsorship agreements, methods not limited to tendering or expression of interest will be considered.

3. Intellectual Property

Should Council be approached by an individual or organisation with a specific sponsorship proposal which has not been included in Council's annual advertised list of sponsorship opportunities, the intellectual property of that person or organisation will be treated as confidential and will be protected so as not to defray or damage any relationship of trust between Council and the proposer.

In these instances Council will not call for expressions of interest from other parties but will determine whether any such proposal would be mutually beneficial to both Council and the proposer. Any such proposal must still be considered within the constraints of this policy and no agreement will be entered into without the approval of the General Manager or his designated senior officer.

Should negotiations between Council and the sponsorship proposer fail then Council may seek expressions of interest for the same activity by advertising in at least two local popular newspapers. Where, with the approval of the General Manager or his designated senior officer, a decision is taken not to offer sponsorship opportunities widely, the reasons for doing so are to be clearly documented.

4. Assessment of Sponsorship Proposals

Sponsorship proposals are to be assessed against predetermined criteria which have been published in advance or which are circulated to organisations or persons who have submitted an expression of interest. The assessment shall be done by persons who have relevant qualifications and can act, and be seen to act, impartially. Each proposal shall be assessed on the individual merits of the proposed sponsor and the products or services that are supplied or provided by that sponsor. Any consideration given by Council to the establishment of a sponsorship agreement shall give regard to the following:

- i. ensuring that sufficient resources are available to enable the promised sponsor benefits to be delivered.
- ii. each sponsorship agreement will include an early termination clause if the sponsor is found to be in breach of the Council's Code of Conduct. If a breach is suspected, a preliminary investigation will be undertaken to establish the merits of the allegation.
- iii. that agreements be entered into only with reputable organisations or persons whose public image, products and services are consistent with the values, goals, objectives and specific policies of this Council. Specifically, in relation to sponsor products the following are excluded:
 - a) any organisation or person involved in the manufacture, distribution and wholesaling of tobacco related products or alcohol related products (but not excluding the negotiation of corporate sponsorship agreements with Licensed Clubs and Hotels),
 - b) any organisation or person involved in the manufacture, distribution and/or sale of addictive drugs, and

Doc ID 428473

- c) any organisation or people whose services or products are injurious to health, or are seen to be in conflict with Council's policies and responsibilities to the Community.

5. Conflict with Council's Regulatory or Inspectorial Responsibilities.

No sponsorship arrangements will be entered into which impose or imply conditions that would limit, or appear to limit, Council's ability to carry out its functions fully and impartially.

If a sponsorship agreement is entered into with an organisation or person who is, or is likely to be, subject to regulation or inspection by Council during the life of the agreement, the sponsor is to be informed in writing that their sponsorship will have no bearing on Council's regulatory or inspectorial responsibilities.

The sponsor is also to be informed in writing that should the sponsor engage in any activity that contravenes Council's regulations the sponsorship agreement will be terminated immediately.

6. Prohibition of Personal Benefits to Councillors and Employees.

No Councillor or employee, or members of their families, are to receive a personal benefit from a sponsorship. Should a Councillor or employee perceive a potential conflict of interest in dealing with a sponsor on Council's behalf, that potential conflict of interest is to be declared to the General Manager.

7. Non-Endorsement of Sponsor or Sponsor's Product or Service.

Sponsorship of Council activities will not involve explicit endorsement of the sponsor or the sponsor's product or service. Any sponsorship agreement which involves the exchange of products will be evaluated against the predetermined criteria. Council will accept the products only if deemed to be appropriate in the terms of the agreement.

8. Inclusion in Council's Annual Report.

All sponsorship arrangements will be listed in Council's Annual Report. This listing will contain the name of the sponsor, the activity sponsored, the amount and the duration of the sponsorship.

9. Agreement to be in Writing.

A sponsorship agreement is a contract and as such shall be described in a written agreement. The agreement can take the form of an exchange of letters which clearly sets out:

- i. the benefits, including economic benefits, available to the Council and the sponsor,
- ii. any personal benefits available to staff of the sponsor and their relatives,
- iii. the form or forms of sponsorship acknowledgment which will be available,
- iv. the term of the sponsorship and any conditions regarding renewal,
- v. consequences of changes which may occur over time (eg a shift in the relationship, new policies, etc.)
- vi. financial accountability requirements, and
- vii. any special terms and conditions which are to apply.

Doc ID 428473

10. Safekeeping of Sponsorship Agreement Document.

The original of the sponsorship agreement will be forwarded to the Records section for scanning. A copy of the agreement is to be kept in the appropriate file determined by Records.

LEGISLATION

Independent Commission Against Corruption (ICAC) Sponsorship in the Public Sector May 2006.

Revised by: Scott McNamara (Executive Officer)

Date May 2013.

REVIEW HISTORY:

	<i>Current</i>	<i>Previous</i>	<i>Prior</i>	<i>Prior</i>
<i>Minute No:</i>	369	213		
<i>Meeting Date:</i>	11/06/2013	13/02/2012		
<i>Review Date:</i>	February 2015			
<i>Rescind Date:</i>				



muswellbrook shire council

Drinking Water Quality Policy MSC05I

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Policy Objective

To highlight Muswellbrook Shire Council's commitment in supplying safe, quality drinking water to the residents of Muswellbrook, Denman and Sandy Hollow, which appropriately meets the requirements of the Australian Drinking Water Guidelines of 2011 (ADWG 2011), and other regulatory requirements.

Risks being addressed

Muswellbrook Shire Council affirms its commitment in ensuring that its customers in Muswellbrook, Denman and Sandy Hollow receive safe, quality drinking water, which appropriately meets the quality requirements as stipulated in the ADWG 2011.

This commitment is in line with Council's goal of providing safe, secure, efficient and effective water, sewerage and waste services in compliance with regulatory requirements, outlined in the Operational Plan.

Scope

All managers and employees involved in the supply of drinking water at Muswellbrook Shire Council are responsible for understanding, implementing, maintaining and continuously improving the drinking water quality management system.

Policy Statement

Muswellbrook Shire Council's commitment in supplying safe, quality drinking water to the region will be implemented through its Drinking Water Management System (DWMS) and Integrated Water Cycle Management (IWCM) Strategy, consistent with the Australian Drinking Water Guidelines 2011.

To achieve this, Muswellbrook Shire Council will:

- Manage drinking water quality through treatment, storage and distribution to the consumer;
- Establish and operate under a risk-based approach to identify & mitigate potential hazards to water quality;
- Incorporate the needs and expectations of our consumers, stakeholders, regulators and employees into our planning;
- Implement continuous monitoring of drinking water quality; together with effective water quality reporting procedures so as to provide suitable and timely information. Promote confidence in the water supply and its management;
- Ensure proficiency of in emergency planning and incident response procedures;
- Enhance knowledge on drinking water quality issues and performance by participating in current research and development work carried out in the water treatment industry;
- Respond to customers' concerns in a timely manner;
- Participate in discussions that contribute to establishing industry regulations and guidelines to ensure that industrial and commercial operations do not discharge harmful substances into waterways that may impact the overall water quality and subsequently the health of the community;



- Assess water quality performance through audits on a regular basis to improve operational capability of its water treatment plants and reticulation system.
- Ensure that Council employees involved in the supply of drinking water are appropriately trained and understand their role and responsibility for ensuring that water quality goals are achieved.

Delegations

There are no associated delegations with this policy.

Legislation

Australian Drinking Water Guidelines 2011

NSW Public Health Act 2010 and Public Health Regulation (2012)

Dispute Resolution

The Operations Manager Water & Waste is interpreter of this policy.

Associated Council Documentation

This policy is to be read in conjunction with:

- Muswellbrook Shire Council Drinking Water Management System (ADWG) 2014
- Muswellbrook Shire Council Drinking Water Management System (DWMS) – Improvement Plan – reviewed & updated 27 June 2017 (Doc ID 749483)
- Muswellbrook Shire Council Integrated Water Cycle Management (IWCM) Strategy – to be finalised by 2019.
- Operational Plan 2017-2018

Authorisation Details

Authorised by:	General Manager
Minute No:	
Date:	
Review timeframe:	2 years
Department:	Community Infrastructure: Water & Waste
Document Owner:	Operations & Process Engineer

Details History

Version No.	Date changed	Policy type	Modified by	Amendments made
		Internal		



muswellbrook shire council

Equal Employment Opportunity Policy

MSC04I

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Policy Objective

Equal Employment Opportunity Policy (EEO) seeks to ensure that all staff have equal access to opportunities within the workplace. Also to demonstrate management and organisational commitment to EEO to ensure that there is within Council and its staff, an understanding of EEO principles and awareness of issues relating to EEO Management.

This Policy aims to:

1. Demonstrate Council's commitment to the principles of equal employment opportunity and anti-discrimination; and
2. Ensure Council meets its statutory obligations in relation to equal employment opportunity and anti-discrimination.

Risks being addressed

This Policy will mitigate the risk of the following behaviours including (but not limited to);

- Discrimination, and/or
- Direct Discrimination, and/or
- Indirect Discrimination, and/or
- Harassment, and/or
- Bullying, and/or
- Racial Harassment, and/or
- Disability Harassment, and/or
- Sexual Harassment.

In respect to employment opportunities with Council.

Scope

Equal Employment Opportunity applies to all employees, contractors (including temporary contractors), work experience employees and volunteers of Council, collectively referred to in this Policy as "Staff".

This Policy is not limited to the workplace or work hours. This Policy extends to all functions and places that are work related. For example work lunches, conferences, Christmas parties, Staff Appreciation Days and other Council functions. In addition, it extends to the on-line environment including emails and social media, as all employees are obliged to follow non-discriminatory practices in the workplace.

Definitions

Equal Employment Opportunity

Is the principle that ensures all staff and potential staff are treated equitably and fairly, regardless of their race, sex, marital or domestic status, transgender, age, disability, carers responsibility, homosexuality or sexual preference.

Discrimination

Treating a person or group less favourably or unfairly because they belong to a particular group, or are associated with a particular group of people. Discrimination in New South Wales can be on grounds of race, sex, marital or domestic status, religion, transgender, age, disability, carers/family responsibilities, homosexuality, or sexual preference and other Commonwealth grounds such as political/trade union affiliation. Harassment is also a form of discrimination.

Direct Discrimination

Direct Discrimination is treating someone unfairly or unequally simply because they belong to a particular group or category of people. (E.g. Refusing to interview an applicant because of their race).

Indirect Discrimination

Indirect Discrimination is where there is a requirement (rule, policy, practice, procedure) that is the same for everyone, but that has an unequal or disproportionate effect or result on particular groups.

Unless this type of requirement is "reasonable in all the circumstances" it is likely to be indirect discrimination (Eg. Laying off all part time staff. Given most part time workers are women, this would have a disproportionate effect on female staff).

Harassment

Any behaviour that has the effect of offending, humiliating or intimidating the person at whom it is directed is considered harassment. It can make the work environment unpleasant and sometimes even hostile. If a person is being harassed then their ability to do their work is affected.

Sexual Harassment

Sexual Harassment is unwanted, unsolicited and unreciprocated conduct of a sexual nature that may be an isolated incident or a series of incidents.

Racial Harassment

Racial Harassment is any act involving a distinction, exclusion, restriction or preference based on race, colour, religion, descent or national or ethnic origin of a person which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise on an equal footing of any human right or fundamental freedom in the political, economic, social, cultural or any other field of public life.

Disability Harassment

Disability Harassment is discrimination or harassment in employment due to disability. This could include partial loss of bodily or mental function, malformation or disfigurement, disorder, illness or disease.

Bullying

Bullying is defined as one or more occurrences of treating an individual or group of people less favourably; including behaviour that humiliates, intimidates, offends or degrades a person and creates a physical or psychological risk to health and well-being.

Target Groups

Groups who have been identified as experiencing high levels of discrimination and disadvantage in the workplace and for whom EEO strategies are developed to address these disadvantages: The Local Government Act (1993) currently identifies target groups as women, people from non-English speaking backgrounds, Aboriginal and Torres Strait Islander peoples and people identified with special needs (disability).

Staff

A person is staff if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:

- An employee; or
- A contractor or subcontractor; or
- An employee of a contractor or subcontractor; or
- An employee of a labour hire company who has been assigned to work in the person's business or undertaking; or
- An apprentice or trainee; or
- A student gaining work experience; or
- A volunteer



Policy Statement

That people are recognised as individuals with different abilities, without stereotyped assumptions about characteristics.

That all employees, present or potential, receive fair and unbiased treatment in the workplace in all employment practices, including recruitment, development and promotion.

That Muswellbrook Council provides leadership in the community in the area of Equal Employment Opportunity (EEO) through the commitment of management and employees.

The key principles are:

Non-Discriminatory Environment

Discrimination can be intentional or unintentional, direct or indirect and occurs when people are excluded from a benefit or opportunity because of:

- a) a characteristic, such as sex, age, race, disability, sexual preference, transgender, marital status or carers responsibilities is used as a barrier, or
- b) a stereotypical assumption is made about a person associated with these characteristics.

Merit as the Basis for Recruitment, Development and Promotion

Those with the abilities, skills, qualifications and experience, which are required for a particular job, will have equal opportunity of being considered for the position. The person selected will be the person who best meets the requirements for the particular position.

Access to Information

All employees will have access to information about conditions and benefits pertaining to their employment.

Access to Entitlements

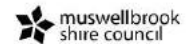
All employees will have equal access to the benefits and entitlements pertaining to the positions held.

Access to workplace opportunities and benefits

Council will give every member of staff fair access to all relevant workplace opportunities and benefits. All managers and supervisors must make fair, non-discriminatory decisions about everything to do with work. This includes such things as:

- training and development opportunities
- promotion opportunities
- work allocation
- shifts, rosters, hours of work and overtime
- salary levels and packages
- leave arrangements (of all types)
- pregnancy arrangements and maternity and parental leave
- performance assessment
- disciplinary procedures
- restructuring.

Council will encourage every employee to make full use of their particular skills and abilities.

**Travel Approval**

All staff that will be approved to travel for work will have equal access to travel support. This will be done in accordance with the Payment of Expenses and Provision of Facilities to Councillors Policy (Section General Travel Arrangements).

Awareness Training

All staff will undergo EEO induction training on commencement of employment with Muswellbrook Shire Council.

EEO Officers

Council will maintain a register of accredited EEO Officers and publish the register in the workplace sites and have the register available on Council's intranet – HR Portal

Affirmative Action

Positive and constructive measures will be taken to identify and eliminate barriers that may exclude certain groups from the equal opportunity to be considered on their merits.

Workplace Harassment

Workplace Harassment will be dealt with in accordance with the current Harassment Policy. Appropriate disciplinary action will be taken against offenders where complaints have been substantiated.

Resolution of Grievances

Employees shall have access to effective processes for the resolution of grievances concerning discrimination and/or harassment.

Responsibility

The overall responsibility for monitoring the effectiveness of this policy and for implementing an ongoing program of action to make the policy fully operative is vested in the General Manager.

However, it is the responsibility of every employee to accept his or her personal involvement in the practical application of this policy. Specific responsibility falls upon management, supervisors and employees professionally involved in recruitment, employee administration and training to ensure that the policy is upheld.

EEO requires the active participation of all staff.

Delegations

There are no delegations associated with this policy.

Legislation**NSW Local Government Act 1993 (as amended)**

- NSW Local Government (State) Award 2017
- NSW Anti-discrimination Act 1977
- Disability Discrimination Act 1992
- Sex Discrimination Act 1984
- Racial Discrimination Act 1975
- NSW Industrial Relations Act 1996
- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Work Health & Safety Act 2011



- Workplace Relations Act 1996
- Equal Employment Opportunity Act 1987
- Local Government (State) Act 2014 (as amended)

References

Payment of Expenses and Provision of Facilities to Councillors Policy
 Grievance and Dispute Resolution Policy
 Travel Procedure

Dispute Resolution

In the event of a dispute in relation to this Policy, Council will abide by the conditions as described in;

- The Local Government Act (Clause 742),
- The Local Government (State) Award 2017 (Clause 35) and
- Council's Grievance & Dispute Resolution Policy

Authorisation Details

Authorised by:	General Manager
Minute No:	
Date:	
Review timeframe:	
Department:	Integrated Planning, Risk and Governance
Document Owner:	Human Resources Coordinator

Details History

Version No.	Date changed	Policy type	Modified by	Amendments made

12.3 DECEMBER BUDGET REVIEW 2018

Attachments:	A. December Budget Review 2018
Responsible Officer:	Fiona Plesman - General Manager
Author:	Natalia Cowley - Executive Manager - Office of the Chief Financial Officer
Community Plan Issue:	<i>Progressive leadership</i>
Community Plan Goal:	<i>That Muswellbrook Shire is well led and managed</i>
Community Plan Strategy:	<i>A financially sustainable council</i>

PURPOSE

To present the December 2018 Budget Review for adoption.

OFFICER'S RECOMMENDATION

Council adopt the list of proposed changes and incorporate them into the 2018/19 Budget.

Moved: _____ **Seconded:** _____

BACKGROUND

Council is required by Clause 203 of the Local Government (General) Regulation 2005 to revise the estimates at the end of the September, December and March quarters.

CONSULTATION

Councillor Martin Rush and Councillor Spokesperson for Finance Scott Bailey.

All Managers with budget responsibility, as well as the MANEX group.

REPORT

During the course of the financial year, Council is required to undertake Quarterly Budget Reviews at the end of the September, December and March quarters. The aim of these reviews is to:

- Include new and/or expanded projects and programmes as adopted by Council in the budget, along with their related funding source.
- To make adjustments to original estimates in line with actual receipts and expenditures to date.

When completing Budget Reviews, staff aim to ensure that the net impact of all the proposed changes maintain the adopted budget.

The table below shows the impact of the proposed changes on each of the individual funds:-

Description	General	Future	Water	Sewer	Consol
September 18 Adopted Operating Result	\$2,192,426 (surplus)	\$1,704,488 (surplus)	(\$117,513) (deficit)	(\$33,566) (deficit)	\$3,745,835 (surplus)
Net Operating Changes	(\$593,424)	(\$520,207)	\$18,165	\$25,496	(\$1,069,970)
Proposed Dec 18 Result – Budget Review	\$1,599,002 (surplus)	\$1,184,281 (surplus)	(\$99,348) (deficit)	(\$8,070) (deficit)	\$2,675,865 (surplus)

Description	General	Future	Water	Sewer	Consol
September 18 Adopted Capital Result	(\$256,678)	Nil	Nil	Nil	(\$256,678)
Net Capital Changes	\$92,000	Nil	Nil	Nil	\$92,000
Proposed Capital Result – September Review	(\$164,678)	Nil	Nil	Nil	(\$164,678)

The proposed December 2018 Budget Review outcome for the General Fund represents a worsening of the adopted September 2018 Operating Result by \$593k due to the following overruns:

- \$454k depreciation increase following 17-18 financial statements' finalisation;
- \$400k additional legal fees due to the ongoing legal cases;
- \$139k decrease in fleet revenue to offset the \$139k decrease in depreciation;
- \$17k additional vehicle operational cost for Sustainability;
- \$8k electricity increase for the Library.

Offset by:

- \$150k Job Creation savings;
- \$51k Operational Contingency savings;
- \$50k additional revenue raised for Planning and 149 Certificates;
- \$38k Economic Research savings;
- \$32k Wages savings;
- \$30k Promotional activities savings;
- \$28k receipt of last year's Blue Heeler Expansion Grant;
- \$16k additional Waste Depot Fees raised;
- \$15k Corporate training savings;
- \$14k sundry savings.

The remaining operating changes sustained by the Water, Sewer and Future Funds are driven by depreciation changes informed by the completion of 17-18's financial statements, which finalised the depreciable capital values at 30 June 2018 for all Funds.

The \$92k improvement in the capital result is due to the receipt of a \$92k RMS Repair Grant, which was not budgeted for.

OPTIONS

Council can choose not to accept the proposed changes and/or to add changes of their own.

CONCLUSION

Not applicable

SOCIAL IMPLICATIONS

Not applicable

FINANCIAL IMPLICATIONS

As outlined in the report.

POLICY IMPLICATIONS

Not applicable

STATUTORY IMPLICATIONS

Not applicable

LEGAL IMPLICATIONS

Not applicable

OPERATIONAL PLAN IMPLICATIONS

Not applicable

RISK MANAGEMENT IMPLICATIONS

Not applicable

2018/19 Consolidated Budget December 2018 Budget Review Operation and Capital Budgets





muswellbrook shire council

2018/19 Consolidated Budget December 2018 Budget Review Operating Budget

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Muswellbrook Shire Council Budget Review 2018/19

Fund:	All Funds																					
Business Unit:	Consolidated General, Water, Sewer and Commercial Buildings Funds																					
	2018/19 Budget			2018/19 Carry Overs			2018/19 Total Budget			YTD Actuals			September Review			December Review			March Review			
Revenues																						
Rates and Charges		(25,070,519)		0		(25,070,519)		(24,081,712)		(24,499,297)		(24,499,297)		(24,499,297)		(24,499,297)		(24,499,297)		(24,499,297)		(24,499,297)
User Charges and Fees		(17,842,869)		0		(17,842,869)		(7,938,234)		(7,938,234)		(7,938,234)		(17,865,719)		(17,991,926)		(17,991,926)		(17,991,926)		(17,991,926)
Interest and Investments Revenues		(973,813)		0		(973,813)		(694,569)		(973,813)		(973,813)		(973,813)		(973,813)		(973,813)		(973,813)		(973,813)
Other Revenues		(2,682,778)		0		(2,682,778)		(1,168,884)		(2,712,778)		(2,712,778)		(2,632,497)		(2,632,497)		(2,632,497)		(2,632,497)		(2,632,497)
Operating Grants and Contributions		(5,816,064)		(31,401)		(5,847,465)		(2,379,150)		(6,040,154)		(6,040,154)		(6,077,576)		(6,077,576)		(6,077,576)		(6,077,576)		(6,077,576)
Internal Revenue		(4,252,323)		(487,566)		(4,739,889)		(1,511,778)		(5,307,272)		(5,307,272)		(5,337,272)		(5,337,272)		(5,337,272)		(5,337,272)		(5,337,272)
Total Operating Revenues		(56,638,366)		(518,967)		(57,157,333)		(37,774,127)		(57,399,033)		(57,512,381)		(57,512,381)		(57,512,381)		(57,512,381)		(57,512,381)		(57,512,381)
Expenses																						
Wages and Salaries		14,001,340		0		14,001,340		8,024,653		13,913,705		14,020,999		14,020,999		14,020,999		14,020,999		14,020,999		14,020,999
Materials and Contracts		15,942,710		512,541		16,455,251		6,869,458		16,722,528		16,311,045		16,311,045		16,311,045		16,311,045		16,311,045		16,311,045
Other Costs		3,999,571		6,426		4,005,997		3,063,046		4,298,878		4,856,245		4,856,245		4,856,245		4,856,245		4,856,245		4,856,245
Borrowing Costs		3,013,783		0		3,013,783		1,475,873		3,013,783		3,013,783		3,013,783		3,013,783		3,013,783		3,013,783		3,013,783
Overheads		4,277,499		0		4,277,499		1,512,244		4,277,499		4,277,499		4,277,499		4,277,499		4,277,499		4,277,499		4,277,499
Depreciation		11,426,804		0		11,426,804		6,186,556		11,426,804		12,356,944		12,356,944		12,356,944		12,356,944		12,356,944		12,356,944
Total Operating Expenses		52,661,707		518,967		53,180,674		27,131,830		53,653,198		54,836,516		54,836,516		54,836,516		54,836,516		54,836,516		54,836,516
Total Operating Result Before Capital		(3,976,659)		0		(3,976,659)		(10,642,297)		(3,745,335)		(2,675,865)		(2,675,865)		(2,675,865)		(2,675,865)		(2,675,865)		(2,675,865)

Muswellbrook Shire Council Budget Review 2018/19

Fund:	All Funds														
Fund:	General														
Business Unit:	Consolidated General Fund														
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues															
Rates and Charges	(19,208,418)	0	(19,208,418)	(18,579,441)	(18,637,196)	(18,637,196)	(18,637,196)								(18,637,196)
User Charges and Fees	(7,023,881)	0	(7,023,881)	(3,056,665)	(7,046,731)	(7,046,731)	(7,046,731)								(7,046,731)
Interest and Investments Revenues	(572,193)	0	(572,193)	(447,555)	(572,193)	(572,193)	(572,193)								(572,193)
Other Revenues	(2,682,778)	0	(2,682,778)	(1,168,884)	(2,712,778)	(2,712,778)	(2,632,497)								(2,632,497)
Operating Grants and Contributions	(5,745,874)	(31,401)	(5,777,275)	(2,310,451)	(5,969,964)	(6,007,386)	(6,007,386)								(6,007,386)
Internal Revenue	(4,252,323)	(487,566)	(4,739,889)	(1,511,778)	(5,307,272)	(5,337,272)	(5,337,272)								(5,337,272)
Total Operating Revenues	(39,485,467)	(518,967)	(40,004,434)	(27,074,574)	(40,246,134)	(40,391,562)	(40,391,562)								(40,391,562)
Expenses															
Wages and Salaries	11,970,012	0	11,970,012	7,014,630	11,971,801	12,059,095	12,059,095								12,059,095
Materials and Contracts	12,158,330	512,541	12,670,871	5,125,222	12,874,578	12,594,915	12,594,915								12,594,915
Other Costs	2,677,354	6,426	2,683,780	2,238,201	2,976,661	3,454,288	3,454,288								3,454,288
Borrowing Costs	618,412	0	618,412	240,418	618,412	618,412	618,412								618,412
Overheads	1,672,096	0	1,672,096	626,046	1,672,096	1,672,096	1,672,096								1,672,096
Depreciation	7,940,159	0	7,940,159	4,204,978	7,940,159	8,393,753	8,393,753								8,393,753
Total Operating Expenses	37,036,363	518,967	37,555,330	19,449,495	38,053,708	38,792,560	38,792,560								38,792,560
Total Operating Result Before Capital	(2,449,104)	0	(2,449,104)	(7,625,079)	(2,192,426)	(1,599,002)	(1,599,002)								(1,599,002)
Fund:	Future Funds														
Business Unit:	Education Division and Commercial Division Fund														
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues															
User Charges and Fees	(6,401,418)	0	(6,401,418)	(3,430,362)	(6,401,418)	(6,369,338)	(6,369,338)								(6,369,338)
Total Operating Revenues	(6,401,418)	0	(6,401,418)	(3,430,362)	(6,401,418)	(6,369,338)	(6,369,338)								(6,369,338)
Expenses															
Wages and Salaries	171,328	0	171,328	98,089	171,328	171,328	171,328								171,328
Materials and Contracts	1,534,380	0	1,534,380	595,492	1,534,380	1,418,704	1,418,704								1,418,704
Other Costs	647,674	0	647,674	530,417	647,674	731,270	731,270								731,270
Borrowing Costs	1,543,053	0	1,543,053	798,651	1,543,053	1,543,053	1,543,053								1,543,053
Overheads	500,000	0	500,000	0	500,000	500,000	500,000								500,000
Depreciation	300,495	0	300,495	410,351	300,495	820,702	820,702								820,702
Total Operating Expenses	4,696,930	0	4,696,930	2,433,000	4,696,930	5,185,057	5,185,057								5,185,057
Total Operating Result Before Capital	(1,704,488)	0	(1,704,488)	(997,362)	(1,704,488)	(1,184,281)	(1,184,281)								(1,184,281)

Muswellbrook Shire Council Budget Review 2018/19

Fund:	All Funds	General Fund Principal Activities - Use of General Revenues													
		2018/19 Budget		2018/19 Carry Overs		2018/19 Total Budget		YTD Actuals		September Review		December Review		March Review	
Fleet Operations	Revenue	(2,445,174)	0	0	0	(2,445,174)	(993,051)	(2,445,174)	(2,445,174)	(2,445,174)	(2,331,323)	(2,331,323)	(2,331,323)	(2,331,323)	
	Expenses	2,445,174	0	0	0	2,445,174	1,257,548	2,445,174	2,445,174	2,445,174	2,331,323	2,331,323	2,331,323	2,331,323	
Total Fleet Operations		0	0	0	0	0	264,497	0	0	0	0	0	0	0	
Recreation	Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Expenses	1,483,370	0	0	0	1,483,370	739,647	1,407,370	1,407,370	1,407,370	1,400,475	1,400,475	1,400,475	1,400,475	
Total Recreation		1,483,370	0	0	0	1,483,370	739,647	1,407,370	1,407,370	1,407,370	1,400,475	1,400,475	1,400,475	1,400,475	
Aquatic Centres	Revenue	(697,639)	0	0	0	(697,639)	(341,541)	(697,639)	(697,639)	(697,639)	(703,220)	(703,220)	(703,220)	(703,220)	
	Expenses	1,225,537	0	0	0	1,225,537	727,253	1,225,537	1,225,537	1,225,537	1,274,514	1,274,514	1,274,514	1,274,514	
Total Aquatic Centres		527,898	0	0	0	527,898	385,712	527,898	527,898	527,898	571,294	571,294	571,294	571,294	
Roads and Drainage - Works	Revenue	(3,405,955)	0	0	0	(3,405,955)	(1,085,950)	(3,405,955)	(3,405,955)	(3,405,955)	(3,427,455)	(3,427,455)	(3,427,455)	(3,427,455)	
	Expenses	10,331,928	0	0	0	10,331,928	5,089,646	9,916,364	9,916,364	9,916,364	10,090,284	10,090,284	10,090,284	10,090,284	
Total Roads and Drainage - Works		6,925,973	0	0	0	6,925,973	4,003,696	6,510,409	6,510,409	6,510,409	6,662,829	6,662,829	6,662,829	6,662,829	
Technical Services	Revenue	0	0	0	0	0	(44,296)	0	0	0	0	0	0	0	
	Expenses	739,696	49,855	49,855	49,855	789,551	495,154	888,979	888,979	888,979	848,155	848,155	848,155	848,155	
Total Technical Services		739,696	49,855	49,855	49,855	789,551	450,858	888,979	888,979	888,979	848,155	848,155	848,155	848,155	
Domestic Waste	Revenue	(2,625,199)	0	0	0	(2,625,199)	(2,557,483)	(2,625,199)	(2,625,199)	(2,625,199)	(2,625,199)	(2,625,199)	(2,625,199)	(2,625,199)	
	Expenses	2,625,199	0	0	0	2,625,199	1,061,146	2,625,199	2,625,199	2,625,199	2,625,199	2,625,199	2,625,199	2,625,199	
Total Domestic Waste		0	0	0	0	0	(1,496,337)	0	0	0	0	0	0	0	
Waste Management Facility	Revenue	(5,260,689)	(31,401)	(31,401)	(31,401)	(5,292,090)	(2,529,097)	(5,363,174)	(5,363,174)	(5,363,174)	(5,398,344)	(5,398,344)	(5,398,344)	(5,398,344)	
	Expenses	4,489,226	229,114	229,114	229,114	4,718,340	1,692,198	4,737,595	4,737,595	4,737,595	4,719,071	4,719,071	4,719,071	4,719,071	
Total Waste Management Facility		(771,463)	197,713	197,713	197,713	(573,750)	(836,899)	(625,579)	(625,579)	(625,579)	(679,273)	(679,273)	(679,273)	(679,273)	
Community Services	Revenue	(164,953)	0	0	0	(164,953)	(91,932)	(214,953)	(214,953)	(214,953)	(215,703)	(215,703)	(215,703)	(215,703)	
	Expenses	470,050	50,000	50,000	50,000	520,050	296,366	648,509	648,509	648,509	649,888	649,888	649,888	649,888	
Total Community Services		305,097	50,000	50,000	50,000	355,097	204,434	433,556	433,556	433,556	434,185	434,185	434,185	434,185	
Human Resources	Revenue	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Expenses	467,139	0	0	0	467,139	193,643	467,139	467,139	467,139	453,950	453,950	453,950	453,950	
Total Human Resources		467,139	0	0	0	467,139	193,643	467,139	467,139	467,139	453,950	453,950	453,950	453,950	

Muswellbrook Shire Council Budget Review 2018/19							
Fund:	All Funds						
Property and Building Services	Revenue	(231,900)	0	(231,900)	(194,537)	(254,750)	(295,250)
	Expenses	2,144,725	0	2,144,725	1,532,751	2,167,575	2,746,189
	Total Property and Building Services	1,912,825	0	1,912,825	1,338,214	1,912,825	2,450,939
Financial Services	Revenue	(22,379,122)	(487,566)	(22,866,688)	(18,274,176)	(22,892,849)	(23,013,849)
	Expenses	1,395,188	0	1,395,188	733,705	1,284,184	1,231,081
Total Financial Services	(20,983,934)	(487,566)	(21,471,500)	(17,540,473)	(21,608,665)	(21,782,768)	
Cultural	Revenue	(27,234)	0	(27,234)	(7,048)	(27,234)	(34,934)
Expenses	334,415	0	334,415	144,151	334,415	328,049	328,049
Total Cultural	307,181	0	307,181	137,103	307,181	293,115	293,115
Libraries	Revenue	(181,811)	0	(181,811)	(74,322)	(181,811)	(184,136)
Expenses	843,605	0	843,605	446,694	843,605	835,915	835,915
Total Libraries	661,794	0	661,794	372,372	661,794	651,779	651,779
Information Services	Expenses	873,682	0	873,682	475,850	873,682	923,699
Total Information Services	873,682	0	873,682	475,850	873,682	923,699	923,699
Customer Service and Administration	Expenses	801,278	0	801,278	369,972	801,278	828,158
Total Customer Service and Administration	801,278	0	801,278	369,972	801,278	828,158	828,158
Emergency Services	Revenue	(198,900)	0	(198,900)	(193,000)	(193,000)	(193,000)
Expenses	855,422	0	855,422	421,126	855,422	900,603	900,603
Total Emergency Services	656,522	0	656,522	228,126	656,522	707,603	707,603
Environmental Planning	Revenue	(544,441)	0	(544,441)	(246,325)	(544,441)	(574,441)
Expenses	1,096,425	100,000	1,196,425	540,544	1,086,333	1,053,548	1,053,548
Total Environmental Planning	551,984	100,000	651,984	294,219	541,892	479,107	479,107
Regulatory Services	Revenue	(95,880)	0	(95,880)	(46,848)	(95,880)	(95,880)
Expenses	343,856	0	343,856	197,625	343,856	311,839	311,839
Total Regulatory Services	247,976	0	247,976	150,777	247,976	215,959	215,959

Muswellbrook Shire Council Budget Review 2018/19					
Fund:	All Funds				
Water					
Revenue	(5,860,145)	0	(5,860,145)	(3,099,331)	(5,860,145)
Expenses	5,945,265	0	5,945,265	2,971,670	5,959,493
Total Water	85,120	0	85,120	(127,661)	99,348
Sewer					
Revenue	(4,891,336)	0	(4,891,336)	(4,169,860)	(4,891,336)
Expenses	4,983,149	0	4,983,149	2,277,665	4,899,406
Total Sewer	91,813	0	91,813	(1,892,195)	8,070
Integrated Planning					
Revenue	(73,440)	0	(73,440)	(46,151)	(73,440)
Expenses	629,131	0	629,131	498,918	790,267
Total Integrated Planning	555,691	0	555,691	452,767	716,827
Executive Services					
Revenue	0	0	0	0	0
Expenses	806,500	6,426	812,926	504,196	926,921
Total Executive Services	806,500	6,426	812,926	504,196	926,921
Corporate Services Management					
Revenue	0	0	0	(4,581)	(4,581)
Expenses	1,158,942	0	1,158,942	1,182,345	1,817,484
Total Corporate Services Management	1,158,942	0	1,158,942	1,177,764	1,812,903
Sustainability					
Revenue	(604,330)	0	(604,330)	(288,239)	(633,535)
Expenses	606,746	15,304	622,050	324,971	545,259
Total Sustainability	1,816	15,304	17,120	36,732	(88,276)
Economic Development and Innovation Upper Hunter					
Revenue	(548,200)	0	(548,200)	(55,995)	(587,272)
Expenses	869,129	68,268	937,397	524,046	1,160,687
Total Economic Development and Innovation	320,929	68,268	389,197	468,051	573,415
Education Division					
Revenue	(547,885)	0	(547,885)	(291,061)	(607,958)
Expenses	839,742	0	839,742	728,717	1,420,222
Total Education Division	292,057	0	292,057	437,656	812,264
Commercial Division					
Revenue	(5,853,733)	0	(5,853,733)	(3,139,301)	(5,761,380)
Expenses	3,857,188	0	3,857,188	1,704,283	3,764,835
Total Commercial Division	(1,996,545)	0	(1,996,545)	(1,435,018)	(1,996,545)

Community Infrastructure

December 2018 Budget Review Operating Budget

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Fleet Operations

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Other Revenues	(2,445,174)	0	(2,445,174)	(993,051)	(2,445,174)	(2,331,323)	(2,331,323)
Total Operating Revenues	(2,445,174)	0	(2,445,174)	(993,051)	(2,445,174)	(2,331,323)	(2,331,323)
Expenses							
Wages and Salaries	290,510	0	290,510	207,069	290,510	290,510	290,510
Materials and Contracts	943,204	0	943,204	410,494	943,204	961,223	961,223
Other Costs	251,460	0	251,460	229,900	251,460	259,420	259,420
Depreciation	960,000	0	960,000	410,085	960,000	820,170	820,170
Total Operating Expenses	2,445,174	0	2,445,174	1,257,548	2,445,174	2,331,323	2,331,323
Total Operating Result Before Capital	0	0	0	264,497	0	0	0

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Fleet Operations	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue Other Revenues	Plant Cost Recovery	(2,445,174)	0	(2,445,174)	(993,051)	(2,445,174)	(2,331,323)	(2,331,323)
		(2,445,174)	0	(2,445,174)	(993,051)	(2,445,174)	(2,331,323)	(2,331,323)
Total Other Revenues								
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Fleet Operations	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Expenditure Depot Operating Costs Depreciation Plant Operating Costs		104,738	0	104,738	63,331	104,738	124,757	124,757
		960,000	0	960,000	410,085	960,000	820,170	820,170
		1,380,436	0	1,380,436	784,132	1,380,436	1,386,396	1,386,396
		2,445,174	0	2,445,174	1,257,548	2,445,174	2,331,323	2,331,323
Total Operating Expenditure								

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Recreation

Revenues	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Total Operating Revenues	0	0	0	0	0	0	0
Expenses							
Wages and Salaries	856,104	0	856,104	506,851	825,104	832,825	832,825
Materials and Contracts	546,708	0	546,708	209,329	502,708	488,092	488,092
Other Costs	80,558	0	80,558	23,467	79,558	79,558	79,558
Total Operating Expenses	1,483,370	0	1,483,370	739,647	1,407,370	1,400,475	1,400,475
Total Operating Result Before Capital	1,483,370	0	1,483,370	739,647	1,407,370	1,400,475	1,400,475

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Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Roads and Drainage - Works

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(911,580)	0	(911,580)	(212,230)	(911,580)	(916,580)	(916,580)
Operating Grants and Contributions	(2,494,375)	0	(2,494,375)	(873,720)	(2,494,375)	(2,510,875)	(2,510,875)
Total Operating Revenues	(3,405,955)	0	(3,405,955)	(1,085,950)	(3,405,955)	(3,427,455)	(3,427,455)
Expenses							
Wages and Salaries	1,787,562	0	1,787,562	1,053,900	1,734,562	1,740,411	1,740,411
Materials and Contracts	2,427,644	0	2,427,644	901,988	2,070,019	2,278,398	2,278,398
Other Costs	455,227	0	455,227	223,994	450,288	451,788	451,788
Borrowing Costs	280,995	0	280,995	240,418	280,995	280,995	280,995
Depreciation	5,380,500	0	5,380,500	2,669,346	5,380,500	5,338,692	5,338,692
Total Operating Expenses	10,331,928	0	10,331,928	5,089,646	9,916,364	10,090,284	10,090,284
Total Operating Result Before Capital	6,925,973	0	6,925,973	4,003,696	6,510,409	6,662,829	6,662,829

Fund: 1 General Fund		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Principal Activity: Business Unit								
Business Unit: Roads and Drainage - Works								
Operating Revenue								
User Charges and Fees								
Individually Priced Work Orders (PWOs)		(780,000)	0	(780,000)	(153,050)	(780,000)	(780,000)	(780,000)
Over mass/over size vehicle permits		(30,600)	0	(30,600)	(20,079)	(30,600)	(35,600)	(35,600)
Private Works		(35,700)	0	(35,700)	1,233	(35,700)	(35,700)	(35,700)
Road Opening Permits		(61,200)	0	(61,200)	(27,798)	(61,200)	(61,200)	(61,200)
Road Pavement Consumption Charge		0	0	0	(11,000)	0	0	0
Vehicle Contribution		(4,080)	0	(4,080)	(1,536)	(4,080)	(4,080)	(4,080)
Total User Charges and Fees		(911,580)	0	(911,580)	(212,230)	(911,580)	(916,580)	(916,580)
Operating Grants and Contributions								
Block Grant		(186,000)	0	(186,000)	(119,545)	(186,000)	(198,000)	(198,000)
Block Grant Traffic		(42,000)	0	(42,000)	(20,000)	(42,000)	(45,000)	(45,000)
Council Roads Maintenance - VPA Contribu		0	0	0	(9,659)	0	0	0
Financial Assistance Grant		(904,075)	0	(904,075)	(224,809)	(904,075)	(904,075)	(904,075)
S94 Maintenance Conts.		(826,800)	0	(826,800)	(397,054)	(826,800)	(826,800)	(826,800)
SH27 Maintenance SIC		(478,000)	0	(478,000)	(102,653)	(478,000)	(478,000)	(478,000)
Street Light		(57,500)	0	(57,500)	0	(57,500)	(59,000)	(59,000)
Total Operating Grants and Contributions		(2,494,375)	0	(2,494,375)	(673,720)	(2,494,375)	(2,510,875)	(2,510,875)

Fund: 1 General Fund		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Principal Activity: Business Unit								
Business Unit: Roads and Drainage - Works								
Operating Expenditure								
Alcohol Prohibited Signage		3,279	0	3,279	0	1,279	1,229	1,229
Car Parking		151,405	0	151,405	55,218	141,405	139,713	139,713
Depreciation		5,380,500	0	5,380,500	2,689,346	5,380,500	5,338,692	5,338,692
Floodplain Management		13,439	0	13,439	8,486	8,500	8,500	8,500
Footpath Maintenance		95,116	0	95,116	35,349	85,116	84,112	84,112
Individually Priced Work Orders SH 27		680,000	0	680,000	160,025	680,000	666,614	666,614
Levee Banks		46,939	0	46,939	12,230	46,939	46,331	46,331
Loan Repayments		280,995	0	280,995	240,418	280,995	280,995	280,995
Over mass/over size vehicle permits		0	0	0	463	0	5,000	5,000
Private Works		8,240	0	8,240	0	8,240	8,240	8,240
Regional Roads Traffic Facilities		42,000	0	42,000	9,473	42,000	45,000	45,000
Road Closure		41,820	0	41,820	5,512	41,820	40,603	40,603
RTA Block Grant		186,000	0	186,000	49,243	186,000	198,000	198,000
RTA Road Maintenance Council Contract (RMCC)		478,000	0	478,000	389,579	478,000	471,307	471,307
Rural and Urban Bridges		78,880	0	78,880	24,878	68,880	68,079	68,079
Rural Roads		1,455,154	0	1,455,154	888,837	1,106,529	1,344,570	1,344,570
Special Variation Maintenance		245,739	0	245,739	69,025	245,739	241,978	241,978
Stormwater Management (GPT Clean Ups)		91,700	0	91,700	16,626	71,700	69,177	69,177
Street and Gutter Cleaning		230,010	0	230,010	71,680	230,010	223,317	223,317
Street Light		420,250	0	420,250	196,435	420,250	421,750	421,750
Urban Maintenance (Roadside works undertaken by P&G)		0	0	0	0	0	0	0
Urban Roads		402,462	0	402,462	225,081	392,462	387,079	387,079
Total Operating Expenditure		10,331,928	0	10,331,928	5,089,646	9,916,364	10,090,284	10,090,284

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Technical Services

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Operating Grants and Contributions	0	0	0	(44,296)	0	0	0
Total Operating Revenues	0	0	0	(44,296)	0	0	0
Expenses							
Wages and Salaries	561,793	0	561,793	382,749	661,221	661,221	661,221
Materials and Contracts	177,903	49,855	227,758	112,405	227,758	186,934	186,934
Total Operating Expenses	739,696	49,855	789,551	495,154	888,979	848,155	848,155
Total Operating Result Before Capital	739,696	49,855	789,551	450,858	888,979	848,155	848,155

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Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Domestic Waste

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Rates and Charges	(2,567,636)	0	(2,567,636)	(2,510,585)	(2,567,636)	(2,567,636)	(2,567,636)
User Charges and Fees	(10,200)	0	(10,200)	(2,711)	(10,200)	(10,200)	(10,200)
Interest and Investments Revenues	(12,240)	0	(12,240)	(9,456)	(12,240)	(12,240)	(12,240)
Operating Grants and Contributions	(35,123)	0	(35,123)	(34,731)	(35,123)	(35,123)	(35,123)
Total Operating Revenues	(2,625,199)	0	(2,625,199)	(2,557,483)	(2,625,199)	(2,625,199)	(2,625,199)
Expenses							
Wages and Salaries	86,747	0	86,747	86,747	86,747	86,747	86,747
Materials and Contracts	1,086,172	0	1,086,172	318,676	1,086,172	1,086,172	1,086,172
Other Costs	200,184	0	200,184	29,677	200,184	200,184	200,184
Overheads	1,252,096	0	1,252,096	626,046	1,252,096	1,252,096	1,252,096
Total Operating Expenses	2,625,199	0	2,625,199	1,061,146	2,625,199	2,625,199	2,625,199
Total Operating Result Before Capital	0	0	0	(1,496,337)	0	0	0

Fund: Principal Activity: Business Unit: Operating Revenue Rates and Charges Total Rates and Charges User Charges and Fees Total User Charges and Fees Interest and Investments Revenues Total Interest and Investments Revenues Operating Grants and Contributions Total Operating Grants and Contributions	1 General Fund Business Unit Domestic Waste	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
		(2,567,636) (2,567,636)	0 0	(2,567,636) (2,567,636)	(2,510,585) (2,510,585)	(2,567,636) (2,567,636)	(2,567,636) (2,567,636)	(2,567,636) (2,567,636)
		(10,200) (10,200)	0 0	(10,200) (10,200)	(2,711) (2,711)	(10,200) (10,200)	(10,200) (10,200)	(10,200) (10,200)
		(12,240) (12,240)	0 0	(12,240) (12,240)	(9,456) (9,456)	(12,240) (12,240)	(12,240) (12,240)	(12,240) (12,240)
		(35,123) (35,123)	0 0	(35,123) (35,123)	(34,731) (34,731)	(35,123) (35,123)	(35,123) (35,123)	(35,123) (35,123)
		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
		398,169	0	398,169	174,386	398,169	398,169	398,169
		475,999	0	475,999	97,908	475,999	475,999	475,999
		932,025	0	932,025	486,012	932,025	932,025	932,025
		607,002	0	607,002	275,990	607,002	607,002	607,002
212,004	0	212,004	46,382	212,004	212,004	212,004		
Total Operating Expenditure		2,625,199	0	2,625,199	1,061,146	2,625,199	2,625,199	2,625,199

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Waste Management Facility

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(4,610,354)	0	(4,610,354)	(1,956,267)	(4,610,354)	(4,630,524)	(4,630,524)
Other Revenues	(5,610)	0	(5,610)	(17,974)	(5,610)	(20,610)	(20,610)
Operating Grants and Contributions	0	(31,401)	(31,401)	(88,844)	(102,485)	(102,485)	(102,485)
Internal Revenue	(644,725)	0	(644,725)	(466,012)	(644,725)	(644,725)	(644,725)
Total Operating Revenues	(5,260,689)	(31,401)	(5,292,090)	(2,529,097)	(5,363,174)	(5,398,344)	(5,398,344)
Expenses							
Wages and Salaries	799,863	0	799,863	475,178	799,863	799,863	799,863
Materials and Contracts	2,825,564	229,114	3,054,678	1,143,476	3,073,933	3,039,369	3,039,369
Other Costs	27,540	0	27,540	24,853	27,540	27,540	27,540
Borrowing Costs	337,417	0	337,417	0	337,417	337,417	337,417
Overheads	420,000	0	420,000	0	420,000	420,000	420,000
Depreciation	78,842	0	78,842	48,591	78,842	94,882	94,882
Total Operating Expenses	4,489,226	229,114	4,718,340	1,692,198	4,737,595	4,719,071	4,719,071
Total Operating Result Before Capital	(771,463)	197,713	(573,750)	(836,899)	(625,579)	(679,273)	(679,273)

Fund: Principal Activity: Business Unit:		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
1 General Fund Business Unit Waste Management Facility								
Operating Revenue								
User Charges and Fees								
	Builders Rubble Fees	(15,000)	0	(15,000)	(7,737)	(15,000)	(15,000)	(15,000)
	Buy Back Store Income	(5,610)	0	(5,610)	(1,376)	(5,610)	(5,610)	(5,610)
	DECCW Levy	(1,845,000)	0	(1,845,000)	(615,040)	(1,845,000)	(1,845,000)	(1,845,000)
	Green Waste Fees	(20,910)	0	(20,910)	(8,274)	(20,910)	(20,910)	(20,910)
	Mixed Waste Fees	(2,244,000)	0	(2,244,000)	(1,043,986)	(2,244,000)	(2,244,000)	(2,244,000)
	Mulch and Compost Sales	(6,120)	0	(6,120)	(2,341)	(6,120)	(6,120)	(6,120)
	Scrap Metal fees	(59,594)	0	(59,594)	(4,446)	(59,594)	(59,594)	(59,594)
	Timber Sales	0	0	0	(3,155)	0	(3,271)	(3,271)
	Upper Hunter Shire Council Fees	(408,000)	0	(408,000)	(262,978)	(408,000)	(423,750)	(423,750)
	Weighbridge Income	(6,120)	0	(6,120)	(6,934)	(6,120)	(7,269)	(7,269)
	Total User Charges and Fees	(4,610,354)	0	(4,610,354)	(1,956,267)	(4,610,354)	(4,630,524)	(4,630,524)
Other Revenues								
	Lease of Land	0	0	0	(14,853)	0	(15,000)	(15,000)
	Recycling Facilities	(5,610)	0	(5,610)	(2,370)	(5,610)	(5,610)	(5,610)
	Sundry Income	0	0	0	(751)	0	0	0
	Total Other Revenues	(5,610)	0	(5,610)	(17,974)	(5,610)	(20,610)	(20,610)
Operating Grants and Contributions								
	Better Waste and Recycling	0	0	0	(71,084)	(71,084)	(71,084)	(71,084)
	Waste Less Recycle More	0	(31,401)	(31,401)	(17,760)	(31,401)	(31,401)	(31,401)
	Total Operating Grants and Contributions	0	(31,401)	(31,401)	(88,844)	(102,485)	(102,485)	(102,485)
Internal Revenue								
	Charge to Domestic Waste	(644,725)	0	(644,725)	(466,012)	(644,725)	(644,725)	(644,725)
	Total Internal Revenue	(644,725)	0	(644,725)	(466,012)	(644,725)	(644,725)	(644,725)

Fund: Principal Activity: Business Unit:		1 General Fund Business Unit Waste Management Facility		2018/19 Carry Overs		2018/19 Total Budget		YTD Actuals		September Review		December Review		March Review	
Business Unit:		2018/19 Budget		2018/19 Carry Overs		2018/19 Total Budget		YTD Actuals		September Review		December Review		March Review	
Operating Expenditure		0		197,713		197,713		112,042		206,168		206,168		206,168	
Better Waste and Recycling		79,567		0		79,567		29,223		79,567		77,260		77,260	
Denman Waste Facility		78,842		0		78,842		48,691		78,842		94,882		94,882	
Depreciation		3,075		0		3,075		0		3,075		2,986		2,986	
Dumping and Waste Chemical Collection		420,000		0		420,000		0		420,000		420,000		420,000	
Lease and Dividend		57,528		0		57,528		14,857		57,528		55,854		55,854	
Mulching and Compost Production		3,294,809		31,401		3,326,210		1,208,568		3,326,210		3,308,498		3,308,498	
Muswellbrook Waste Facility		555,405		0		555,405		268,300		555,405		542,623		542,623	
Void Management		0		0		0		9,517		10,800		10,800		10,800	
Waste Less Recycle More		0		0		0		0		0		0		0	
Total Operating Expenditure		4,489,226		229,114		4,718,340		1,692,198		4,737,595		4,719,071		4,719,071	

Planning, Community and Corporate Services

December 2018 Budget Review Operating Budget

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Aquatic Centres

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	YTD Actuals	September Review	December Review	March Review
Revenues								
User Charges and Fees	(697,639)	0	(697,639)	(341,541)	(341,541)	(697,639)	(703,220)	(703,220)
Total Operating Revenues	(697,639)	0	(697,639)	(341,541)	(341,541)	(697,639)	(703,220)	(703,220)
Expenses								
Wages and Salaries	670,810	0	670,810	428,024	428,024	670,810	670,810	670,810
Materials and Contracts	218,871	0	218,871	101,908	101,908	218,871	216,108	216,108
Other Costs	178,209	0	178,209	89,359	89,359	178,209	171,069	171,069
Depreciation	157,647	0	157,647	107,962	107,962	157,647	216,527	216,527
Total Operating Expenses	1,225,537	0	1,225,537	727,253	727,253	1,225,537	1,274,514	1,274,514
Total Operating Result Before Capital	527,898	0	527,898	385,712	385,712	527,898	571,294	571,294

Fund:		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
1 General Fund								
Principal Activity:								
Business Unit:								
Aquatic Centres								
Operating Revenue								
User Charges and Fees								
Aquatic Centre Gym Fees		(136,633)	0	(136,633)	(47,308)	(136,633)	(136,633)	(136,633)
Denman Aqua Aerobics		0	0	0	(178)	0	(491)	(491)
Denman Entry Fees		(21,930)	0	(21,930)	(5,836)	(21,930)	(19,930)	(19,930)
Denman Kiosk		(10,200)	0	(10,200)	(2,928)	(10,200)	(10,200)	(10,200)
Denman Learn to Swim		(2,040)	0	(2,040)	0	(2,040)	(2,040)	(2,040)
Denman Season Passes		(10,200)	0	(10,200)	(12,513)	(10,200)	(12,700)	(12,700)
Mbk Aqua Aerobics		(9,180)	0	(9,180)	(4,452)	(9,180)	(9,180)	(9,180)
Mbk Concession Tickets		(10,000)	0	(10,000)	(2,724)	(10,000)	(10,000)	(10,000)
Mbk Entry Fees		(100,000)	0	(100,000)	(48,945)	(100,000)	(100,000)	(100,000)
Mbk Kiosk		(65,000)	0	(65,000)	(25,929)	(65,000)	(65,000)	(65,000)
Mbk Miscellaneous Income		(510)	0	(510)	(4,038)	(510)	(4,100)	(4,100)
Mbk Pool and Equipment Hire		(3,000)	0	(3,000)	(2,425)	(3,000)	(3,000)	(3,000)
Mbk Programmes		(297,306)	0	(297,306)	(159,125)	(297,306)	(297,306)	(297,306)
Mbk Season Passes		(13,000)	0	(13,000)	(13,940)	(13,000)	(14,000)	(14,000)
Mbk Yearly Passes		(13,000)	0	(13,000)	(8,922)	(13,000)	(13,000)	(13,000)
School Aqua Zumba/Aerobics		(2,040)	0	(2,040)	(445)	(2,040)	(2,040)	(2,040)
Vehicle Contribution		(3,600)	0	(3,600)	(1,833)	(3,600)	(3,600)	(3,600)
Total User Charges and Fees		(697,639)	0	(697,639)	(341,541)	(697,639)	(703,220)	(703,220)

Fund:		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
1 General Fund								
Principal Activity:								
Business Unit:								
Aquatic Centres								
Operating Expenditure								
Aquatic Centre Gym		60,673	0	60,673	15,042	60,673	58,426	58,426
Denman Administration		5,255	0	5,255	4,320	5,255	5,255	5,255
Denman Building and Grounds		12,240	0	12,240	7,240	12,240	11,884	11,884
Denman Kiosk		6,630	0	6,630	3,672	6,630	6,437	6,437
Denman Pool Operations		85,710	0	85,710	25,414	85,710	85,280	85,280
Denman Supervision and Life Guarding		86,328	0	86,328	55,636	86,328	86,320	86,320
Depreciation		157,647	0	157,647	107,962	157,647	216,527	216,527
Mbk Activities		159,928	0	159,928	92,611	159,928	159,913	159,913
Mbk Kiosk		37,900	0	37,900	15,770	37,900	36,826	36,826
Mbk Pool Administration Costs		42,088	0	42,088	31,502	42,088	34,793	34,793
Mbk Pool and Plant Maintenance		66,625	0	66,625	35,510	66,625	70,273	70,273
Mbk Pool Grounds		5,652	0	5,652	525	5,652	5,575	5,575
Mbk Pool Operations		111,200	0	111,200	39,676	111,200	109,745	109,745
Mbk Supervision and Life Guarding		387,661	0	387,661	292,373	387,661	387,260	387,260
Total Operating Expenditure		1,225,537	0	1,225,537	727,253	1,225,537	1,274,514	1,274,514

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Community Services

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(6,630)	0	(6,630)	(3,072)	(6,630)	(6,630)	(6,630)
Operating Grants and Contributions	(158,323)	0	(158,323)	(88,860)	(208,323)	(209,073)	(209,073)
Total Operating Revenues	(164,953)	0	(164,953)	(91,932)	(214,953)	(215,703)	(215,703)
Expenses							
Wages and Salaries	418,951	0	418,951	229,412	460,723	464,395	464,395
Materials and Contracts	50,894	50,000	100,894	66,954	187,281	185,493	185,493
Other Costs	205	0	205	0	505	0	0
Total Operating Expenses	470,050	50,000	520,050	296,366	648,509	649,888	649,888
Total Operating Result Before Capital	305,097	50,000	355,097	204,434	433,556	434,185	434,185

Fund: 1 General Fund Principal Activity: Business Unit Business Unit: Community Services		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue								
User Charges and Fees								
Vehicle Contribution		(6,630)	0	(6,630)	(3,072)	(6,630)	(6,630)	(6,630)
Total User Charges and Fees		(6,630)	0	(6,630)	(3,072)	(6,630)	(6,630)	(6,630)
Operating Grants and Contributions								
Aboriginal Oral History Project		0	0	0	(50,000)	(50,000)	(50,000)	(50,000)
Collaborative Community Develop		(106,843)	0	(106,843)	0	(106,843)	(106,843)	(106,843)
Community Worker Subsidy		(49,980)	0	(49,980)	(38,110)	(49,980)	(49,980)	(49,980)
Graffiti Removal Grant		0	0	0	(750)	0	(750)	(750)
Youth Week		(1,500)	0	(1,500)	0	(1,500)	(1,500)	(1,500)
Total Operating Grants and Contributions		(158,323)	0	(158,323)	(88,860)	(208,323)	(209,073)	(209,073)
Total Operating Expenditure		470,050	50,000	520,050	296,366	648,509	649,888	649,888
Fund: 1 General Fund Principal Activity: Business Unit Business Unit: Community Services								
Operating Expenditure								
Aboriginal Oral History Project		0	50,000	50,000	53,392	100,000	100,000	100,000
Collaborative Community Development - Mt Arthur Coal		109,918	0	109,918	61,303	171,690	171,601	171,601
Community Workers		340,132	0	340,132	181,009	345,705	347,006	347,006
Early Development for Children (Carryover)		0	0	0	0	5,230	5,230	5,230
Graffiti Removal Grant		0	0	0	662	0	750	750
Hunter Park Family Centre Community Hub		20,000	0	20,000	0	20,000	19,418	19,418
LGSA-Age Friendly Community Local Government Scheme		0	0	0	0	5,884	5,884	5,884
Total Operating Expenditure		470,050	50,000	520,050	296,366	648,509	649,888	649,888

Muswellbrook Shire Council Budget Review 2018/19

Fund:
Principal Activity:
Business Unit:

1 General Fund
Business Unit
Human Resources

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Total Operating Revenues	0	0	0	0	0	0	0
Expenses							
Wages and Salaries	278,539	0	278,539	155,609	278,539	287,839	287,839
Materials and Contracts	85,580	0	85,580	7,230	85,580	63,091	63,091
Other Costs	103,020	0	103,020	30,804	103,020	103,020	103,020
Total Operating Expenses	467,139	0	467,139	193,643	467,139	453,950	453,950
Total Operating Result Before Capital	467,139	0	467,139	193,643	467,139	453,950	453,950

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Human Resources							
		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
		0	0	0	0	0	0	0
		Operating Revenue						
Total Operating Revenue								
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Human Resources							
		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
		467,139	0	467,139	193,643	467,139	453,950	453,950
		467,139	0	467,139	193,643	467,139	453,950	453,950
Total Operating Expenditure								

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Property and Building Services

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(119,550)	0	(119,550)	(80,673)	(142,400)	(148,900)	(148,900)
Other Revenues	(102,150)	0	(102,150)	(77,919)	(102,150)	(106,150)	(106,150)
Operating Grants and Contributions	(10,200)	0	(10,200)	(35,945)	(10,200)	(40,200)	(40,200)
Total Operating Revenues	(231,900)	0	(231,900)	(194,537)	(254,750)	(295,250)	(295,250)
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Expenses							
Wages and Salaries	329,193	0	329,193	229,909	329,193	329,193	329,193
Materials and Contracts	736,851	0	736,851	355,212	759,701	777,618	777,618
Other Costs	401,926	0	401,926	320,068	401,926	399,926	399,926
Depreciation	676,755	0	676,755	627,562	676,755	1,239,452	1,239,452
Total Operating Expenses	2,144,725	0	2,144,725	1,532,751	2,167,575	2,746,189	2,746,189
Total Operating Result Before Capital	1,912,825	0	1,912,825	1,338,214	1,912,825	2,450,939	2,450,939

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Property and Building Services	2018/19 Budget		2018/19 Carry Overs		2018/19 Total Budget		YTD Actuals	September Review	December Review	March Review
		2018/19 Budget	2018/19 Carry Overs	2018/19 Carry Overs	2018/19 Carry Overs	2018/19 Total Budget	2018/19 Total Budget				
Operating Revenue User Charges and Fees	Denman Cemetery	(12,240)	0	0	0	(12,240)	(12,240)	(7,811)	(12,240)	(15,240)	(15,240)
	Denman Golf Course	0	0	0	0	0	(2,020)	(2,020)	(2,020)	(2,020)	(2,020)
	Denman Indoor Sports Centres	(10,200)	0	0	0	(10,200)	(10,200)	(7,243)	(10,200)	(10,200)	(10,200)
	Mbk Cemetery	(45,900)	0	0	0	(45,900)	(45,900)	(20,219)	(45,900)	(45,900)	(45,900)
	Mbk Indoor Sports Centre	(27,540)	0	0	0	(27,540)	(27,540)	(10,071)	(27,540)	(27,540)	(27,540)
	Other Sporting Facilities	(2,040)	0	0	0	(2,040)	(2,040)	(4,658)	(3,500)	(5,000)	(5,000)
	Parks User Fees	(21,630)	0	0	0	(21,630)	(21,630)	(27,952)	(41,000)	(41,000)	(41,000)
	Vehicle Contribution	0	0	0	0	0	(699)	(699)	0	(2,000)	(2,000)
	Total User Charges and Fees	(119,550)	0	0	0	(119,550)	(142,400)	(80,673)	(142,400)	(148,900)	(148,900)
Other Revenues	Building Rentals	(64,770)	0	0	0	(64,770)	(64,770)	(57,642)	(64,770)	(64,770)	(64,770)
	Child Care Centre	(9,690)	0	0	0	(9,690)	(9,690)	(9,686)	(9,690)	(9,690)	(9,690)
	Leases	(6,120)	0	0	0	(6,120)	(6,120)	(3,565)	(6,120)	(6,120)	(6,120)
	Olympic Park Stadium	(18,000)	0	0	0	(18,000)	(18,000)	0	(18,000)	(18,000)	(18,000)
	Stan Thiess Centre	(3,570)	0	0	0	(3,570)	(3,570)	(7,026)	(3,570)	(7,570)	(7,570)
Total Other Revenues		(102,150)	0	0	0	(102,150)	(102,150)	(77,919)	(102,150)	(106,150)	(106,150)
Operating Grants and Contributions	Crown Land Plans of Management	0	0	0	0	0	0	(30,000)	0	(30,000)	(30,000)
	Senior Citizens	(10,200)	0	0	0	(10,200)	(10,200)	(5,945)	(10,200)	(10,200)	(10,200)
Total Operating Grants and Contributions		(10,200)	0	0	0	(10,200)	(10,200)	(35,945)	(10,200)	(40,200)	(40,200)

Fund:	1 General Fund						
Principal Activity:	Business Unit						
Business Unit:	Property and Building Services						
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Expenditure	253,711	0	253,711	134,976	255,171	251,164	251,164
Administration Centre	9,242	0	9,242	11,094	14,082	15,345	15,345
Animal Shelter	44,293	0	44,293	8,041	44,293	43,403	43,403
Art Centre Building	90,200	0	90,200	53,608	90,200	88,518	88,518
Community Buildings	0	0	0	0	0	30,000	30,000
Crown Land Plans of Management	4,899	0	4,899	3,058	4,899	4,869	4,869
Cultural Buildings	3,060	0	3,060	3,852	8,020	7,931	7,931
Denman Aquatic Centre	2,543	0	2,543	1,326	2,543	2,484	2,484
Denman Cemetery	55,800	0	55,800	11,040	65,800	64,325	64,325
Denman Golf Course	20,553	0	20,553	13,937	20,553	20,434	20,434
Denman Indoor Sports Centres	23,821	0	23,821	22,917	23,821	28,673	28,673
Denman Parks and Playgrounds	2,583	0	2,583	2,417	2,583	2,583	2,583
Denman Passive Areas	40,586	0	40,586	27,232	40,586	43,079	43,079
Denman Sporting Fields	510	0	510	0	510	495	495
Denman Urban Areas	28,111	0	28,111	12,256	28,111	27,369	27,369
Denman/Sandy Hollow Public Conveniences	87,924	0	87,924	64,290	87,924	93,143	93,143
Depot Operating Costs	676,755	0	676,755	627,562	676,755	1,239,452	1,239,452
Depreciation	104,417	0	104,417	42,514	104,417	102,102	102,102
Library Building	8,621	0	8,621	6,226	8,621	8,443	8,443
Mbk Cemetery	33,559	0	33,559	21,147	33,559	33,053	33,053
Mbk Indoor Sports Centre	1,530	0	1,530	58	1,530	1,485	1,485
Mbk Passive Rec Areas	38,159	0	38,159	19,398	38,159	31,165	31,165
Mbk Public Conveniences	61,475	0	61,475	14,185	61,475	59,834	59,834
Mbk Sporting Fields	40,800	0	40,800	22,142	42,390	41,203	41,203
Muswellbrook Aquatic Centre	33,506	0	33,506	26,355	33,506	33,326	33,326
Other Land and Buildings	142,224	0	142,224	96,364	142,224	141,167	141,167
Parks Maintenance (Includes all water, insurance and rates charges f	283,612	0	283,612	260,683	283,612	279,894	279,894
Property and Building	10,200	0	10,200	6,025	10,200	9,903	9,903
Property and Building Valuations	26,731	0	26,731	19,648	26,731	26,494	26,494
QE11	15,300	0	15,300	400	15,300	14,855	14,855
Trees and Bird Control							
total Operating Expenditure	2,144,725	0	2,144,725	1,532,751	2,167,575	2,746,189	2,746,189

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Financial Services

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Rates and Charges	(16,640,782)	0	(16,640,782)	(16,068,856)	(16,069,560)	(16,069,560)	(16,069,560)
User Charges and Fees	(131,386)	0	(131,386)	(166,096)	(131,386)	(222,386)	(222,386)
Interest and Investments Revenues	(559,953)	0	(559,953)	(438,099)	(559,953)	(559,953)	(559,953)
Other Revenues	0	0	0	0	(30,000)	(30,000)	(30,000)
Operating Grants and Contributions	(2,483,233)	0	(2,483,233)	(728,257)	(2,483,233)	(2,483,233)	(2,483,233)
Internal Revenue	(2,563,768)	(487,566)	(3,051,334)	(872,880)	(3,618,717)	(3,648,717)	(3,648,717)
Total Operating Revenues	(22,379,122)	(487,566)	(22,866,688)	(18,274,178)	(22,892,849)	(23,013,849)	(23,013,849)

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Expenses							
Wages and Salaries	931,388	0	931,388	517,706	862,382	870,828	870,828
Materials and Contracts	397,500	0	397,500	179,199	355,502	293,953	293,953
Other Costs	66,300	0	66,300	36,800	66,300	66,300	66,300
Total Operating Expenses	1,395,188	0	1,395,188	733,705	1,284,184	1,231,081	1,231,081
Total Operating Result Before Capital	(20,983,934)	(487,566)	(21,471,500)	(17,540,473)	(21,608,665)	(21,782,768)	(21,782,768)

Fund: Principal Activity: Business Unit: Business Unit:	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
1 General Fund							
Business Unit							
Financial Services							
Operating Revenue							
Rates and Charges							
General Fund Rates							
Total Rates and Charges	(16,640,782)	0	(16,640,782)	(16,068,856)	(16,069,560)	(16,069,560)	(16,069,560)
	(16,640,782)	0	(16,640,782)	(16,068,856)	(16,069,560)	(16,069,560)	(16,069,560)
User Charges and Fees							
Credit Card Recovery	(4,590)	0	(4,590)	(3,771)	(4,590)	(4,590)	(4,590)
Other Charges	(76,204)	0	(76,204)	(128,412)	(76,204)	(167,204)	(167,204)
Section 603 Certificates	(21,420)	0	(21,420)	(15,760)	(21,420)	(21,420)	(21,420)
Sundry Income	(25,500)	0	(25,500)	(16,371)	(25,500)	(25,500)	(25,500)
Vehicle Contribution	(3,672)	0	(3,672)	(1,772)	(3,672)	(3,672)	(3,672)
Total User Charges and Fees	(131,386)	0	(131,386)	(166,086)	(131,386)	(222,386)	(222,386)
Interest and Investments Revenues							
Interest on Investments	(445,080)	0	(445,080)	(379,141)	(445,080)	(445,080)	(445,080)
Interest on Overdue Rates	(62,220)	0	(62,220)	(31,322)	(62,220)	(62,220)	(62,220)
Interest Subsidies	(52,653)	0	(52,653)	(27,636)	(52,653)	(52,653)	(52,653)
Total Interest and Investments Revenues	(559,953)	0	(559,953)	(438,099)	(559,953)	(559,953)	(559,953)
Other Revenues							
Transfer from Unrestricted Cash Reserve	0	0	0	0	(30,000)	(30,000)	(30,000)
Total Other Revenues	0	0	0	0	(30,000)	(30,000)	(30,000)
Operating Grants and Contributions							
Financial Assistance Grant	(2,402,653)	0	(2,402,653)	(652,367)	(2,402,653)	(2,402,653)	(2,402,653)
Pension Rebate Subsidy	(80,580)	0	(80,580)	(75,890)	(80,580)	(80,580)	(80,580)
Total Operating Grants and Contributions	(2,483,233)	0	(2,483,233)	(728,257)	(2,483,233)	(2,483,233)	(2,483,233)
Internal Revenue							
Dividend and Lease from WMC	(420,000)	0	(420,000)	0	(420,000)	(420,000)	(420,000)
Dividend from Sewer Fund	(173,000)	0	(173,000)	0	(173,000)	(173,000)	(173,000)
Dividend from Water Fund	(160,000)	0	(160,000)	0	(160,000)	(160,000)	(160,000)
Overhead Charges to Domestic Waste	(320,071)	0	(320,071)	(180,034)	(320,071)	(320,071)	(320,071)
Overhead Charges to Sewer	(566,286)	0	(566,286)	(283,142)	(566,286)	(566,286)	(566,286)
Overhead Charges to Water	(859,411)	0	(859,411)	(429,704)	(859,411)	(859,411)	(859,411)
Transfer from Administration Reserve	0	0	0	0	(60,000)	(60,000)	(60,000)
Transfer from Asset Renewable Reserve	(65,000)	0	(65,000)	0	(65,000)	(65,000)	(65,000)
Transfer from Finance Reserve	0	0	0	0	(68,000)	(68,000)	(68,000)
Transfer from Operating Carryover Reserve	(124,549)	0	(124,549)	0	(122,133)	(122,133)	(122,133)
Transfer from Operating Unexpended Grants	(313,017)	0	(313,017)	0	(354,816)	(354,816)	(354,816)
Transfer from Recreation Reserve	0	0	0	0	(300,000)	(300,000)	(300,000)
Transfer from Unexpended Contributions	(50,000)	0	(50,000)	0	(50,000)	(50,000)	(50,000)
Transfer from VPA Reserve - Liddell	0	0	0	0	(100,000)	(100,000)	(100,000)
Transfer from Waste Management Reserve	0	0	0	0	0	(30,000)	(30,000)
Total Internal Revenue	(2,563,768)	(487,566)	(3,051,334)	(872,880)	(3,618,717)	(3,648,717)	(3,648,717)

Fund:	1 General Fund							
Principal Activity:	Business Unit							
Business Unit:	Financial Services							
		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Expenditure								
Administration Costs		931,388	0	931,388	517,706	862,382	870,828	870,828
Audit, bank Fees, Valuations and Debt Recovery		78,540	0	78,540	39,357	78,540	78,184	78,184
Operating Projects and Contingency		114,250	0	114,250	46,363	109,252	54,782	54,782
Other Costs		255,710	0	255,710	120,881	218,710	212,433	212,433
Staff Training		15,300	0	15,300	9,299	15,300	14,855	14,855
Total Operating Expenditure		1,395,188	0	1,395,188	733,705	1,284,184	1,231,081	1,231,081

Muswellbrook Shire Council Budget Review 2018/19

Fund:
Principal Activity:
Business Unit:

1 General Fund
Business Unit
Cultural

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Other Revenues	(27,234)	0	(27,234)	(7,048)	(27,234)	(34,934)	(34,934)
Total Operating Revenues	(27,234)	0	(27,234)	(7,048)	(27,234)	(34,934)	(34,934)
Expenses							
Wages and Salaries	193,340	0	193,340	85,131	193,340	193,340	193,340
Materials and Contracts	97,700	0	97,700	37,747	97,700	93,374	93,374
Other Costs	38,250	0	38,250	18,962	38,250	36,210	36,210
Depreciation	5,125	0	5,125	2,311	5,125	5,125	5,125
Total Operating Expenses	334,415	0	334,415	144,151	334,415	328,049	328,049
Total Operating Result Before Capital	307,181	0	307,181	137,103	307,181	293,115	293,115

Fund:		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Principal Activity:								
Business Unit:								
1 General Fund								
Business Unit								
Cultural								
Operating Revenue								
Other Revenues								
Art Prize Entry Fees		(14,054)	0	(14,054)	(2,149)	(14,054)	(21,754)	(21,754)
Art Sales/Commissions		(4,000)	0	(4,000)	(2,675)	(4,000)	(4,000)	(4,000)
Donations/Fundraising		(4,590)	0	(4,590)	(2,224)	(4,590)	(4,590)	(4,590)
Gallery Hire		(4,590)	0	(4,590)	0	(4,590)	(4,590)	(4,590)
Total Other Revenues		(27,234)	0	(27,234)	(7,048)	(27,234)	(34,934)	(34,934)
Fund:								
Principal Activity:								
Business Unit								
Cultural								
1 General Fund								
Business Unit								
Cultural								
Operating Expenditure								
Art Centre Building		25,500	0	25,500	10,994	25,500	25,500	25,500
Arts Programme		251,735	0	251,735	106,940	251,735	246,881	246,881
Depreciation		5,125	0	5,125	2,311	5,125	5,125	5,125
Exhibitions and Prizes		52,055	0	52,055	23,906	52,055	50,542	50,542
Total Operating Expenditure		334,415	0	334,415	144,151	334,415	328,049	328,049

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Libraries

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(3,721)	0	(3,721)	(410)	(3,721)	(3,721)	(3,721)
Other Revenues	(29,170)	0	(29,170)	(21,996)	(29,170)	(31,495)	(31,495)
Operating Grants and Contributions	(148,920)	0	(148,920)	(51,916)	(148,920)	(148,920)	(148,920)
Total Operating Revenues	(181,811)	0	(181,811)	(74,322)	(181,811)	(184,136)	(184,136)
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Expenses							
Wages and Salaries	517,184	0	517,184	294,790	517,184	517,184	517,184
Materials and Contracts	142,091	0	142,091	64,551	142,091	143,008	143,008
Other Costs	9,890	0	9,890	536	9,890	1,855	1,855
Depreciation	174,440	0	174,440	86,817	174,440	173,868	173,868
Total Operating Expenses	843,605	0	843,605	446,694	843,605	835,915	835,915
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Total Operating Result Before Capital	661,794	0	661,794	372,372	661,794	651,779	651,779

Fund: Principal Activity: Business Unit:	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
1 General Fund Business Unit Libraries							
Operating Revenue							
User Charges and Fees							
Fines and Fees	(3,721)	0	(3,721)	(410)	(3,721)	(3,721)	(3,721)
Total User Charges and Fees	(3,721)	0	(3,721)	(410)	(3,721)	(3,721)	(3,721)
Other Revenues							
Libraries	(16,930)	0	(16,930)	(8,396)	(16,930)	(16,930)	(16,930)
Library Building	(12,240)	0	(12,240)	(13,600)	(12,240)	(14,565)	(14,565)
Total Other Revenues	(29,170)	0	(29,170)	(21,996)	(29,170)	(31,495)	(31,495)
Operating Grants and Contributions							
Contribution from Upper Hunt	(103,020)	0	(103,020)	(51,916)	(103,020)	(103,020)	(103,020)
Library Subsidy	(45,900)	0	(45,900)	0	(45,900)	(45,900)	(45,900)
Total Operating Grants and Contributions	(148,920)	0	(148,920)	(51,916)	(148,920)	(148,920)	(148,920)
Fund: 1 General Fund Business Unit Libraries							
Operating Expenditure							
Libraries	804,845	0	804,845	424,809	804,845	787,783	787,783
Library Building	38,760	0	38,760	21,885	38,760	48,132	48,132
Total Operating Expenditure	843,605	0	843,605	446,694	843,605	835,915	835,915

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Information Services

Revenues	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Total Operating Revenues	0	0	0	0	0	0	0
Expenses	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Wages and Salaries	463,767	0	463,767	254,423	463,767	475,742	475,742
Materials and Contracts	374,215	0	374,215	185,166	374,215	372,322	372,322
Other Costs	35,700	0	35,700	36,261	35,700	75,635	75,635
Total Operating Expenses	873,682	0	873,682	475,850	873,682	923,699	923,699
Total Operating Result Before Capital	873,682	0	873,682	475,850	873,682	923,699	923,699

Fund:	1 General Fund								
Principal Activity:	Business Unit								
Business Unit:	Information Services								
Operating Revenue									
		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review	
Fund:	1 General Fund								
Principal Activity:	Business Unit								
Business Unit:	Information Services								
Operating Expenditure									
	Information Services Operations	519,042	0	519,042	296,147	519,042	570,382	570,382	
	Office Equip, Computer Maint. And Operations	354,640	0	354,640	179,703	354,640	353,317	353,317	
Total Operating Expenditure		873,682	0	873,682	475,850	873,682	923,699	923,699	

Muswellbrook Shire Council Budget Review 2018/19

Fund:
Principal Activity:
Business Unit:
Customer Service and Administration

1 General Fund
Business Unit

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Total Operating Revenues	0	0	0	0	0	0	0
Expenses							
Wages and Salaries	719,591	0	719,591	346,515	719,591	747,941	747,941
Materials and Contracts	50,560	0	50,560	15,829	50,560	47,109	47,109
Other Costs	31,127	0	31,127	7,628	31,127	33,108	33,108
Total Operating Expenses	801,278	0	801,278	369,972	801,278	828,158	828,158
Total Operating Result Before Capital	801,278	0	801,278	369,972	801,278	828,158	828,158

Fund:	1 General Fund							
Principal Activity:	Business Unit							
Business Unit:	Customer Service and Administration							
Operating Revenue		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Fund:	1 General Fund							
Principal Activity:	Business Unit							
Business Unit:	Customer Service and Administration							
Operating Expenditure		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Administration Costs		729,298	0	729,298	347,378	729,298	761,970	761,970
Office Expenses		71,980	0	71,980	22,584	71,980	66,188	66,188
Total Operating Expenditure		801,278	0	801,278	369,972	801,278	828,158	828,158

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Corporate Services Management

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	0	0	0	(36)	0	(36)	(36)
Other Revenues	0	0	0	(4,545)	0	(4,545)	(4,545)
Total Operating Revenues	0	0	0	(4,581)	0	(4,581)	(4,581)
Expenses							
Wages and Salaries	695,615	0	695,615	271,639	700,613	620,613	620,613
Materials and Contracts	104,307	0	104,307	50,494	104,307	101,274	101,274
Other Costs	97,920	0	97,920	756,109	397,920	887,390	887,390
Depreciation	261,100	0	261,100	104,103	261,100	208,206	208,206
Total Operating Expenses	1,158,942	0	1,158,942	1,182,345	1,463,940	1,817,484	1,817,484
Total Operating Result Before Capital	1,158,942	0	1,158,942	1,177,764	1,463,940	1,812,903	1,812,903

Fund:	1 General Fund								
Principal Activity:	Business Unit								
Business Unit:	Corporate Services Management								
		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review	
Operating Revenue									
User Charges and Fees									
Other Fees		0	0	0	(36)	0	(36)	(36)	
Total User Charges and Fees		0	0	0	(36)	0	(36)	(36)	
Other Revenues									
Reimbursement of Legal Costs		0	0	0	(4,545)	0	(4,545)	(4,545)	
Total Other Revenues		0	0	0	(4,545)	0	(4,545)	(4,545)	

Fund:	1 General Fund							
Principal Activity:	Business Unit							
Business Unit:	Corporate Services Management							
		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Expenditure								
Corporate Services Management		566,140	0	566,140	193,985	566,140	485,159	485,159
Depreciation		261,100	0	261,100	104,103	261,100	208,206	208,206
Members Expenses		260,102	0	260,102	150,268	265,100	262,712	262,712
Miscellaneous (Lgov Sub and Legal Fees)		71,600	0	71,600	733,989	371,600	861,407	861,407
Total Operating Expenditure		1,158,942	0	1,158,942	1,182,345	1,463,940	1,817,484	1,817,484

Muswellbrook Shire Council Budget Review 2018/19

Fund:
Principal Activity:
Business Unit:
Economic Development and Innovation Upper Hunter

1 General Fund
Business Unit

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Operating Grants and Contributions	(48,200)	0	(48,200)	(55,995)	(91,200)	(87,272)	(87,272)
Internal Revenue	(500,000)	0	(500,000)	0	(500,000)	(500,000)	(500,000)
Total Operating Revenues	(548,200)	0	(548,200)	(55,995)	(591,200)	(587,272)	(587,272)
Expenses							
Wages and Salaries	0	0	0	142,539	120,000	265,004	265,004
Materials and Contracts	855,044	68,268	923,312	376,816	1,212,067	884,658	884,658
Other Costs	3,060	0	3,060	(483)	3,060	0	0
Depreciation	11,025	0	11,025	5,174	11,025	11,025	11,025
Total Operating Expenses	869,129	68,268	937,397	524,046	1,348,152	1,160,687	1,160,687
Total Operating Result Before Capital	320,929	68,268	389,197	468,051	754,952	573,415	573,415

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Economic Development and Innovation Upper Hunter	2018/19		2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
		Budget	Overs					
Operating Revenue								
Operating Grants and Contributions	Upper Hunter Economic Developm	(48,200)	0	(48,200)	(55,995)	(91,200)	(87,272)	(87,272)
Total Operating Grants and Contributions		(48,200)	0	(48,200)	(55,995)	(91,200)	(87,272)	(87,272)
Internal Revenue								
Contribution from Commercial Divi		(500,000)	0	(500,000)	0	(500,000)	(500,000)	(500,000)
Total Internal Revenue		(500,000)	0	(500,000)	0	(500,000)	(500,000)	(500,000)
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Economic Development and Innovation Upper Hunter	2018/19		2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
		Budget	Overs					
Operating Expenditure								
Economic Development and Innovation		0	0	0	91,931	80,000	170,000	170,000
Screen Audience Development		0	0	0	327	0	0	0
Tourism		0	0	0	50,281	40,000	95,004	95,004
Upper Hunter Economic Development Corporation		869,129	68,268	937,397	381,507	1,226,152	895,683	895,683
Total Operating Expenditure		869,129	68,268	937,397	524,046	1,346,152	1,160,687	1,160,687

Muswellbrook Shire Council Budget Review 2018/19

Fund:
Principal Activity:
Business Unit:
Integrated Planning

1 General Fund
Business Unit
Integrated Planning

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Other Revenues	(73,440)	0	(73,440)	(46,151)	(73,440)	(73,440)	(73,440)
Total Operating Revenues	(73,440)	0	(73,440)	(46,151)	(73,440)	(73,440)	(73,440)
Expenses							
Wages and Salaries	383,821	0	383,821	283,746	489,682	489,682	489,682
Materials and Contracts	102,510	0	102,510	73,251	162,510	157,785	157,785
Other Costs	142,800	0	142,800	141,921	142,800	142,800	142,800
Total Operating Expenses	629,131	0	629,131	498,918	794,992	790,267	790,267
Total Operating Result Before Capital	555,691	0	555,691	452,767	721,552	716,827	716,827

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Integrated Planning	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue								
Other Revenues	OH&S Incentive StateMutual	(42,840)	0	(42,840)	(46,151)	(42,840)	(42,840)	(42,840)
	Risk Management Incentive (Stalew	(30,600)	0	(30,600)	0	(30,600)	(30,600)	(30,600)
Total Other Revenues		(73,440)	0	(73,440)	(46,151)	(73,440)	(73,440)	(73,440)
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Integrated Planning	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Expenditure								
Enterprise Risk Management		173,400	0	173,400	157,909	173,400	172,510	172,510
Integrated Planning		212,040	0	212,040	120,662	275,577	275,102	275,102
Integrated Planning and Reporting		6,120	0	6,120	37,727	66,120	64,196	64,196
Risk & Compliance		195,241	0	195,241	168,182	237,565	237,357	237,357
Safety		42,330	0	42,330	14,438	42,330	41,102	41,102
Total Operating Expenditure		629,131	0	629,131	498,918	794,992	790,267	790,267

Muswellbrook Shire Council Budget Review 2018/19

Fund:
Principal Activity:
Business Unit:
1 General Fund
Business Unit
Executive Services

Revenues	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Total Operating Revenues	0	0	0	0	0	0	0
Expenses							
Wages and Salaries	392,893	0	392,893	283,739	503,190	488,190	488,190
Materials and Contracts	324,882	0	324,882	168,712	374,882	345,060	345,060
Other Costs	88,725	6,426	95,151	51,745	93,671	93,671	93,671
Total Operating Expenses	806,500	6,426	812,926	504,196	971,743	926,921	926,921
Total Operating Result Before Capital	806,500	6,426	812,926	504,196	971,743	926,921	926,921

Fund:
1 General Fund

Principal Activity: Business Unit:	Business Unit Executive Services	2018/19 Carry		2018/19 Total Budget	YTD Actuals		September Review		December Review		March Review	
		2018/19 Budget	Overs		2018/19 Budget	Overs	September Review	December Review	September Review	December Review	March Review	Overs
Operating Revenue		0	0	0	0	0	0	0	0	0	0	0
Total Operating Grants and Contributions												
Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Executive Services	2018/19 Carry		2018/19 Total Budget	YTD Actuals		September Review		December Review		March Review	
		2018/19 Budget	Overs		2018/19 Budget	Overs	September Review	December Review	September Review	December Review	March Review	Overs
Operating Expenditure		60,690	0	60,690	42,025	18,665	110,690	123,924	110,690	123,924	123,924	0
Administration Costs		5,655	0	5,655	188	5,467	5,655	5,625	5,655	5,625	5,625	0
Anzac Day		18,360	0	18,360	3,379	14,981	18,360	17,855	18,360	17,855	17,855	0
Australia Day		149,945	6,426	156,371	55,878	100,493	154,891	154,565	154,891	154,565	154,565	0
Civic Functions and Donations		11,277	0	11,277	10,455	822	11,277	10,455	11,277	10,455	10,455	0
Cultural Programme		45,600	0	45,600	0	45,600	45,600	4,500	45,600	4,500	4,500	0
Economic Research Programme		386,208	0	386,208	282,873	103,335	496,505	481,505	496,505	481,505	481,505	0
Executive Services		101,385	0	101,385	97,982	3,403	101,385	97,982	101,385	97,982	97,982	0
Noxious Weeds		8,500	0	8,500	0	8,500	8,500	8,253	8,500	8,253	8,253	0
Town Band and Elstiddford		1,540	0	1,540	2,711	1,171	1,540	1,525	1,540	1,525	1,525	0
Vietnam Remembrance Day		17,340	0	17,340	8,705	8,635	17,340	20,732	17,340	20,732	20,732	0
Web and Publications												
Total Operating Expenditure		806,500	6,426	812,926	504,196	308,730	971,743	926,921	971,743	926,921	926,921	0

Environmental Services

December 2018 Budget Review Operating Budget

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Sustainability

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Operating Grants and Contributions	(163,600)	0	(163,600)	(114,887)	(192,205)	(192,205)	(192,205)
Internal Revenue	(441,330)	0	(441,330)	(173,352)	(441,330)	(441,330)	(441,330)
Total Operating Revenues	(604,930)	0	(604,930)	(288,239)	(633,535)	(633,535)	(633,535)
Expenses							
Wages and Salaries	422,555	0	422,555	197,993	265,086	263,345	263,345
Materials and Contracts	184,191	15,304	199,495	126,978	259,578	281,914	281,914
Total Operating Expenses	606,746	15,304	622,050	324,971	524,664	545,259	545,259
Total Operating Result Before Capital	1,816	15,304	17,120	36,732	(108,871)	(88,276)	(88,276)

Fund:		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Principal Activity:								
Business Unit:								
Sustainability								
Operating Revenue								
Operating Grants and Contributions								
Club to Club Project		(40,000)	0	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)
Land Care		(30,000)	0	(30,000)	0	(30,000)	(30,000)	(30,000)
Litter Prevention		0	0	0	(12,960)	(12,960)	(12,960)	(12,960)
National Tree Day Contributions		0	0	0	(2,280)	(2,280)	(2,280)	(2,280)
Natural Resource Management		(7,500)	0	(7,500)	(6,053)	(7,500)	(7,500)	(7,500)
VPA Environmental Monitoring Cont		(86,100)	0	(86,100)	(40,230)	(86,100)	(86,100)	(86,100)
Wood Smoke Reduction Program		0	0	0	(13,364)	(13,365)	(13,365)	(13,365)
Total Operating Grants and Contributions		(163,600)	0	(163,600)	(114,887)	(192,205)	(192,205)	(192,205)
Internal Revenue								
Contribution From Sewer Fund		(84,050)	0	(84,050)	(42,024)	(84,050)	(84,050)	(84,050)
Contribution From Water Fund		(262,656)	0	(262,656)	(131,328)	(262,656)	(262,656)	(262,656)
Transfer from DWM		(94,624)	0	(94,624)	0	(94,624)	(94,624)	(94,624)
Total Internal Revenue		(441,330)	0	(441,330)	(173,352)	(441,330)	(441,330)	(441,330)
Fund:								
Principal Activity:								
Business Unit:								
Sustainability								
Operating Expenditure								
Club to Club Project		40,000	0	40,000	0	40,000	40,000	40,000
Community Engagement		4,595	0	4,595	1,861	4,595	4,461	4,461
Energy Minimisation		20,400	0	20,400	1,889	20,400	19,806	19,806
Environment		5,610	0	5,610	0	5,610	5,447	5,447
Environmental Monitoring		13,260	0	13,260	(80)	13,260	12,874	12,874
Land Care		22,173	0	22,173	678	22,173	21,528	21,528
Litter Prevention		0	15,304	15,304	13,283	24,742	24,742	24,742
Natural Resource Management		1,530	0	1,530	(5,100)	1,530	1,485	1,485
Sustainability Unit		427,628	0	427,628	257,313	305,159	329,802	329,802
Tree Management		30,750	0	30,750	26,496	33,030	32,135	32,135
Waste Minimisation		20,400	0	20,400	12,575	20,400	19,806	19,806
Water Minimisation		20,400	0	20,400	3,701	20,400	19,806	19,806
Wood Smoke Reduction Program		0	0	0	12,365	13,365	13,365	13,365
Total Operating Expenditure		606,746	15,304	622,050	324,971	524,664	545,259	545,259

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Emergency Services

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Operating Grants and Contributions	(198,900)	0	(198,900)	(193,000)	(198,900)	(193,000)	(193,000)
Total Operating Revenues	(198,900)	0	(198,900)	(193,000)	(198,900)	(193,000)	(193,000)
Expenses							
Materials and Contracts	199,804	0	199,804	65,864	199,804	204,143	204,143
Other Costs	420,893	0	420,893	212,335	420,893	410,654	410,654
Depreciation	234,725	0	234,725	142,927	234,725	285,806	285,806
Total Operating Expenses	855,422	0	855,422	421,126	855,422	900,603	900,603
Total Operating Result Before Capital	656,522	0	656,522	228,126	656,522	707,603	707,603

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Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Environmental Planning

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(436,941)	0	(436,941)	(246,791)	(436,941)	(466,941)	(466,941)
Operating Grants and Contributions	(5,000)	0	(5,000)	0	(5,000)	(5,000)	(5,000)
Internal Revenue	(102,500)	0	(102,500)	466	(102,500)	(102,500)	(102,500)
Total Operating Revenues	(544,441)	0	(544,441)	(246,325)	(544,441)	(574,441)	(574,441)
Expenses							
Wages and Salaries	920,990	0	920,990	409,506	750,898	710,898	710,898
Materials and Contracts	134,135	100,000	234,135	126,633	294,135	328,490	328,490
Other Costs	41,300	0	41,300	4,405	41,300	14,160	14,160
Total Operating Expenses	1,096,425	100,000	1,196,425	540,544	1,086,333	1,053,548	1,053,548
Total Operating Result Before Capital	551,984	100,000	651,984	294,219	541,892	479,107	479,107

Fund: Principal Activity: Business Unit:	1 General Fund Business Unit Environmental Planning	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue								
User Charges and Fees								
	Advertising Fees	(20,400)	0	(20,400)	(9,277)	(20,400)	(20,400)	(20,400)
	Caravan Parks Fees	(1,020)	0	(1,020)	(319)	(1,020)	(1,020)	(1,020)
	Complying Development Fees	(3,060)	0	(3,060)	(3,735)	(3,060)	(3,060)	(3,060)
	Construction Certificate and Inspections	(68,340)	0	(68,340)	(38,781)	(68,340)	(68,340)	(68,340)
	Development Applications	(66,300)	0	(66,300)	(49,235)	(66,300)	(66,300)	(66,300)
	Occupation Certificate	(1,224)	0	(1,224)	(490)	(1,224)	(1,224)	(1,224)
	On-Site Sewerage	(84,150)	0	(84,150)	(79,703)	(84,150)	(84,150)	(84,150)
	Other Building Fees	(59,160)	0	(59,160)	(16,912)	(59,160)	(59,160)	(59,160)
	Other Town Planning Fees	(6,732)	0	(6,732)	(2,080)	(6,732)	(6,732)	(6,732)
	Public Health	(41,820)	0	(41,820)	686	(41,820)	(41,820)	(41,820)
	Section 149 Certificates	(43,095)	0	(43,095)	(34,900)	(43,095)	(43,095)	(43,095)
	Trade Waste	(27,540)	0	(27,540)	(12,045)	(27,540)	(27,540)	(27,540)
	Vehicle Contribution	(14,100)	0	(14,100)	0	(14,100)	(14,100)	(14,100)
	Total User Charges and Fees	(436,941)	0	(436,941)	(246,791)	(436,941)	(466,941)	(466,941)
Operating Grants and Contributions								
	Heritage Grants and Contributions	(5,000)	0	(5,000)	0	(5,000)	(5,000)	(5,000)
	Total Operating Grants and Contributions	(5,000)	0	(5,000)	0	(5,000)	(5,000)	(5,000)
Internal Revenue								
	Contribution from Domestic Waste-POEO /	(102,500)	0	(102,500)	466	(102,500)	(102,500)	(102,500)
	Total Internal Revenue	(102,500)	0	(102,500)	466	(102,500)	(102,500)	(102,500)

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Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Regulatory Services

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(95,880)	0	(95,880)	(46,848)	(95,880)	(95,880)	(95,880)
Total Operating Revenues	(95,880)	0	(95,880)	(46,848)	(95,880)	(95,880)	(95,880)
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Expenses							
Wages and Salaries	248,796	0	248,796	171,455	248,796	252,514	252,514
Materials and Contracts	92,000	0	92,000	26,232	92,000	59,325	59,325
Other Costs	3,060	0	3,060	(62)	3,060	0	0
Total Operating Expenses	343,856	0	343,856	197,625	343,856	311,839	311,839
Total Operating Result Before Capital	247,976	0	247,976	150,777	247,976	215,959	215,959

Fund: 1 General Fund Principal Activity: Business Unit Business Unit: Regulatory Services									
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review		
Operating Revenue									
User Charges and Fees	(52,020)	0	(52,020)	(17,489)	(52,020)	(49,805)	(49,805)		
Fines and Fees	(43,860)	0	(43,860)	(29,359)	(43,860)	(46,075)	(46,075)		
Impounding	(95,880)	0	(95,880)	(46,848)	(95,880)	(95,880)	(95,880)		
Total User Charges and Fees									
Fund: 1 General Fund Principal Activity: Business Unit Business Unit: Regulatory Services									
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review		
Operating Expenditure									
Impounding	144,205	0	144,205	61,516	144,205	111,371	111,371		
Rangers	179,251	0	179,251	126,417	179,251	180,662	180,662		
Vehicles	20,400	0	20,400	9,692	20,400	19,806	19,806		
Total Operating Expenditure	343,856	0	343,856	197,625	343,856	311,839	311,839		

Minor Funds

December 2018

Budget Review

Operating Budget

Muswellbrook Shire Council Budget Review 2018/19

Fund: 2 Combined Water Fund
Principal Activity: Business Unit
Business Unit: Water

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Rates and Charges	(1,556,765)	0	(1,556,765)	(1,563,225)	(1,556,765)	(1,556,765)	(1,556,765)
User Charges and Fees	(3,969,570)	0	(3,969,570)	(1,317,241)	(3,969,570)	(3,969,570)	(3,969,570)
Interest and Investments Revenues	(298,620)	0	(298,620)	(184,480)	(298,620)	(298,620)	(298,620)
Operating Grants and Contributions	(35,190)	0	(35,190)	(34,385)	(35,190)	(35,190)	(35,190)
Total Operating Revenues	(5,860,145)	0	(5,860,145)	(3,099,331)	(5,860,145)	(5,860,145)	(5,860,145)
Expenses							
Wages and Salaries	970,000	0	970,000	538,648	938,823	958,823	958,823
Materials and Contracts	1,470,000	0	1,470,000	773,905	1,533,570	1,517,426	1,517,426
Other Costs	330,810	0	330,810	160,758	330,810	326,954	326,954
Borrowing Costs	125,238	0	125,238	62,892	125,238	125,238	125,238
Overheads	1,282,067	0	1,282,067	561,032	1,282,067	1,282,067	1,282,067
Depreciation	1,767,150	0	1,767,150	874,445	1,767,150	1,748,985	1,748,985
Total Operating Expenses	5,945,265	0	5,945,265	2,971,670	5,977,658	5,959,493	5,959,493
Total Operating Result Before Capital	85,120	0	85,120	(127,661)	117,513	99,348	99,348

Fund: Principal Activity: Business Unit: Business Unit:	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
2 Combined Water Fund							
Principal Activity: Business Unit							
Business Unit: Water							
Operating Revenue							
Rates and Charges							
Water Fund Rates	0	0	(1,556,765)	(1,563,225)	(1,556,765)	(1,556,765)	(1,556,765)
Total Rates and Charges	(1,556,765)	0	(1,556,765)	(1,563,225)	(1,556,765)	(1,556,765)	(1,556,765)
User Charges and Fees							
Water Fund Sundry Income	(17,722)	0	(17,722)	(3,939)	(17,722)	(17,722)	(17,722)
Water Mains Pressure Test	0	0	0	(1,926)	0	0	0
Water Meter Test Fees	(10,200)	0	(10,200)	(9,541)	(10,200)	(10,200)	(10,200)
Water Private Works	(20,400)	0	(20,400)	(500)	(20,400)	(20,400)	(20,400)
Water Tanker Sales	(51,000)	0	(51,000)	(43,486)	(51,000)	(51,000)	(51,000)
Water Tapping Fees	(3,060)	0	(3,060)	(2,883)	(3,060)	(3,060)	(3,060)
Water Users Fees and Charges	(3,867,188)	0	(3,867,188)	(1,254,967)	(3,867,188)	(3,867,188)	(3,867,188)
Total User Charges and Fees	(3,969,570)	0	(3,969,570)	(1,317,241)	(3,969,570)	(3,969,570)	(3,969,570)
Interest and Investments Revenues							
Interest on Investments	(267,000)	0	(267,000)	(162,935)	(267,000)	(267,000)	(267,000)
Interest on Overdue Rates	(31,620)	0	(31,620)	(21,545)	(31,620)	(31,620)	(31,620)
Total Interest and Investments Revenues	(298,620)	0	(298,620)	(184,480)	(298,620)	(298,620)	(298,620)
Operating Grants and Contributions							
Pension Rebate Subsidy	(35,190)	0	(35,190)	(34,385)	(35,190)	(35,190)	(35,190)
Total Operating Grants and Contributions	(35,190)	0	(35,190)	(34,385)	(35,190)	(35,190)	(35,190)

Fund: 2 Combined Water Fund										
Principal Activity: Business Unit										
Business Unit: Water										
Operating Expenditure										
Depreciation		1,767,150		0	1,767,150	874,445	1,767,150	1,748,985	1,748,985	
Management/Supervision		393,565		0	393,565	192,761	335,318	335,318	335,318	
Water Consultant Activities, Risk Assessments, IWCM other studies		60,000		0	60,000	5,262	60,000	30,000	30,000	
Water Fund Administration and Overheads (Inc Dividend to Gen Fui		1,282,067		0	1,282,067	561,032	1,282,067	1,282,067	1,282,067	
Water Fund Other Administration Costs		271,608		0	271,608	134,932	271,608	275,464	275,464	
Water Mains		311,330		0	311,330	250,466	401,970	401,970	401,970	
Water Meters, Private Works and water purchases		299,658		0	299,658	203,723	299,658	329,658	329,658	
Water Miscellaneous Expenses		19,380		0	19,380	5	19,380	19,380	19,380	
Water Pumping Expenses		322,519		0	322,519	171,106	322,519	333,288	333,288	
Water Reservoirs		13,770		0	13,770	10,061	13,770	13,001	13,001	
Water Treatment		1,204,218		0	1,204,218	567,877	1,204,218	1,190,362	1,190,362	
Total Operating Expenditure		5,945,265	0	0	5,945,265	2,971,670	5,977,658	5,959,493	5,959,493	

Muswellbrook Shire Council Budget Review 2018/19

Fund: 3 Combined Sewer Fund
Principal Activity: Business Unit
Business Unit: Sewer

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
Rates and Charges	(4,305,336)	0	(4,305,336)	(3,939,046)	(4,305,336)	(4,305,336)	(4,305,336)
User Charges and Fees	(448,000)	0	(448,000)	(133,966)	(448,000)	(448,000)	(448,000)
Interest and Investments Revenues	(103,000)	0	(103,000)	(62,534)	(103,000)	(103,000)	(103,000)
Operating Grants and Contributions	(35,000)	0	(35,000)	(34,314)	(35,000)	(35,000)	(35,000)
Total Operating Revenues	(4,891,336)	0	(4,891,336)	(4,169,860)	(4,891,336)	(4,891,336)	(4,891,336)
Expenses							
Wages and Salaries	890,000	0	890,000	373,286	831,753	831,753	831,753
Materials and Contracts	780,000	0	780,000	374,839	780,000	780,000	780,000
Other Costs	343,733	0	343,733	133,670	343,733	343,733	343,733
Borrowing Costs	727,080	0	727,080	373,922	727,080	727,080	727,080
Overheads	823,336	0	823,336	325,166	823,336	823,336	823,336
Depreciation	1,419,000	0	1,419,000	696,782	1,419,000	1,393,504	1,393,504
Total Operating Expenses	4,983,149	0	4,983,149	2,277,665	4,324,902	4,899,406	4,899,406
Total Operating Result Before Capital	91,813	0	91,813	(1,892,195)	33,566	8,070	8,070

Fund: 3 Combined Sewer Fund Principal Activity: Business Unit Business Unit: Sewer		2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Operating Revenue Rates and Charges								
Sewer Fund Rates		(4,305,336)	0	(4,305,336)	(3,939,046)	(4,305,336)	(4,305,336)	(4,305,336)
Total Rates and Charges		(4,305,336)	0	(4,305,336)	(3,939,046)	(4,305,336)	(4,305,336)	(4,305,336)
User Charges and Fees								
Sewer Effluent Reuse		(402,210)	0	(402,210)	(115,821)	(402,210)	(402,210)	(402,210)
Sewer Other Revenues		(14,790)	0	(14,790)	(5,760)	(14,790)	(14,790)	(14,790)
Sewer Trade Waste Fees		(31,000)	0	(31,000)	(12,385)	(31,000)	(31,000)	(31,000)
Total User Charges and Fees		(448,000)	0	(448,000)	(133,966)	(448,000)	(448,000)	(448,000)
Interest and Investments Revenues								
Interest on Investments		(79,000)	0	(79,000)	(44,947)	(79,000)	(79,000)	(79,000)
Interest on Overdue Rates		(24,000)	0	(24,000)	(17,587)	(24,000)	(24,000)	(24,000)
Total Interest and Investments Revenues		(103,000)	0	(103,000)	(62,534)	(103,000)	(103,000)	(103,000)
Operating Grants and Contributions								
Pension Rebate Subsidy		(35,000)	0	(35,000)	(34,314)	(35,000)	(35,000)	(35,000)
Total Operating Grants and Contributions		(35,000)	0	(35,000)	(34,314)	(35,000)	(35,000)	(35,000)

Fund: 3 Combined Sewer Fund									
Principal Activity: Business Unit									
Business Unit: Sewer									
	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review		
Operating Expenditure									
Depreciation	1,419,000	0	1,419,000	656,782	1,419,000	1,393,504	1,393,504		
Engineering/Supervision	465,739	0	465,739	191,906	407,492	407,492	407,492		
Sewer Effluent Reuse	126,021	0	126,021	66,677	126,021	126,021	126,021		
Sewer Fund Administration and Overheads (Inc Dividend to Ger	823,336	0	823,336	325,166	823,336	823,336	823,336		
Sewer Mains	329,890	0	329,890	188,464	329,890	329,890	329,890		
Sewer Other Costs	4,080	0	4,080	0	4,080	4,080	4,080		
Sewer Pumping Stations	284,260	0	284,260	123,989	284,260	284,260	284,260		
Sewer Treatment	1,520,623	0	1,520,623	696,871	1,520,623	1,520,623	1,520,623		
Temporary Offices - Rent of Buildings	10,200	0	10,200	7,810	10,200	10,200	10,200		
Total Operating Expenditure	4,983,149	0	4,983,149	2,277,665	4,924,902	4,899,406	4,899,406		

Muswellbrook Shire Council Budget Review 2018/19

Fund: 1 General Fund
Principal Activity: Business Unit
Business Unit: Commercial Division

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(5,853,733)	0	(5,853,733)	(3,139,301)	(5,853,733)	(5,761,380)	(5,761,380)
Total Operating Revenues	(5,853,733)	0	(5,853,733)	(3,139,301)	(5,853,733)	(5,761,380)	(5,761,380)
Expenses							
Wages and Salaries	122,741	0	122,741	74,026	122,741	122,741	122,741
Materials and Contracts	1,300,017	0	1,300,017	499,994	1,300,017	1,158,017	1,158,017
Other Costs	501,691	0	501,691	390,290	501,691	551,338	551,338
Borrowing Costs	1,432,739	0	1,432,739	739,973	1,432,739	1,432,739	1,432,739
Overheads	500,000	0	500,000	0	500,000	500,000	500,000
Total Operating Expenses	3,857,188	0	3,857,188	1,704,283	3,857,188	3,764,835	3,764,835
Total Operating Result Before Capital	(1,996,545)	0	(1,996,545)	(1,435,018)	(1,996,545)	(1,996,545)	(1,996,545)

Fund: Principal Activity: Business Unit: Business Unit:	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
1 General Fund							
Business Unit							
Commercial Division							
Operating Revenue							
User Charges and Fees							
63 Palace Street	(12,259)	0	(12,259)	(6,976)	(12,259)	(12,259)	(12,259)
88 Bridge Street	(51,250)	0	(51,250)	(32,349)	(51,250)	(51,250)	(51,250)
93A Hill St	(7,995)	0	(7,995)	(4,810)	(7,995)	(7,995)	(7,995)
98 Bridge Street	(6,125)	0	(6,125)	(690)	(6,125)	(6,125)	(6,125)
Brook Street Mall	(157,850)	0	(157,850)	(45,995)	(157,850)	(82,000)	(82,000)
Campbell's Corner	(615,000)	0	(615,000)	(315,905)	(615,000)	(615,000)	(615,000)
HACC Building	(67,650)	0	(67,650)	(38,525)	(67,650)	(67,650)	(67,650)
Market House	(106,600)	0	(106,600)	(41,991)	(106,600)	(73,360)	(73,360)
Market Place	(3,844,913)	0	(3,844,913)	(2,086,575)	(3,844,913)	(3,861,650)	(3,861,650)
New England Highway	(33,620)	0	(33,620)	(18,950)	(33,620)	(33,620)	(33,620)
Seven Hills	(800,505)	0	(800,505)	(467,500)	(800,505)	(800,505)	(800,505)
Staff Housing	(149,966)	0	(149,966)	(79,035)	(149,966)	(149,966)	(149,966)
Total User Charges and Fees	(5,853,733)	0	(5,853,733)	(3,139,301)	(5,853,733)	(5,761,380)	(5,761,380)
Fund:							
Principal Activity:							
Business Unit							
Commercial Division							
Operating Expenditure							
63 Palace Street	4,795	0	4,795	3,175	4,795	4,795	4,795
88 Bridge Street	53,223	0	53,223	29,339	53,223	52,223	52,223
93A Hill St	4,357	0	4,357	2,521	4,357	4,357	4,357
98 Bridge Street	3,464	0	3,464	3,410	3,464	4,464	4,464
Brook Street Mall	89,435	0	89,435	52,536	89,435	89,435	89,435
Campbell's Corner	348,393	0	348,393	176,937	348,393	348,393	348,393
Commercial Buildings Officer	48,587	0	48,587	24,065	48,587	48,587	48,587
Dividend to General Fund	500,000	0	500,000	0	500,000	500,000	500,000
Glen Munro Estate	19,241	0	19,241	4,187	19,241	19,241	19,241
HACC Building	13,213	0	13,213	6,994	13,213	13,213	13,213
Land Development	3,369	0	3,369	3,356	3,369	3,369	3,369
Land Development Adams Street Muswellbrook	4,267	0	4,267	4,041	4,267	4,267	4,267
Land Development Industrial East Muswellbrook	3,931	0	3,931	3,596	3,931	3,931	3,931
Land Development Turner Street Denman	2,246	0	2,246	1,797	2,246	2,246	2,246
Market House	28,285	0	28,285	18,733	28,285	28,285	28,285
Market Place	2,235,830	0	2,235,830	1,117,094	2,235,830	2,143,775	2,143,775
New England Highway	11,694	0	11,694	1,240	11,694	11,396	11,396
Seven Hills	412,080	0	412,080	203,488	412,080	412,080	412,080
Staff Housing Denman	5,360	0	5,360	5,096	5,360	5,360	5,360
Staff Housing Muswellbrook	65,418	0	65,418	42,678	65,418	65,418	65,418
Total Operating Expenditure	3,857,188	0	3,857,188	1,704,283	3,857,188	3,764,835	3,764,835

Muswellbrook Shire Council Budget Review 2018/19

Fund:
Principal Activity:
Business Unit:
Business Unit:

1 General Fund
Business Unit
Education Division

	2018/19 Budget	2018/19 Carry Overs	2018/19 Total Budget	YTD Actuals	September Review	December Review	March Review
Revenues							
User Charges and Fees	(547,685)	0	(547,685)	(291,061)	(547,685)	(607,958)	(607,958)
Total Operating Revenues	(547,685)	0	(547,685)	(291,061)	(547,685)	(607,958)	(607,958)
Expenses							
Wages and Salaries	48,587	0	48,587	24,063	48,587	48,587	48,587
Materials and Contracts	234,363	0	234,363	95,498	234,363	260,687	260,687
Other Costs	145,983	0	145,983	140,127	145,983	179,932	179,932
Borrowing Costs	110,314	0	110,314	58,678	110,314	110,314	110,314
Depreciation	300,495	0	300,495	410,351	300,495	820,702	820,702
Total Operating Expenses	839,742	0	839,742	728,717	839,742	1,420,222	1,420,222
Total Operating Result Before Capital	292,057	0	292,057	437,656	292,057	812,264	812,264

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muswellbrook shire council

2018/19 Consolidated Budget December 2018 Budget Review Capital Budget

Capital Budget - 2018/19

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Muswellbrook Shire Council Capital Budget 2018/19

Fund: Consolidated General, Water, Sewer and Commercial Buildings Funds
 Business Unit: Consolidated General, Water, Sewer and Commercial Buildings Funds

Capital Budget

Funding Sources	Total 2018/19					September Review	December Review	March Review
	2018/19 Budget	Carry Overs	Budget	YTD Actuals				
Operating Result	-\$3,976,659	\$0	-\$3,976,659	-\$12,005,941		-\$3,745,835	-\$2,675,865	-\$2,675,865
Section 94	-\$4,743,864	\$0	-\$4,743,864	-\$4,115,409		-\$4,588,533	-\$4,588,533	-\$4,588,533
Capital Grants	-\$3,645,000	-\$3,259,770	-\$6,904,770	-\$1,900,688		-\$10,815,985	-\$11,521,777	-\$11,521,777
Capital Contributions	-\$2,338,644	\$0	-\$2,338,644	-\$983,383		-\$3,280,527	-\$3,297,254	-\$3,297,254
Depreciation	-\$11,426,804	\$0	-\$11,426,804	\$0		-\$11,426,804	-\$12,496,774	-\$12,496,774
Transfers from Reserve	-\$14,791,486	-\$10,195,419	-\$24,986,905	\$0		-\$27,439,578	-\$28,544,854	-\$28,544,854
Borrowed Funds	-\$5,000,000	\$0	-\$5,000,000	-\$7,000,000		-\$7,000,000	-\$7,000,000	-\$7,000,000
Sale of Assets	-\$70,000	\$0	-\$70,000	-\$104,220		-\$170,000	-\$170,000	-\$170,000
Total Capital Funds	-\$45,992,457	-\$13,455,189	-\$59,447,646	-\$26,109,641		-\$68,467,262	-\$70,295,057	-\$70,295,057

Capital Expenditure	Total 2018/19					September Review	December Review	March Review
	2018/19 Budget	Carry Overs	Budget	YTD Actuals				
Capital Works/Purchases	\$33,575,823	\$13,455,189	\$47,031,012	\$12,084,547		\$53,347,482	\$54,851,190	\$54,851,190
Loan Repayments	\$4,375,690	\$0	\$4,375,690	\$1,137,781		\$4,375,690	\$4,375,690	\$4,375,690
Transfers to Reserves	\$8,040,944	\$0	\$8,040,944	\$0		\$11,000,768	\$11,232,855	\$11,232,855
Total Capital Expenditure	\$45,992,457	\$13,455,189	\$59,447,646	\$13,222,328		\$68,723,940	\$70,459,735	\$70,459,735
Budgeted Result	\$0	\$0	\$0	-\$12,887,313		\$256,678	\$164,678	\$164,678

**Muswellbrook Shire Council
General Fund
December 2018
Capital Budget 2018/19**

Muswellbrook Shire Council Capital Budget 2018/19

Fund:
Business Unit:

General Fund
Consolidated General Fund

Capital Budget

Funding Sources	Total 2018/19					September Review	December Review	March Review
	2018/19 Budget	Carry Overs	Budget	YTD Actuals				
Operating Result	-\$2,449,104	\$0	-\$2,449,104	\$0		-\$2,192,426	-\$1,599,002	-\$1,599,002
Section 94	-\$3,889,864	\$0	-\$3,889,864	-\$4,094,669		-\$3,734,533	-\$3,734,533	-\$3,734,533
Capital Grants	-\$3,645,000	-\$1,806,895	-\$5,451,895	-\$1,900,688		-\$9,363,110	-\$10,068,902	-\$10,068,902
Capital Contributions	-\$1,005,000	\$0	-\$1,005,000	-\$983,383		-\$1,946,883	-\$1,963,610	-\$1,963,610
Depreciation	-\$7,940,159	\$0	-\$7,940,159	\$0		-\$7,940,159	-\$8,533,583	-\$8,533,583
Transfers from Reserve	-\$7,978,832	-\$3,338,100	-\$11,316,932	\$0		-\$13,257,603	-\$14,362,879	-\$14,362,879
Borrowed Funds	\$0	\$0	\$0	\$0		\$0	\$0	\$0
Sale of Assets	-\$70,000	\$0	-\$70,000	-\$52,110		-\$170,000	-\$170,000	-\$170,000
Total Capital Funds	-\$26,977,959	-\$5,144,995	-\$32,122,954	-\$7,030,850		-\$38,604,714	-\$40,432,509	-\$40,432,509

Capital Expenditure	Total 2018/19					September Review	December Review	March Review
	2018/19 Budget	Carry Overs	Budget	YTD Actuals				
Capital Works/Purchases	\$19,221,654	\$5,144,995	\$24,366,649	\$5,434,043		\$30,348,535	\$31,852,243	\$31,852,243
Loan Repayments	\$569,361	\$0	\$569,361	\$0		\$569,361	\$569,361	\$569,361
Transfers to Reserves	\$7,186,944	\$0	\$7,186,944	\$0		\$7,943,496	\$8,175,583	\$8,175,583
Total Capital Expenditure	\$26,977,959	\$5,144,995	\$32,122,954	\$5,434,043		\$38,861,392	\$40,597,187	\$40,597,187
Budgeted Result	\$0	\$0	\$0	-\$1,596,807		\$256,678	\$164,678	\$164,678

**Muswellbrook Shire Council
Community Infrastructure
Roads and Drainage and Other Community Infrastructure Business Unit
2018/19 Capital Budget**

Account Group	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review
Capital Revenue							
Section 94							
Capital Grants	-\$156,000	\$0	-\$156,000	\$0	-\$506,000	-\$506,000	-\$506,000
Capital Contributions	-\$1,734,000	\$0	-\$1,734,000	-\$1,321,849	-\$5,584,000	-\$5,675,000	-\$5,675,000
Depreciation	\$0	\$0	\$0	-\$911,883	-\$911,883	-\$911,883	-\$911,883
Transfers from Reserve	-\$6,419,342	\$0	-\$6,419,342	\$0	-\$6,419,342	-\$6,393,574	-\$6,393,574
Sale of Assets	-\$1,305,331	-\$762,853	-\$2,068,184	\$0	-\$3,273,980	-\$3,711,643	-\$3,711,643
Borrowed Funds	-\$70,000	\$0	-\$70,000	-\$52,110	-\$170,000	-\$170,000	-\$170,000
Total Capital Revenue	-\$9,684,673	-\$762,853	-\$10,447,526	-\$2,285,842	-\$16,865,205	-\$17,368,100	-\$17,368,100

Account Group	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review
Capital Expenses							
Roads Capital Works	\$6,132,574	\$61,178	\$6,193,752	\$3,278,041	\$10,919,548	\$11,356,211	\$11,356,211
Plant Capital Works	\$958,375	\$701,675	\$1,660,050	\$494,950	\$2,440,050	\$2,440,050	\$2,440,050
Stormwater Capital Works	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Miscellaneous Capital Works	\$62,474	\$0	\$62,474	\$14,498	\$62,474	\$62,474	\$62,474
Loan Repayments	\$569,361	\$0	\$569,361	\$0	\$569,361	\$569,361	\$569,361
Transfer to Reserves	\$775,080	\$0	\$775,080	\$0	\$1,686,963	\$1,686,963	\$1,686,963
Total Capital Expenses	\$8,497,864	\$762,853	\$9,260,717	\$3,787,489	\$15,678,396	\$16,115,059	\$16,115,059

General Fund Roads and Drainage and Other Community Infrastructure									
Fund: Business Unit:		Capital Revenues							
				2018/19 Budget		Carry Overs		Total 2018/19 Budget	
				YTD Actuals		September Review		December Review	

Muswellbrook Shire Council
Roads and Drainage and Other Community Infrastructure Business Unit
Capital Works and Purchases Budget 2018/19

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review	Revenue	Capital Grants	Capital Contributions	Borrowed Funds	Unrestricted Cash	Restricted Reserves	Total Funding
Regional Road Renewal Programme	\$70,000	\$0	\$70,000	\$10,594	\$70,000	\$69,000	\$69,000	\$0	\$69,000	\$0	\$0	\$0	\$0	\$69,000
Road Reseal Programme	\$706,700	\$0	\$706,700	\$3,432	\$706,700	\$706,700	\$706,700	\$706,700	\$0	\$0	\$0	\$0	\$0	\$706,700
Urban Road Renewal Programme	\$565,087	\$0	\$565,087	\$210,149	\$565,087	\$565,087	\$565,087	\$151,087	\$414,000	\$0	\$0	\$0	\$0	\$565,087
Rural Road Reseal Programme	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Rural Road Pavement and Rehabilitation Programme	\$411,250	\$0	\$411,250	\$36,250	\$36,250	\$36,250	\$36,250	\$36,250	\$0	\$0	\$0	\$0	\$0	\$36,250
Rural Road Regravelling Programme	\$336,200	\$0	\$336,200	\$125,976	\$336,200	\$336,200	\$336,200	\$336,200	\$0	\$0	\$0	\$0	\$0	\$336,200
Road Heavy Patching Programme	\$389,525	\$0	\$389,525	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Carpark Renewal Programme	\$105,575	\$0	\$105,575	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Bridges Renewal Programme	\$102,500	\$0	\$102,500	\$516,362	\$627,500	\$627,500	\$627,500	\$102,500	\$525,000	\$0	\$0	\$0	\$0	\$627,500
Kerb and Gutter Replacement Programme	\$128,125	\$0	\$128,125	\$128,125	\$128,125	\$128,125	\$128,125	\$128,125	\$0	\$0	\$0	\$0	\$0	\$128,125
Developer Coordinated Works Programme	\$25,625	\$0	\$25,625	\$2,649	\$25,625	\$25,625	\$25,625	\$25,625	\$0	\$0	\$0	\$0	\$0	\$25,625
Footpath and Cycleway Renewal Programme	\$159,900	\$0	\$159,900	\$155,111	\$159,900	\$159,900	\$159,900	\$159,900	\$0	\$0	\$0	\$0	\$0	\$159,900
New Footpath and Cycleway Programme	\$102,500	\$0	\$102,500	\$102,500	\$102,500	\$102,500	\$102,500	\$102,500	\$0	\$0	\$0	\$0	\$0	\$102,500
Capital Contingency	\$120,000	\$0	\$120,000	\$0	\$120,000	\$120,000	\$120,000	\$120,000	\$0	\$0	\$0	\$0	\$0	\$120,000
Safety Device Renewal Programme	\$152,306	\$0	\$152,306	\$35,748	\$152,306	\$152,306	\$152,306	\$152,306	\$0	\$0	\$0	\$0	\$0	\$152,306
Drainage Devices Programme	\$161,950	\$0	\$161,950	\$43,715	\$161,950	\$161,950	\$161,950	\$161,950	\$0	\$0	\$0	\$0	\$0	\$161,950
Edderton Road Programme	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sandy Hollow Village Centre	\$40,000	\$0	\$40,000	\$25,707	\$40,000	\$40,000	\$40,000	\$40,000	\$0	\$0	\$0	\$0	\$0	\$40,000
Resources for Regions - Round 5	\$0	\$0	\$0	\$906,389	\$5,112,337	\$5,550,000	\$5,550,000	\$778,100	\$3,417,000	\$0	\$0	\$0	\$1,354,900	\$5,550,000
Design and Construction of Denman Street Scape Works	\$0	\$0	\$0	\$12,882	\$80,000	\$80,000	\$80,000	\$0	\$0	\$0	\$0	\$0	\$80,000	\$80,000
Safety Audit Ridgellands Road	\$0	\$0	\$0	\$0	\$60,000	\$60,000	\$60,000	\$0	\$0	\$0	\$0	\$0	\$60,000	\$60,000
Denman and District Heritage Village Expansion	\$155,331	\$0	\$155,331	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Denman Main Street Stage 2	\$0	\$61,178	\$61,178	\$16,702	\$35,068	\$35,068	\$35,068	\$0	\$0	\$0	\$0	\$0	\$35,068	\$35,068
Denman Business Precinct Masterplan	\$2,400,000	\$0	\$2,400,000	\$945,750	\$2,400,000	\$2,400,000	\$2,400,000	\$0	\$1,250,000	\$0	\$0	\$0	\$1,150,000	\$2,400,000
Cycleway - Denman Road	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Business District Renewal Programme	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Capital Expenses	\$6,132,574	\$61,178	\$6,193,752	\$3,278,041	\$10,919,548	\$11,356,211	\$11,356,211	\$3,001,243	\$5,675,000	\$0	\$0	\$0	\$2,679,968	\$11,356,211

Muswellbrook Shire Council
Community Infrastructure
Plant Items Capital Works
Capital Works and Purchases Budget 2018/19

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review	Revenue	Plant	Waste Reserve	Restricted Reserves	Total Funding
Capital Expenses												
Large Plant Items	\$599,625	\$612,944	\$1,212,569	\$279,140	\$1,212,569	\$1,212,569	\$1,212,569	\$599,625	\$0		\$612,944	\$1,212,569
Vehicle Fleet	\$256,250	\$0	\$256,250	\$137,360	\$256,250	\$256,250	\$256,250	\$186,250	\$0		\$0	\$256,250
Waste Depot Large Plant	\$0	\$0	\$0	\$0	\$780,000	\$780,000	\$780,000	\$0	\$170,000	\$510,000	\$680,000	\$780,000
Transport Vehicles	\$102,500	\$88,731	\$191,231	\$78,450	\$191,231	\$191,231	\$191,231	\$102,500	\$0		\$88,731	\$191,231
Total Capital Expenses	\$958,375	\$701,675	\$1,660,050	\$494,950	\$2,440,050	\$2,440,050	\$2,440,050	\$888,375	\$170,000	\$510,000	\$1,381,675	\$2,440,050

Muswellbrook Shire Council
Community Infrastructure
Stormwater Capital Works
Capital Works and Purchases Budget 2018/19

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review	Revenue	Plant	Borrowed Funds	Restricted Reserves	Total Funding
Capital Expenses												
Total Capital Expenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Muswellbrook Shire Council
Community Infrastructure
Miscellaneous Capital Works
Capital Works and Purchases Budget 2018/19

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review	Revenue	Plant	Restricted Reserves	Total Funding
Capital Expenses											
Waste Management Facility	\$62,474	\$0	\$62,474	\$14,498	\$62,474	\$62,474	\$62,474	\$62,474		\$0	\$62,474
Waste - 4WD Twin Cab	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0	\$0
	\$62,474	\$0	\$62,474	\$14,498	\$62,474	\$62,474	\$62,474	\$62,474	\$0	\$0	\$62,474

**Muswellbrook Shire Council
Planning, Community and Corporate Services Capital Expenditure Business Unit
2018/19 Capital Budget**

Account Group	Total 2018/19					YTD Actuals	September Review			December Review	March Review
	2018/19 Budget	Carry Overs	Budget								
Capital Revenue											
Section 94											
Capital Grants	-\$3,733,864	\$0	-\$3,733,864		-\$4,094,669		-\$3,228,533		-\$3,228,533		-\$3,228,533
Capital Contributions	-\$1,911,000	-\$1,806,895	-\$3,717,895		-\$578,839		-\$3,779,110		-\$4,393,902		-\$4,393,902
Depreciation	-\$1,005,000	\$0	-\$1,005,000		-\$71,500		-\$1,035,000		-\$1,051,727		-\$1,051,727
Transfers from Reserve	-\$1,520,817	\$0	-\$1,520,817		\$0		-\$1,520,817		-\$2,140,009		-\$2,140,009
Borrowed Funds	-\$6,673,501	-\$2,575,247	-\$9,248,748		\$0		-\$9,963,623		-\$10,651,236		-\$10,651,236
Sale of Assets	\$0	\$0	\$0		\$0		\$0		\$0		\$0
Total Capital Revenue	-\$14,844,182	-\$4,382,142	-\$19,226,324		-\$4,745,008		-\$19,547,083		-\$21,465,407		-\$21,465,407
Capital Expenses											
Capital Works and Purchases	\$12,068,231	\$4,382,142	\$16,450,373		\$1,646,554		\$16,926,463		\$17,993,508		\$17,993,508
Loan Repayments	\$0	\$0	\$0		\$0		\$0		\$0		\$0
Transfer to Reserve	\$6,411,864	\$0	\$6,411,864		\$0		\$6,256,533		\$6,488,620		\$6,488,620
Total Capital Expenses	\$18,480,095	\$4,382,142	\$22,862,237		\$1,646,554		\$23,182,996		\$24,482,128		\$24,482,128

Capital Revenues

General Fund
Planning, Community and Corporate Services

Fund:
Business Unit:

	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review
Section 94 Contributions							
Voluntary Planning Agreement	\$3,733,864	\$0	\$3,733,864	\$4,094,669	\$3,228,533	\$3,228,533	\$3,228,533
Total Contributions	\$3,733,864	\$0	\$3,733,864	\$4,094,669	\$3,228,533	\$3,228,533	\$3,228,533
Capital Grants							
Local Priority - Library	\$11,000	\$0	\$11,000	\$0	\$11,000	\$11,000	\$11,000
Building Stronger Regions Grant	\$900,000	\$0	\$900,000	\$499,881	\$0	\$1,514,792	\$1,514,792
Stronger Communities Building Grant	\$1,000,000	\$0	\$1,000,000	\$0	\$1,000,000	\$1,000,000	\$1,000,000
Bushfire Equipment from RFS	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Rail Noise Abatement Project	\$0	\$1,606,895	\$1,606,895	\$24,838	\$1,732,810	\$1,732,810	\$1,732,810
Regional Cultural Fund	\$0	\$0	\$0	\$54,120	\$135,300	\$135,300	\$135,300
Total Grants	\$1,911,000	\$1,606,895	\$3,517,895	\$578,839	\$3,779,110	\$4,393,902	\$4,393,902
Capital Contributions							
Upper Hunter Shire Council	\$65,000	\$0	\$65,000	\$71,500	\$65,000	\$65,000	\$65,000
Bushfire Contribution	\$0	\$0	\$0	\$0	\$0	\$16,727	\$16,727
Denmon Hall Insurance Claim	\$940,000	\$0	\$940,000	\$0	\$940,000	\$940,000	\$940,000
Benipalla Art Contributions	\$0	\$0	\$0	\$0	\$0	\$30,000	\$30,000
Total Contributions	\$1,005,000	\$0	\$1,005,000	\$71,500	\$1,035,000	\$1,051,727	\$1,051,727
Depreciation							
Economic Development and Community	\$11,025	\$0	\$11,025	\$0	\$11,025	\$11,025	\$11,025
Corporate Services Management Vehicles	\$261,100	\$0	\$261,100	\$0	\$261,100	\$261,100	\$261,100
Cultural Assets	\$5,125	\$0	\$5,125	\$0	\$5,125	\$5,125	\$5,125
Bushfire Assets	\$234,725	\$0	\$234,725	\$0	\$234,725	\$234,725	\$234,725
Libraries	\$174,440	\$0	\$174,440	\$0	\$174,440	\$173,868	\$173,868
Aquatic Centres	\$157,647	\$0	\$157,647	\$0	\$157,647	\$216,527	\$216,527
Property and Buildings	\$676,765	\$0	\$676,765	\$0	\$676,765	\$1,239,452	\$1,239,452
Total Depreciation	\$1,520,817	\$0	\$1,520,817	\$0	\$1,520,817	\$2,140,009	\$2,140,009
Transfer From Reserves							
S14 Social Infrastructure	\$150,000	\$0	\$150,000	\$0	\$242,281	\$242,281	\$242,281
S14 Tourism	\$21,652	\$0	\$21,652	\$0	\$18,277	\$18,277	\$18,277
Manipoda WULMS	\$453,000	\$0	\$453,000	\$0	\$453,000	\$453,000	\$453,000
S14 Reserves	\$1,725,000	\$0	\$1,725,000	\$0	\$1,725,000	\$1,725,000	\$1,725,000
VPA Funds - Denman Hall	\$35,900	\$0	\$35,900	\$0	\$931,945	\$931,945	\$931,945
VPA Funds - Animal Shelter	\$760,000	\$0	\$760,000	\$0	\$760,000	\$760,000	\$760,000
VPA Funds - Racecourse Extension	\$400,000	\$0	\$400,000	\$0	\$400,000	\$400,000	\$400,000
VPA Funds	\$12,348	\$0	\$12,348	\$0	\$12,348	\$12,348	\$12,348
VPA Funds - Entertainment & Conference Centre	\$934,000	\$0	\$934,000	\$0	\$934,000	\$934,000	\$934,000
VPA Funds - Aquatic Centre	\$1,000,000	\$0	\$1,000,000	\$0	\$1,000,000	\$1,000,000	\$1,000,000
Manipoda Education	\$30,000	\$0	\$30,000	\$0	\$30,000	\$30,000	\$30,000
Unexpended Grants	\$6,464	\$0	\$6,464	\$0	\$1,437	\$1,437	\$1,437
Waste Reserve	\$0	\$0	\$0	\$0	\$624,114	\$842,727	\$842,727
Environmental Reserve	\$256,250	\$0	\$256,250	\$0	\$256,250	\$256,250	\$256,250
Art Gallery Reserve	\$0	\$0	\$0	\$0	\$28,000	\$28,000	\$28,000
Corporate Reserve	\$0	\$0	\$0	\$0	\$13,000	\$13,000	\$13,000
Heritage Reserve	\$0	\$0	\$0	\$0	\$18,000	\$18,000	\$18,000
Land Bank Reserve	\$0	\$0	\$0	\$0	\$3,000	\$3,000	\$3,000
S14 Open Space	\$15,583	\$0	\$15,583	\$0	\$42,174	\$42,174	\$42,174
Carryover Reserve 17/18	\$643,490	\$0	\$643,490	\$0	\$605,260	\$605,260	\$605,260
Carryover Reserve 15/16	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Carryover Reserve 16/17	\$169,921	\$0	\$169,921	\$0	\$169,185	\$169,185	\$169,185
Building Reserve	\$135,251	\$0	\$135,251	\$0	\$135,251	\$135,251	\$135,251
Recreation	\$26,015	\$0	\$26,015	\$0	\$364,476	\$364,476	\$364,476
IT Strategy	\$221,345	\$0	\$221,345	\$0	\$241,345	\$241,345	\$241,345
Infrastructure Renewal Reserve	\$132,639	\$0	\$132,639	\$0	\$132,639	\$132,639	\$132,639
Total Transfers	\$6,673,501	\$2,375,247	\$9,048,748	\$0	\$9,983,623	\$10,651,236	\$10,651,236
Borrowed Funds							
Total Borrowed Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sale of Assets							
Total Sales	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfer to Reserves							
Voluntary Planning Agreement	\$3,733,864	\$0	\$3,733,864	\$0	\$3,578,533	\$3,578,533	\$3,578,533
Environmental Reserve	\$453,000	\$0	\$453,000	\$0	\$453,000	\$453,000	\$453,000
Waste Management Reserves	\$500,000	\$0	\$500,000	\$0	\$500,000	\$500,000	\$500,000
S14 Reserve	\$1,725,000	\$0	\$1,725,000	\$0	\$1,725,000	\$1,725,000	\$1,725,000
Sustainability Reserve	\$0	\$0	\$0	\$0	\$232,087	\$232,087	\$232,087
Total Transfer to Reserves	\$6,411,864	\$0	\$6,411,864	\$0	\$6,256,533	\$6,488,620	\$6,488,620

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Muswellbrook Shire Council
Planning, Community and Corporate Services
Capital Works
Capital Works and Purchases Budget 2018/19

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review	Revenue	Capital Grants	Capital Contributions	Borrowed Funds	Restricted Reserves	Sale of Assets	Total Funding
Capital Expenses														
Bushfire Assets	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
Library Books	\$130,000	\$15,398	\$145,398	\$44,854	\$143,497	\$143,497	\$143,497	\$65,000	\$0	\$65,000	\$0	\$13,497		\$143,497
Art Gallery Acquisitive Programme	\$0	\$0	\$0	\$0	\$71,000	\$71,000	\$71,000	\$0	\$0	\$30,000	\$0	\$41,000		\$71,000
Olympic Park Carpark and Masterplan	\$0	\$652,348	\$652,348	\$23,770	\$297,090	\$297,090	\$297,090	\$0	\$0	\$0	\$0	\$297,090		\$297,090
Investigation and Design - Aquatic Centre Environmental, Community and Corporate Services General Programme	\$3,225,000	\$0	\$3,225,000	\$45,129	\$3,185,000	\$3,185,000	\$3,185,000	\$285,000	\$1,900,000	\$0	\$0	\$1,000,000		\$3,185,000
Capital Works Contingency	\$153,750	\$16,971	\$170,721	\$21,327	\$127,732	\$127,732	\$127,732	\$103,750	\$0	\$0	\$0	\$23,982		\$127,732
Wilkinson Bridge	\$200,000	\$0	\$200,000	\$5,435	\$135,000	\$135,000	\$135,000	\$135,000	\$0	\$0	\$0	\$0		\$135,000
Contribution - Racecourse Extension	\$900,000	\$0	\$900,000	\$0	\$900,000	\$900,000	\$900,000	\$0	\$0	\$0	\$0	\$900,000		\$900,000
Investigation and Design Development	\$0	\$400,000	\$400,000	\$0	\$400,000	\$400,000	\$400,000	\$0	\$0	\$0	\$0	\$400,000		\$400,000
Investigation and Design - Denman Tourist Park & Thermal Baths Library - Local Priority Grant	\$0	\$132,539	\$132,539	\$6,594	\$132,539	\$132,539	\$132,539	\$0	\$0	\$0	\$0	\$132,539		\$132,539
Investment Property Upgrade/Acquisition	\$11,000	\$100,000	\$111,000	\$32,805	\$100,000	\$100,000	\$100,000	\$0	\$0	\$0	\$0	\$100,000		\$100,000
Renewable Energy Target Works	\$0	\$6,464	\$6,464	\$17,464	\$12,437	\$12,437	\$12,437	\$0	\$11,000	\$0	\$0	\$1,437		\$12,437
Rural Fire Service Building	\$182,087	\$0	\$182,087	\$43,022	\$142,907	\$142,907	\$142,907	\$0	\$0	\$0	\$0	\$142,907		\$142,907
Customer Request Management System	\$0	\$0	\$0	\$16,727	\$0	\$16,727	\$16,727	\$0	\$0	\$16,727	\$0	\$0		\$16,727
Aquatic Centres Programme	\$0	\$45,698	\$45,698	\$38,191	\$42,249	\$42,249	\$42,249	\$40,000	\$0	\$0	\$0	\$2,249		\$42,249
Denman Childrens Centre Extension (Contribution)	\$470,000	\$150,000	\$620,000	\$0	\$620,000	\$620,000	\$620,000	\$0	\$0	\$0	\$0	\$620,000		\$620,000
Sandy Hollow Master Plan of Honey Lane Block (Contribution)	\$10,000	\$0	\$10,000	\$0	\$10,000	\$10,000	\$10,000	\$0	\$0	\$0	\$0	\$10,000		\$10,000
Future Fund Contribution	\$1,333,644	\$0	\$1,333,644	\$0	\$1,333,644	\$1,333,644	\$1,333,644	\$1,333,644	\$0	\$0	\$0	\$0		\$1,333,644
General Recreation Programme	\$200,000	\$0	\$200,000	\$134,223	\$200,000	\$834,342	\$834,342	\$219,550	\$614,792	\$0	\$0	\$0		\$834,342
Upper Hunter Performance Centre Investigation & Design	\$1,759,000	\$26,015	\$1,785,015	\$35,940	\$1,764,475	\$1,764,475	\$1,764,475	\$0	\$0	\$0	\$0	\$1,764,475		\$1,764,475
Information Technology Strategy	\$200,000	\$721,345	\$921,345	\$3,313	\$1,075,731	\$1,075,731	\$1,075,731	\$315,000	\$0	\$0	\$0	\$760,731		\$1,075,731
Victoria Park/Cemetery Upgrade.	\$0	\$0	\$0	\$18,743	\$0	\$517,613	\$517,613	\$100,000	\$0	\$0	\$0	\$417,613		\$517,613
Cemetery General Programme	\$100,000	\$0	\$100,000	\$0	\$100,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
Landscaping and Tree Management Programme	\$75,000	\$0	\$75,000	\$48,891	\$75,000	\$75,000	\$75,000	\$75,000	\$0	\$0	\$0	\$0		\$75,000
Muswellbrook Lookout - Fencing	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		\$0
Major Landcare Projects	\$256,250	\$0	\$256,250	\$30,970	\$266,250	\$206,250	\$206,250	\$0	\$0	\$0	\$0	\$206,250		\$206,250
Sport & Recreation Small Capital Grants Programme	\$25,000	\$0	\$25,000	\$0	\$25,000	\$5,450	\$5,450	\$5,450	\$0	\$0	\$0	\$0		\$5,450
Rail Noise Abatement Project	\$0	\$1,806,895	\$1,806,895	\$104,083	\$1,732,810	\$1,732,810	\$1,732,810	\$0	\$1,732,810	\$0	\$0	\$0		\$1,732,810
Animal Shelter	\$760,000	\$0	\$760,000	\$405,386	\$760,000	\$760,000	\$760,000	\$0	\$0	\$0	\$0	\$760,000		\$760,000
Queen Elizabeth 11 Square Landscape Improvements	\$0	\$15,583	\$15,583	\$3,430	\$42,174	\$42,174	\$42,174	\$0	\$0	\$0	\$0	\$42,174		\$42,174
Denman Hall	\$1,840,000	\$35,900	\$1,875,900	\$443,856	\$2,497,673	\$2,497,673	\$2,497,673	\$0	\$0	\$940,000	\$0	\$1,557,673		\$2,497,673
Denman Destination Infrastructure - Concept Design	\$0	\$21,652	\$21,652	\$18,277	\$18,277	\$18,277	\$18,277	\$0	\$0	\$0	\$0	\$18,277		\$18,277
Music Training Project	\$30,000	\$0	\$30,000	\$0	\$30,000	\$30,000	\$30,000	\$0	\$0	\$0	\$0	\$30,000		\$30,000
Relocation of Council Chambers	\$0	\$0	\$0	\$13,010	\$0	\$250,000	\$250,000	\$0	\$0	\$0	\$0	\$250,000		\$250,000
Purchase of Lot 70 Wollombi Road	\$0	\$0	\$0	\$92,281	\$92,281	\$92,281	\$92,281	\$0	\$0	\$0	\$0	\$92,281		\$92,281
General Building Renewal Programme	\$207,500	\$78,691	\$286,191	\$16,287	\$421,610	\$421,610	\$421,610	\$207,500	\$135,300	\$1,051,727	\$0	\$78,610		\$421,610
Total Capital Expenses	\$12,068,231	\$4,382,142	\$16,450,373	\$1,646,554	\$16,926,463	\$17,993,508	\$17,993,508	\$2,884,894	\$4,393,902	\$1,051,727	\$0	\$9,662,985	\$0	\$17,993,508

**Muswellbrook Shire Council
Water Fund
December 2018
Capital Budget 2018/19**

**Muswellbrook Shire Council
Water Fund
Capital Works and Purchases Budget 2018/19**

Account Group	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review
Capital Revenue							
Operating Result	\$85,120	\$0	\$85,120	\$0	\$117,513	\$99,348	\$99,348
Section 94	-\$405,000	\$0	-\$405,000	-\$20,740	-\$405,000	-\$405,000	-\$405,000
Capital Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Depreciation	-\$1,767,150	\$0	-\$1,767,150	\$0	-\$1,767,150	-\$1,748,985	-\$1,748,985
Borrowed Funds	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Transfers from Reserve	-\$4,466,320	-\$1,472,318	-\$5,938,638	\$0	-\$5,971,031	-\$5,971,031	-\$5,971,031
Sale of Assets	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Capital Revenue	-\$6,553,350	-\$1,472,318	-\$8,025,668	-\$20,740	-\$8,025,668	-\$8,025,668	-\$8,025,668
Capital Expenses							
Capital Works and Purchases	\$5,856,891	\$1,472,318	\$7,329,209	\$648,304	\$7,184,184	\$7,184,184	\$7,184,184
Loan Repayments	\$291,459	\$0	\$291,459	\$143,320	\$291,459	\$291,459	\$291,459
Transfers to Reserve	\$405,000	\$0	\$405,000	\$0	\$550,025	\$550,025	\$550,025
Total Capital Expenses	\$6,553,350	\$1,472,318	\$8,025,668	\$791,624	\$8,025,668	\$8,025,668	\$8,025,668

**Muswellbrook Shire Council
Water Fund
Capital Works and Purchases Budget 2018/19**

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review
Capital Revenue							
Section 64 Muswellbrook	-\$405,000	\$0	-\$405,000	-\$20,740	-\$405,000	-\$405,000	-\$405,000
Section 64 Denman	\$0	\$0	\$0		\$0	\$0	\$0
Capital Grants	\$0	\$0	\$0		\$0	\$0	\$0
Total Capital Revenue	-\$405,000	\$0	-\$405,000	-\$20,740	-\$405,000	-\$405,000	-\$405,000

**Muswellbrook Shire Council
Water Fund
Capital Works and Purchases Budget 2018/19**

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review	Revenue	Capital Grants	Capital Contributions	Restricted Reserves	Total Funding
Capital Expenses												
Muswellbrook Mains Replacement	\$1,025,000	\$0	\$1,025,000	\$225,897	\$1,025,000	\$1,025,000	\$1,025,000	\$242,769			\$782,231	\$1,025,000
Communication Upgrade	\$61,500	\$280,000	\$321,500	\$2,688	\$321,500	\$321,500	\$321,500				\$321,500	\$321,500
Safety & Quality Risk Improvements	\$51,250	\$0	\$51,250	\$0	\$51,250	\$51,250	\$51,250				\$51,250	\$51,250
Replacement of Water Meters Programme	\$71,750	\$0	\$71,750	\$800	\$71,750	\$71,750	\$71,750				\$71,750	\$71,750
Asbestos Removal	\$61,500	\$0	\$61,500	\$0	\$61,500	\$61,500	\$61,500	\$43,819			\$17,681	\$61,500
System Plant Asset Renewals	\$1,352,016	\$0	\$1,352,016	\$139,427	\$1,352,016	\$1,352,016	\$1,352,016	\$820,000			\$532,016	\$1,352,016
Reservoir Renewal and Replacements	\$1,537,500	\$0	\$1,537,500	\$41,950	\$1,537,500	\$1,537,500	\$1,537,500				\$1,537,500	\$1,537,500
Muswellbrook Water Treatment Plant Renewals and Replacements	\$768,750	\$410,819	\$1,179,569	\$161,056	\$1,047,947	\$1,047,947	\$1,047,947	\$235,335			\$812,612	\$1,047,947
Water Fund Environmental Grants	\$51,250	\$0	\$51,250	\$0	\$51,250	\$51,250	\$51,250				\$51,250	\$51,250
Water Reticulation Model Software	\$768,750	\$0	\$768,750	\$22,395	\$768,750	\$768,750	\$768,750				\$768,750	\$768,750
Emergency Generator	\$0	\$0	\$0	\$0	\$0	\$0	\$0				\$0	\$0
Safe Loading and Safety Vacuum Device Trailers	\$0	\$0	\$0	\$0	\$0	\$0	\$0				\$0	\$0
Asset Management System Development	\$30,750	\$27,664	\$58,414	\$2,810	\$45,011	\$45,011	\$45,011	\$30,750			\$14,261	\$45,011
Settling Pond Desilting	\$0	\$0	\$0	\$0	\$0	\$0	\$0				\$0	\$0
Office Accommodation Planning	\$0	\$0	\$0	\$0	\$0	\$0	\$0				\$0	\$0
Railway Crossing Water Mains	\$773,835	\$773,835	\$1,547,670	\$49,049	\$773,835	\$773,835	\$773,835				\$773,835	\$773,835
Laboratory Equipment	\$20,500	\$0	\$20,500	\$2,252	\$20,500	\$20,500	\$20,500	\$17,898			\$2,602	\$20,500
Vehicle/Equipment Replacement	\$56,375	\$0	\$56,375	\$0	\$56,375	\$56,375	\$56,375				\$56,375	\$56,375
Total Capital Expenses	\$ 5,856,891	\$ 1,472,318	\$ 7,329,209	\$ 648,304	\$ 7,184,184	\$ 7,184,184	\$ 7,184,184	\$ 1,390,571	\$ -	\$ -	\$ 5,793,613	\$ 7,184,184

**Muswellbrook Shire Council
Sewer Fund
December 2018
Capital Budget 2018/19**

**Muswellbrook Shire Council
Sewer Fund
Capital Works and Purchases Budget 2018/19**

Account Group	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review
Capital Revenue							
Operating Budget	\$91,813	\$0	\$91,813	\$0	\$33,566	\$8,070	\$8,070
Section 94	-\$449,000	\$0	-\$449,000	\$0	-\$449,000	-\$449,000	-\$449,000
Capital Grants	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Depreciation	-\$1,419,000	\$0	-\$1,419,000	\$0	-\$1,419,000	-\$1,393,504	-\$1,393,504
Borrowed Funds	-\$5,000,000	\$0	-\$5,000,000	-\$7,000,000	-\$7,000,000	-\$7,000,000	-\$7,000,000
Transfer from Reserve	-\$793,334	-\$4,948,441	-\$5,741,775	\$0	-\$6,221,384	-\$6,221,384	-\$6,221,384
Sale of Assets	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Capital Revenue	-\$7,569,521	-\$4,948,441	-\$12,517,962	-\$7,000,000	-\$15,055,818	-\$15,055,818	-\$15,055,818
Capital Expenses							
Capital Works and Purchases	\$6,572,231	\$4,948,441	\$11,520,672	\$5,618,677	\$12,000,281	\$12,000,281	\$12,000,281
Loan Repayments	\$548,290	\$0	\$548,290	\$285,564	\$548,290	\$548,290	\$548,290
Transfer to Reserve	\$449,000	\$0	\$449,000	\$0	\$2,507,247	\$2,507,247	\$2,507,247
Total Capital Expenses	\$7,569,521	\$4,948,441	\$12,517,962	\$5,904,241	\$15,055,818	\$15,055,818	\$15,055,818

**Muswellbrook Shire Council
Sewer Fund
Capital Works and Purchases Budget 2018/19**

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review
Capital Revenue							
Section 64 Muswellbrook	-\$449,000	\$0	-\$449,000	\$0	-\$449,000	-\$449,000	-\$449,000
Section 64 Denman	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Grant - Sewer Treatment Works	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Capital Contribution	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sewer of Industrial Area	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Capital Revenue	-\$449,000	\$0	-\$449,000	\$0	-\$449,000	-\$449,000	-\$449,000

Muswellbrook Shire Council
Sewer Fund
Capital Works and Purchases Budget 2018/19

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review	Revenue	Capital Grants	Contributions	Borrowed Funds	Unrestricted Cash	Restricted Reserves	Total Funding
Grand Total														
Capital Expenses														
Mains Renewal	\$852,732	\$0	\$852,732	\$0	\$852,732	\$852,732	\$852,732	\$450,961					\$402,171	\$852,732
Sewer Pump Station 2	\$512,500	\$0	\$512,500	\$65,085	\$512,500	\$512,500	\$512,500	\$123,336					\$206,684	\$512,500
Access and Security Improvements RWTW	\$20,500	\$0	\$20,500	\$0	\$20,500	\$20,500	\$20,500				\$162,500		\$20,500	\$20,500
Pump Station Upgrade	\$0	\$0	\$0	\$0	\$0	\$0	\$0							\$0
Communications Upgrade (Telemetry)	\$61,500	\$0	\$61,500	\$0	\$61,500	\$61,500	\$61,500						\$61,500	\$61,500
Transportation System Improvement	\$0	\$0	\$0	\$18,477	\$307,500	\$307,500	\$307,500						\$307,500	\$307,500
Safety Improvements	\$25,624	\$0	\$25,624	\$6,161	\$25,624	\$25,624	\$25,624						\$25,624	\$25,624
Derriman Storm Water Diversion	\$0	\$0	\$0	\$0	\$0	\$0	\$0							\$0
Construction - RWTW	\$4,817,500	\$4,948,441	\$9,765,941	\$5,325,831	\$9,765,941	\$9,765,941	\$9,765,941	\$205,000			\$4,817,500		\$4,948,441	\$9,765,941
Mains Relocation	\$205,000	\$0	\$205,000	\$40,042	\$205,000	\$205,000	\$205,000	\$205,000					\$205,000	\$205,000
Derriman Treatment Plant Upgrade	\$0	\$0	\$0	\$161,681	\$172,109	\$172,109	\$172,109						\$172,109	\$172,109
Asset Management Planning	\$30,750	\$0	\$30,750	\$0	\$30,750	\$30,750	\$30,750						\$30,750	\$30,750
Works Fleet Items	\$46,125	\$0	\$46,125	\$1,400	\$46,125	\$46,125	\$46,125						\$46,125	\$46,125
Laboratory Equipment	\$0	\$0	\$0	\$0	\$0	\$0	\$0						\$0	\$0
Total Capital Expenses	\$ 6,572,231	\$ 4,948,441	\$ 11,520,672	\$ 5,618,677	\$ 12,000,281	\$ 12,000,281	\$ 12,000,281	\$ 778,897	\$ -	\$ -	\$ 5,000,000	\$ -	\$ 6,221,384	\$ 12,000,281

**Muswellbrook Shire Council
Future Fund
December 2018
Capital Budget 2018/19**

**Muswellbrook Shire Council
Future Fund
Capital Works and Purchases Budget 2018/19**

Account Group	Total 2018/19					YTD Actuals	September Review			December Review	March Review
	2018/19 Budget	Carry Overs	Budget								
Capital Revenue											
Operating Result	-\$1,704,488	\$0	-\$1,704,488		\$0		-\$1,704,488		-\$1,184,281		-\$1,184,281
Capital Grants	\$0	-\$1,452,875	-\$1,452,875		\$0		-\$1,452,875		-\$1,452,875		-\$1,452,875
Capital Contributions	-\$1,333,644	\$0	-\$1,333,644		\$0		-\$1,333,644		-\$1,333,644		-\$1,333,644
Depreciation	-\$300,495	\$0	-\$300,495		\$0		-\$300,495		-\$820,702		-\$820,702
Borrowed Funds	\$0	\$0	\$0		\$0		\$0		\$0		\$0
Transfer from reserve	-\$1,553,000	-\$436,560	-\$1,989,560		\$0		-\$1,989,560		-\$1,989,560		-\$1,989,560
Sale of Assets	\$0	\$0	\$0		\$0		\$0		\$0		\$0
Total Capital Revenue	-\$4,891,627	-\$1,889,435	-\$6,781,062		\$0		-\$6,781,062		-\$6,781,062		-\$6,781,062
Capital Expenses											
Capital Works and Purchases	\$1,925,047	\$1,889,435	\$3,814,482		\$383,523		\$3,814,482		\$3,814,482		\$3,814,482
Loan Repayments	\$2,966,580	\$0	\$2,966,580		\$708,897		\$2,966,580		\$2,966,580		\$2,966,580
Transfer to reserves	\$0	\$0	\$0		\$0		\$0		\$0		\$0
Total Capital Expenses	\$4,891,627	\$1,889,435	\$6,781,062		\$1,092,420		\$6,781,062		\$6,781,062		\$6,781,062

Muswellbrook Shire Council Future Fund Capital Works and Purchases Budget 2018/19						
Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review
Capital Revenue						
Sales of Assets						
Glen Munro	\$0	\$0	\$0	\$0	\$0	\$0
Total Sales	\$0	\$0	\$0	\$0	\$0	\$0
Depreciation						
Depreciation	-\$300,495	\$0	-\$300,495	\$0	-\$300,495	-\$820,702
Total Depreciation	-\$300,495	\$0	-\$300,495	\$0	-\$300,495	-\$820,702
Capital Grants						
Town Education Centre 2	\$0	-\$1,452,875	-\$1,452,875	\$0	-\$1,452,875	-\$1,452,875
Innovation Precinct Grant.	\$0	\$0	\$0	\$0	\$0	\$0
Environment & Heritage	\$0	\$0	\$0	\$0	\$0	\$0
Total Grants	\$0	-\$1,452,875	-\$1,452,875	\$0	-\$1,452,875	-\$1,452,875
Transfer From Reserves						
VPA Reserve	-\$1,553,000	-\$436,560	-\$1,989,560	\$0	-\$1,989,418	-\$1,989,418
Building Reserve	\$0	\$0	\$0	\$0	\$0	\$0
Unexpended Grants	\$0	\$0	\$0	\$0	\$0	\$0
Capital Carry Overs 2015-16	\$0	\$0	\$0	\$0	\$0	\$0
Total Transfers	-\$1,553,000	-\$436,560	-\$1,989,560	\$0	-\$1,989,418	-\$1,989,418
Capital Contributions						
Transferred from General Fund	-\$1,333,644	\$0	-\$1,333,644	\$0	-\$1,333,644	-\$1,333,644
Loan Payment from General Fund	\$0	\$0	\$0	\$0	\$0	\$0
Total Contributions	-\$1,333,644	\$0	-\$1,333,644	\$0	-\$1,333,644	-\$1,333,644
Borrowed Funds						
Muswellbrook Affordable Student Accom.	\$0	\$0	\$0	\$0	\$0	\$0
Purchase of 140 and 88 Bridge Street	\$0	\$0	\$0	\$0	\$0	\$0
Purchase of Seven Hills	\$0	\$0	\$0	\$0	\$0	\$0
Market Place	\$0	\$0	\$0	\$0	\$0	\$0
Total Borrowed Funds	\$0	\$0	\$0	\$0	\$0	\$0

**Muswellbrook Shire Council
Future Fund
Capital Works and Purchases Budget 2018/19**

Program	2018/19 Budget	Carry Overs	Total 2018/19 Budget	YTD Actuals	September Review	December Review	March Review	Revenue	Capital Grants Contributions	Capital Contributions	Restricted Reserves	Total Funding
Grand Total												
Capital Expenses												
Weidmann Cottage	\$500,000	\$0	\$500,000	\$0	\$500,000	\$500,000	\$500,000	\$0			\$500,000	\$500,000
Innovation Hub	\$500,000	\$0	\$500,000	\$0	\$500,000	\$500,000	\$500,000	\$0	\$0	\$0	\$500,000	\$900,000
Upper Hunter Innovation Precinct Stage 2	\$153,000	\$1,889,435	\$2,042,435	\$49,801	\$2,042,435	\$2,042,435	\$2,042,435	\$0	\$1,452,875	\$0	\$589,560	\$2,042,435
Renewal of Existing Assets/New Acquisitions	\$372,047	\$0	\$372,047	\$333,722	\$372,047	\$372,047	\$372,047	\$372,047	\$0	\$0	\$0	\$372,047
Total Capital Expenses	\$1,925,047	\$1,889,435	\$3,814,482	\$383,523	\$3,814,482	\$3,814,482	\$3,814,482	\$372,047	\$1,452,875	\$0	\$1,989,560	\$3,814,482

Grand Totals	53,550	8,041	14,790	46,801
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Reserve Commentary

Comment

1	Funding the Following projects	
1a	Funding the Following Operational projects	
	Drought Relief (as per Cnl Resolution)	30
		30
2	Unexpended Loans	
3	Transfer of Section 94 Funds Received to Date	
4	Funding the Following Projects (Sec 94)	
	Resources for Regions Round 5 - Roads	500
	QE11 Landscape - Open Space	43
	Denman Destination Infrastructure-Concept Design - Tourism	19
	Denman Childrens Centre Extension (Contribution) - Social Infrastructure	150
	Lot 70 Wollombi Road - Social Infrastructure.	92
		804
4a	Funding the Following Projects	0
		0
5	Receipt of VPA funds	
	Mt Arthur VPA	577
	Bengalla VPA	459
	Mangoola VPA	383
	Liddell VPA	0
	Mt Pleasant VPA	580
	Ridgeland	1,580
		3,579
5a	Funding the Following Projects (operational).	
	Liddell VPA - Tailings to Topsoil Project	100
		100
6	Funding Denman Rec Area	0
		0
7	Funding the Following projects	
	Contribution - Racecourse Extension	400
	CBD Project (Denman)	1150
	Denman Childrens Centre Extension (Contribution)	470
	Sandy Hollow Master Plan of Honey Lane Block (Contribution)	10
	Animal Shelter	760
	Upper Hunter Performance Centre Investigation & Design	934
	Aquatic Centre	1000
	Denman Hall	932
	Investigation & Design - Denman Tourist Park & Thermal Baths	100
	Weidmann Cottage	500
	Innovation Hub	900
	Resources for Regions Round 5	350
	Design & Construction of Denman Street Scape Works	80
	Safety Audit Ridgeland Road	60
	Olympic Park Carpark and Masterplan	298
	Upper Hunter Innovation Precinct Stage 2	590
		8534

8	Receipted of Funds - Section 64 Contributions in Water Fund	
8a	Receipted of Funds - Section 64 Contributions in Sewer Fund	
8b	Section 64 - Transfer of Sewer Reserves Recycle Water Treatment Works	6221
9	Funding the Following Projects Local Priority Grant	1
9a	Transfer of Funds - Unexpended Grants	0
10	Funds Water Capital Works Programme	5970
10a	Transfer of Water Reserves Programme	145
11	Funds Sewer Capital Works Programme	
11a	Transfer of Sewer Reserves	58
13	Funds Plant and Vehicle Purchase programme Waste Depot Large Plant	170
14	Infrastructure Replacement Investigation & Design Development Denman Main Street Stage 2	133 35 168
16	Funding the Following Projects Music Training Project	30
18	Funding the following works Denman Memorial Hall	3
19a	Funds the following works Special Rate Variation - Community Consultation	60
20	Allocates the following amounts Depreciation IT Loan Fibre Optic	337 500 6 837
21	Funding the following projects Waste Depot Large Plant Denman Memorial Hall Authority Advancement Plan. Victoria Park/Cemetery Upgrade. Review of Office Space (Council Relocation)	510 605 20 69 250 1454
25a	Funding the Following Projects Victoria Park/Cemetery Upgrade Works. Upper Hunter Performance Centre - Investingation & Design	349 6 355

25b	Funding the Following Projects	
	Golf Club Contribution	300
27	Funding the Following Projects	
	Landfill Lids repair	30
27b	Capital Carryovers (16/17) funded including	
	Aboriginal Heritage Display	13
	Investment Property Upgrade/Acquisition	143
	Large Plant Items	28
		<u>184</u>
28c	Operational Carryovers (17/18) funded including	
	Job Creation	1
	Staff Appreciation	1
		<u>2</u>
29a	Funding the Following Projects	
	SRV Projects - Wilkinson Bridge	900
	SRV Projects - Upper Hunter Performance Centre - I&D	825
		<u>1725</u>
30a	Receipts of Funds	
	SRV Fundings	1725
32	Funding the Following Projects	
	Resources for Regions - Round 5	438
32a	Receipts of Funds	
	Mine Affected Roads	438
35a	Funding the Following Projects	
	Renewal Energy Target Works	135
36	Transfer of Funds - Environmental	
	Major Landcare Projects	256
36a	Funding the Following Projects	
	Transferred from Mangoola WULMS	453
40	Transfer of Unexpended Grants - Operational	
	Better Waste and Recycling	-63
	Little Prevention	-4
	Screen Development	12
	Back to Business	7
	Collaborative	62
	Aboriginal Liaison	6
	Early Childhood development	5
	Aged Friendly Communities	6
	Illegal Dumping - Deny Dumpers.	11
		<u>42</u>
41	Transfer of Funds - Mangoola WULMS	453

48	Funding the Following Projects	
	Art Acquisitions (Art Prize)	28
52	Funding the following project	
	Finance - Expenses.	68
53	Receipt of Funds	
	Thomas Mitchell Drive Contribution	912
54	Funding the following projects	
	Art Acquisitions (Art Prize)	13
55	Funding the following projects	
	Denman Memorial Hall	18
57	Funding the following projects	
	Information Technology Strategy	241
58	Sustainability Reserve	
	Major Land Care Projects	50
	Renewable Energy	182
		<hr/> 232
59	Capital Carryovers (17/18) funded including	
	Large Plant Items	585
	Transport Vehicles	89
	Library Books	13
	Adminisatation Building Redesign	11
	Aquatic Centres	2
	Information Technology Strategy	500
	Highbook Park Playground	79
		<hr/> 1279
60	Funding the following projects	
	Resources for Regions Round 5 - Roads	67

Details of Current Council Loan Balances, Purpose and Repayment Date

Loan Number	Original Amount	Purpose	Interest Rate	Balance at 30/06/2018	2018/19 Repayments	Year of Final Payment
21	\$1,100,000	Water - South Muswellbrook Reservoir	6.03%	\$406,724	\$96,449	2022/23
22	\$300,000	Water - Sandy Hollow Augmentation	6.09%	\$111,373	\$26,403	2022/23
23	\$3,200,000	Water - South Muswellbrook Reservoir	6.61%	\$1,421,025	\$293,846	2023/24
24	\$1,300,000	Sewer - Mains and Pump Stations	6.50%	\$721,595	\$118,396	2025/26
26	\$460,000	Kirk/Peberdy Bridges	6.81%	\$1,437,680	\$149,863	2024/25
27	\$1,560,000	Local Infrastructure Fund	0.00%	\$312,000	\$156,000	2018/19
Internal	\$1,750,000	Widden Bridge	6.00%	\$1,863,586	\$405,310	2034/35
28	\$1,680,000	Smiths Bridge	4.28%	\$1,412,294	\$114,825	2035/36
29	\$3,000,000	Roads Infrastructure Backlog	5.90%	\$0	\$0	2023/24
30 - ANZ	\$1,800,000	Future Fund - Sam Adams College	3.06%	\$1,524,754	\$580,247	
32	\$3,300,000	Future Fund - Brook St Mail, TEC, Staff Housing	1.77%	\$3,300,000	*	
35	\$5,256,000	Future Fund - Seven Hills, Campbell's Corner	3.15%	\$13,500,000	*	
36	\$8,244,000					LIFS interest rate subsidy applies
CBA	\$15,000,000	Future Fund - Muswellbrook Marketplace	3.06%	\$14,582,608	\$1,010,125	Ongoing
ANZ	\$5,000,000	Future Fund - Muswellbrook Marketplace	3.43%	\$4,371,831	\$1,000,000	2022/23
ANZ	\$15,000,000	Future Fund - Muswellbrook Marketplace	3.06%	\$12,892,680	\$1,394,516	Ongoing
New Sewer Loan	\$7,000,000	Sewer - Sewer Treatment Plant - \$7,000,000	4.90%	\$0	\$486,724	Ongoing
		Sewer - Sewer Treatment Plant - \$10,000,000	4.50%	\$9,816,380	\$759,357	Ongoing
		TOTAL		\$67,674,530	\$6,592,081	

* These loans are interest only and no principle repayments are planned, however, the interest servicing repayments are set up in such a way that allows for some minor repayments to occur.



**2018/19 Consolidated Budget
December 2018 Budget Review
Attachments**

December 2018 Budget Review Attachments - 2018/19

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MUSWELLBROOK SHIRE COUNCIL

Budget review for the Quarter Ended 31 December 2018

INCOME AND EXPENSES BY TYPE

INCOME	Original Budget	Carry Over	2018/19 Total Budget	Sept Review Changes	Dec Review Changes	Revised Budget	Actual YTD
Rates and Annual Charges	-25,070,519	0	-25,070,519	571,222	0	-24,499,297	-24,081,712
User Charges and Fees	-17,842,869	0	-17,842,869	-22,850	-126,207	-17,991,926	-7,938,234
Interest and Investment Revenue	-973,813	0	-973,813	0		-973,813	-694,569
Other Revenues	-2,682,778	0	-2,682,778	-30,000	80,281	-2,632,497	-1,168,684
Grants and Contributions	-5,816,064	-31,401	-5,847,465	-192,689	-37,422	-6,077,576	-2,379,150
Internal Revenue	-4,252,323	-487,566	-4,739,889	-567,383	-30,000	-5,337,272	-1,511,778
Total Income from Continuing Operations	-56,638,366	-518,967	-57,157,333	-241,700	-113,348	-57,512,381	-37,774,127
EXPENSES							
Employee Costs	14,001,340	0	14,001,340	-87,479	107,138	14,020,999	8,024,653
Materials and Contracts	15,942,555	512,541	16,455,096	267,277	-411,328	16,311,045	6,869,458
Other Expenses	3,999,726	6,426	4,006,152	292,726	557,367	4,856,245	3,063,046
Borrowing Costs	3,013,783	0	3,013,783	0	0	3,013,783	1,475,873
Overheads	4,277,499	0	4,277,499	0	0	4,277,499	1,512,244
Depreciation	11,426,804	0	11,426,804	0	930,141	12,356,945	6,186,556
Total Expenses from Continuing Operations	52,661,707	518,967	53,180,674	472,524	1,183,318	54,836,516	27,131,830
Net Operating Result from Continuing Operations	-3,976,659	0	-3,976,659	230,824	1,069,970	-2,675,865	-10,642,297

MUSWELLBROOK SHIRE COUNCIL
Budget review for the Quarter Ended 31 December 2018

INCOME AND EXPENSES BY BUSINESS UNIT

INCOME	Original Budget	Carry Over	2018/19 Total Budget	Sept Review Changes	Dec Review Changes	Revised Budget	Actual YTD
Fleet Operations	-2,445,174	0	-2,445,174	0	113,851	-2,331,323	-993,051
Recreation	0	0	0	0	0	0	0
Roads and Drainage - Works	-3,405,955	0	-3,405,955	0	-21,500	-3,427,455	-1,085,950
Technical Services	0	0	0	0	0	0	-44,296
Domestic Waste	-2,625,199	0	-2,625,199	0	0	-2,625,199	-2,557,483
Waste Management	-5,260,689	-31,401	-5,292,090	-71,084	-35,170	-5,398,344	-2,529,097
Aquatic Centres	-697,639	0	-697,639	0	-5,581	-703,220	-341,541
Community Services	-164,953	0	-164,953	-50,000	-750	-215,703	-91,932
Human Resources and Safety	0	0	0	0	0	0	0
Property and Building Services	-231,900	0	-231,900	-22,850	-40,500	-295,250	-194,537
Financial Services	-22,379,122	-487,566	-22,866,688	-26,161	-121,000	-23,013,849	-18,274,178
Cultural	-27,234	0	-27,234	0	-7,700	-34,934	-7,048
Libraries	-181,811	0	-181,811	0	-2,325	-184,136	-74,322
Information Services	0	0	0	0	0	0	0
Customer Service and Administration	0	0	0	0	0	0	0
Corporate Services Management	0	0	0	0	-4,581	-4,581	-4,581
Integrated Planning	-73,440	0	-73,440	0	0	-73,440	-46,151
Executive Services	0	0	0	0	0	0	0
Economic Development and Innovation	-548,200	0	-548,200	-43,000	3,928	-587,272	-55,995
Emergency Services	-198,900	0	-198,900	0	5,900	-193,000	-193,000
Environmental Planning	-544,441	0	-544,441	0	-30,000	-574,441	-246,325
Sustainability	-604,930	0	-604,930	-28,605	0	-633,535	-288,239
Regulatory Services	-95,880	0	-95,880	0	0	-95,880	-46,848
Water	-5,860,145	0	-5,860,145	0	0	-5,860,145	-3,099,331
Sewer	-4,891,336	0	-4,891,336	0	0	-4,891,336	-4,169,860
Education Division	-547,685	0	-547,685	0	-60,273	-607,958	-291,061
Commercial Division	-5,853,733	0	-5,853,733	0	92,353	-5,761,380	-3,139,301
Total Income from Continuing Operations	-56,638,366	-518,967	-57,157,333	-241,700	-113,348	-57,512,381	-37,774,127

MUSWELLBROOK SHIRE COUNCIL

Budget review for the Quarter Ended 31 December 2018

INCOME AND EXPENSES BY BUSINESS UNIT

EXPENSES	Original Budget	Carry Over	2018/19 Total Budget	Sept Review Changes	Dec Review Changes	Revised Budget	Actual YTD
Fleet Operations	2,445,174	0	2,445,174	0	-113,851	2,331,325	1,257,548
Recreation	1,483,370	0	1,483,370	-76,000	-6,895	1,400,475	739,647
Roads and Drainage - Works	10,331,928	0	10,331,928	-415,564	173,920	10,090,284	5,089,646
Technical Services	739,696	49,855	789,551	99,428	-40,824	848,155	495,154
Domestic Waste	2,625,199	0	2,625,199	0	0	2,625,199	1,061,146
Waste Management	4,489,226	229,114	4,718,340	19,255	-18,524	4,719,071	1,692,198
Aquatic Centres	1,225,537	0	1,225,537	0	48,977	1,274,514	727,253
Community Services	470,050	50,000	520,050	128,459	1,379	649,888	296,366
Human Resources and Safety	467,139	0	467,139	0	-13,189	453,950	193,643
Property and Building Services	2,144,725	0	2,144,725	22,850	578,614	2,746,189	1,532,751
Financial Services	1,402,523	0	1,402,523	-118,339	-53,103	1,231,081	733,705
Cultural	334,415	0	334,415	0	-6,366	328,049	144,151
Libraries	843,605	0	843,605	0	-7,890	835,915	446,694
Information Services	873,682	0	873,682	0	50,017	923,699	475,850
Customer Service and Administration	801,278	0	801,278	0	26,880	828,158	369,972
Corporate Services Management	1,158,942	0	1,158,942	304,998	353,544	1,817,484	1,182,345
Integrated Planning	629,131	0	629,131	165,881	-4,725	790,287	498,918
Economic Development and Innovation	869,129	68,268	937,397	408,755	-185,465	1,160,687	524,046
Executive Services	806,500	6,426	812,926	158,817	-44,822	926,921	504,196
Emergency Services	855,422	0	855,422	0	45,181	900,603	421,126
Environmental Planning	1,096,425	100,000	1,196,425	-110,092	-32,785	1,053,548	540,544
Sustainability	606,746	15,304	622,050	-97,386	20,595	545,259	324,971
Regulatory Services	343,856	0	343,856	0	-32,017	311,839	197,625
Water	5,937,930	0	5,937,930	39,728	-18,165	5,959,493	2,971,670
Sewer	4,983,149	0	4,983,149	-58,246	-25,496	4,899,407	2,277,665
Education Division	839,742	0	839,742	0	580,480	1,420,222	728,717
Commercial Division	3,857,188	0	3,857,188	0	-92,353	3,764,834	1,704,283
Total Expenses from Continuing Operations	52,661,707	518,967	53,180,674	472,524	1,183,317	54,836,516	27,131,830
Net Operating Result from Continuing Operations	-3,976,659	0	-3,976,659	230,824	1,069,969	-2,675,865	-10,642,297

MUSWELLBROOK SHIRE COUNCIL

Budget review for the Quarter Ended 31 December 2018

CAPITAL BUDGET

CAPITAL FUNDING	Original Budget	Carry Overs	2018/19 Budget	Sept Review Changes	Dec Review Changes	Revised Budget	Actual YTD
Revenues	-20,147,327	0	-20,147,327	389,831	-3,676	-19,761,172	-16,121,350
Capital Grants and Contributions	-5,983,644	-3,259,770	-9,243,414	-4,853,098	-722,519	-14,819,031	-2,884,071
External Restrictions	-12,675,486	-8,241,419	-20,916,905	-1,095,436	0	-22,012,341	0
Internal Restrictions	-2,116,000	-1,954,000	-4,070,000	-1,357,237	-1,105,276	-6,532,513	0
Loans	-5,000,000	0	-5,000,000	-2,000,000	0	-7,000,000	-7,000,000
Asset Sales	-70,000	0	-70,000	-100,000	0	-170,000	-104,220
Total Capital Funding	-45,992,457	-13,455,189	-59,447,646	-9,015,940	-1,831,471	-70,295,057	-26,109,641
CAPITAL EXPENDITURE	Original Budget	Carry Overs	2018/19 Budget	Sept Review Changes	Dec Review Changes	Revised Budget	Actual YTD
New Assets	809,750	0	809,750	0	0	809,750	27,457
- Plant	14,180,842	11,345,323	25,526,165	2,338,148	3,628,867	31,493,180	8,287,104
- Infrastructure	7,725,644	211,915	7,937,559	693,514	174,446	8,805,519	914,919
Renewals	2,453,140	701,675	3,154,815	780,000	0	3,934,815	640,538
- Plant	8,406,447	1,196,276	9,602,723	2,501,132	-2,295,929	9,807,926	2,214,529
- Infrastructure	4,375,690	0	4,375,690	0	0	4,375,690	1,137,781
Loan Repayments	8,040,944	0	8,040,944	2,959,824	232,087	11,232,855	0
Transfer to Reserves							
Total Capital Expenditure	45,992,457	13,455,189	59,447,646	9,272,618	1,739,471	70,459,735	13,222,328
Capital Result	0	0	0	256,678	-92,000	164,678	-12,887,313


MUSWELLBROOK SHIRE COUNCIL
Budget review for the Quarter Ended 31 December 2018
CASH AND INVESTMENTS BUDGET REVIEW STATEMENT

	December Review			
	Opening Balance	Transfer to	Transfer From	Closing Balance
Unrestricted	804		30	774
Externally Restricted				
Unexpended Loans	0	0	0	0
Section 94	1,795	0	804	991
Section 64 (Water)	6,981	405	0	7,386
Section 64 (Sewer)	6,145	2,449	6,221	2,373
VPA's	7,471	3,579	9,116	1,934
Unexpended Grants (G)	1,371	0	43	1,328
Unexpended Grants (W)	0	0	0	0
Unexpended Grants (S)	0	0	0	0
Water	8,911	145	5,970	3,086
Sewer	282	58	0	340
Domestic Waste	237	0	0	237
Total	33,997	6,636	22,184	18,449
Internally Restricted				
Plant and Vehicle	820		170	650
Infrastructure Replacement	592		167	425
Mine Affected Roads	426	438	438	426
Road Reserve	0	912		912
Employee Leave Entitlement	979			979
Deposits Retentions and Bonds	2,662			2,662
Carpark Replacement	113			113
Road Works Contingency	525			525
Land Bank Development	3		3	0
Building Replacement	180		135	45
Future Fund	42			42
Art Gallery	28		28	0
Culture	46			46
Drainage Reserve	143			143
Administrative	60		60	0
Mangoola Contingency	319			319
Finance	68		68	0
Information Technology Strategy	241		241	0
Environmental	365	453	256	562
Waste Management Centre	6,030	837	1,484	5,383
Financial Assistance Grant	1,719			1,719
Stormwater	594			594
Aquatic Centres Improvement	0			0
Carryover Works 17/18 Operational	72		2	70
Carryover Works 17/18 Capital	1,279		1,279	0
Carryover Works 16/17 Operational	0			0
Carryover Works 16/17 Capital	184		184	0
Carryover Works 15/16 Operational	0			0
Carryover Works 15/16 Capital	0			0
Mbk Aquatic Centre-Water Activity P	0			0
Builders Rubble	61			61
Building Capacity	25			25
Road Pavement Consumption Charg	29			29
Recreation	655		655	0
Road Closure	72			72
Denman Hall Insurance Claim	934			934
SRV Reserve	0	1,725	1,725	0
Strategic Town Planning	0			0
Heritage Reserve	18		18	0
Waste Levy Aggregate (R&D)	128		67	61
Corporate Reserve	16		13	3
Infrastructure Works - Muswellbrook	125			125
Sustainability	0	232		232
Total	19,553	4,597	6,993	17,157
Grand Totals	53,550	11,233	29,177	35,606

I hereby state that all restricted funds have been invested in accordance with Council's investment policies and in accordance with Division of Local Government guidelines.
The Cash at Bank was last reconciled at 31st December 2018.

Natalia Cowley
Responsible Accounting Officer

PART A – CONTRACT LISTING



muswellbrook


shire council

Contract Listing

Budget review for the quarter ended – 31 December 2018

Contractors Name	ABN Number	Purpose of the Contract	Approximate value of the contract	Duration of Contract	Start Date	End Date	Was the Contract budgeted for	Are there Renegotiation provisions	Method of tendering Selection Criteria (if applicable)	Related Companies involved with the Contract
Monteath & Powys Pty Ltd	94000861110	Provision of Surveying Services (Contracts 2018-2019-0343)	Schedule of rates contract which the value depends on the extent of works proposed	12 Months	October 2018	October 2019	Yes		1. Price 2. Experience and Capability 3. Timeframe for completion (availability) 4. Proposed Personnel 5. Quality Assurance System 6. WHS System 7. Local Content	

PART B – CONSULTANCY AND LEGAL EXPENSES

 muswellbrook shire council		
Consultancy and Legal Expenses Budget Review for the quarter ended – 31 December 2018		
	Expenditure YTD	Budgeted for (Y/N)
Consultancy	\$199,611	Yes
Legal Expenses	\$701,864	Yes

Business Unit		Activity	September Budget Review	Proposed December Review	Change	December - 2018 Budget Review Proposed Changes		September Budget Review	Proposed December Review	Change	Comment
General Fund Operating Budget						General Fund Operating Budget					
Revenue						Expenditure					
Fleet Operations		Plant Recovery Costs	-2,445,174	-2,331,323	113,851	Fleet Operations	Depreciation Expenses	960,000	820,770	-139,230	Adjustment to yearly depreciation expenses.
							Staff Training	0	6,000	6,000	Staff Development.
							Stores Unaccounted	0	5,039	5,039	As per resolution of Corporalia Policy and Planning Committee 28 November 2018.
							Operator Maintenance - Plant Hire	2,049	6,040	4,000	Match current trend.
		Minor changes under \$10,000	0				Plant Work - Materials and Contracts	2,049	6,040	4,000	Match current trend.
		Minor changes under \$10,000			113,851		Minor changes under \$10,000			-113,851	
Recreation						Recreation					
		Minor changes under \$10,000	0		0		Minor changes under \$10,000			-6,895	
					0					-6,895	
Roads and Drainage - Works						Roads and Drainage - Works					
		Overseas/Over Mass Vehicle permits	-30,500	-36,600	-6,100		Rural Roads - Materials and Contracts	492,075	745,639	253,564	Reversal of Materials and Contracts adjustment in the September Budget Review.
		RTA Excess Grant	-106,000	-180,000	-74,000		Depreciation Expenses	5,380,500	5,338,892	-41,608	Adjustment of yearly depreciation expenses.
							Overseas/Over Mass Vehicle permits - Visages and Salaries.	0	5,000	5,000	10 a/c for 10 VAS Staff to supervise overseas vehicles.
							Individual Project work order SH27 Project costs	480,000	448,014	-31,986	Materials and contracts adjustment in the September Budget Review.
							RTA Road Maintenance Council Contract	230,000	224,307	-5,693	Materials and contracts adjustment in the September Budget Review.
							Rural Roads Project costs M&C	762,011	745,639	-16,372	Materials and contracts adjustment in the September Budget Review.
							Stormwater Management-CDS Units clearing M&C	66,700	64,177	-2,523	Materials and contracts adjustment in the September Budget Review.
							Street & gutter cleaning	227,010	220,317	-6,693	Materials and contracts adjustment in the September Budget Review.
		Minor changes under \$10,000	-3,600		-3,600		Urban Roads project costs Maintenance Plant Hire M&C	179,978	174,595	-5,383	Materials and contracts adjustment in the September Budget Review.
			-20,500		-20,500		Minor changes under \$10,000	7,710		-7,710	
										172,920	
Technical Services						Technical Services					
		Minor changes under \$10,000	0		0		Contract Engineer Development	35,651	0	-35,651	Savings reallocated to other areas.
					0		Minor changes under \$10,000			-5,172	
					0					-40,823	
Waste Management Facility						Waste Management Facility					
		Lease of Land	0	-15,000	-15,000		Consultants	29,655	44,865	15,000	To match actuals to date.
		Upper Hunter Shire Council - Fees and Charges	-468,000	-423,750	-16,750		Depreciation Expenses	78,842	94,862	16,000	Increase due to current trend.
							Overseas/Over Mass Vehicle permits - Visages and Salaries.	16,000	16,040	40	Adjustment of yearly depreciation due to Building evaluation.
							Muswellbrook Waste Facility Leasehold Monitoring M&C	1,945,100	1,848,570	-96,530	Materials and contracts adjustment in the September Budget Review.
							Muswellbrook Waste Facility DECC Levy M&C	9,913	9,913	0	Materials and contracts adjustment in the September Budget Review.
							Muswellbrook Waste Facility E-Waste M&C	4,080	3,961	-119	Materials and contracts adjustment in the September Budget Review.
							Muswellbrook Waste Facility Refuse Removal M&C	30,600	29,710	-890	Materials and contracts adjustment in the September Budget Review.
							Muswellbrook Waste Facility Concrete Crushing M&C	30,600	29,710	-890	Materials and contracts adjustment in the September Budget Review.
							Muswellbrook Waste Facility Timber processing M&C	129,250	126,469	-2,781	Materials and contracts adjustment in the September Budget Review.
							Vod Management M&C	310,979	304,979	-6,000	Materials and contracts adjustment in the September Budget Review.
							Muswellbrook Waste Facility	1,500	4,000	2,500	As per Council Resolution 11 December 2018.
							Muswellbrook Waste Facility EPA Licencing	0	30,000	30,000	As per Council Resolution 11 December 2018.
		Minor changes under \$10,000	-4,420		-4,420		Landfill Ltd Maintenance	0	9,484	9,484	
			-35,179		-35,179		Minor changes under \$10,000			-18,423	
Aquatic Centres						Aquatic Centres					
		Minor changes under \$10,000	-5,581		-5,581		Depreciation Expenses	157,647	216,527	58,880	Adjustment of yearly depreciation due to Building evaluation.
							Minor changes under \$10,000			-58,880	
										48,977	
Community Services						Community Services					
		Minor changes under \$10,000	-750		-750		Minor changes under \$10,000			1,370	
										1,370	
Human Resources						Human Resources					
		Minor changes under \$10,000	0		0		Corporate Training - Materials and Contracts	44,567	29,567	-15,000	Savings reallocated to other areas.
							Consultants - Materials and Contracts	9,903	-4,903	-14,806	Savings reallocated to other areas.
							Minor changes under \$10,000			6,512	
					0					-13,188	
Property and Building Services						Property and Building Services					
		Motor Vehicle Contribution	0	-2,000	-2,000		Depreciation Expenses	676,765	1,239,452	562,687	Adjustment of yearly depreciation due to Building evaluation.
		Crown Lands Management - Grant	0	-30,000	-30,000						Match current actuals.
							Crown Lands Management - Materials and Contracts	0	30,000	30,000	Match Grant funding received.
							Digital Operating Costs Project costs M&C	81200	94919	13,719	Materials and contracts adjustment in the September Budget Review.
							Leasehold Monitoring M&C	1,500	1,500	0	Materials and contracts adjustment in the September Budget Review.
							Leasehold Monitoring M&C	1,500	1,500	0	Materials and contracts adjustment in the September Budget Review.
							M&C Cemetery Property & Buildings Maintenance M&C	16300	14865	-1435	Materials and contracts adjustment in the September Budget Review.
							M&C Cemetery Property & Buildings Maintenance M&C	16300	14865	-1435	Materials and contracts adjustment in the September Budget Review.
							M&C Indoor Sports Centre-Maintenance M&C	3111	3020	-91	Materials and contracts adjustment in the September Budget Review.
							M&C Indoor Sports Centre-Committee Operating Expenses	14280	13864	-416	Materials and contracts adjustment in the September Budget Review.
							M&C Public Rec Areas Property & Building Maintenance M&C	1630	1485	-145	Materials and contracts adjustment in the September Budget Review.
							M&C Public Rec Areas Property & Building Maintenance M&C	1630	1485	-145	Materials and contracts adjustment in the September Budget Review.
							M&C Sporting Field Property & Buildings M&C	90375	34170	-56205	Materials and contracts adjustment in the September Budget Review.
							Muswellbrook Aquatic Centre	42500	34170	-8330	Materials and contracts adjustment in the September Budget Review.
							Muswellbrook Aquatic Centre	42500	34170	-8330	Materials and contracts adjustment in the September Budget Review.
							Pras Maintenance Sheld-Bine-Collections M&C	86201	84418	-1783	Materials and contracts adjustment in the September Budget Review.
							Pras Maintenance Property & Building Maintenance M&C	61200	5942	-55258	Materials and contracts adjustment in the September Budget Review.
							Pras Maintenance Project costs Maintenance M&C	510	495	-15	Materials and contracts adjustment in the September Budget Review.
							Pras Maintenance Project costs Maintenance M&C	510	495	-15	Materials and contracts adjustment in the September Budget Review.
							Pras Maintenance Project costs Maintenance M&C	20500	19903	-597	Materials and contracts adjustment in the September Budget Review.
							Property & Building Other Employees Overheads staff training	12300	11942	-358	Materials and contracts adjustment in the September Budget Review.
							Property & Building Other Employees Overheads staff training	12300	11942	-358	Materials and contracts adjustment in the September Budget Review.
							Property & Building Other Employees Overheads staff training	12300	11942	-358	Materials and contracts adjustment in the September Budget Review.
							OE11 Project costs Maintenance Plant Hire Internal	61200	5942	-55258	Materials and contracts adjustment in the September Budget Review.
							OE11 Project costs Maintenance M&C	2040	1981	-59	Materials and contracts adjustment in the September Budget Review.
							Times & Bird Control Property & Building Maintenance M&C	16300	14865	-1435	Materials and contracts adjustment in the September Budget Review.
							Animal Shelter - Materials and Contracts	12762.54	12463	-299.54	Materials and contracts adjustment in the September Budget Review.
							Derriman Parks and Playgrounds - Materials and Contracts	4951.59	7952	3,000	Materials and contracts adjustment in the September Budget Review.
							Derriman Parks and Playgrounds - Materials and Contracts	4951.59	7952	3,000	Materials and contracts adjustment in the September Budget Review.
							M&C Public Conveniences Project costs M&C	33175.05	27176	-6,000	Materials and contracts adjustment in the September Budget Review.
							Property & Building Mobile calls	1000	0	-1,000	Reallocated to IT Business Unit.
							Community Buildings Telephone calls	4951.59	0	-4951.59	Reallocated to IT Business Unit.
		Minor changes under \$10,000	-8,520		-8,520		Minor changes under \$10,000			-507	
					-40,500					578,614	

Business Unit	Activity	Business Unit	Activity	September Budget Review	Proposed December Review	Change	Comment
Financial Services		Financial Services					
	Interest & Investment Revenues						
	Legal Costs			-35,700	-126,700	-91,000	
	Waste Revenue			0	-30,000	-30,000	Increase to match current actuals.
Reserves							
	Minor changes under \$10,000						-51,000 Savings reallocated to other areas. As per Council Resolution 11 December 2018 (Landfill Lot Maintenance).
Revenue							
	Minor changes under \$10,000						-975
							-53,903
Revenue Cultural		Expenditure Cultural					
	Art Prize Entry Fee			-11,300	-19,000	-7,700	
	Minor changes under \$10,000						Increase due to current actuals.
	Minor changes under \$10,000						-6,366
Libraries		Libraries					
	Minor changes under \$10,000						-572 Adjustment to yearly depreciation expenses.
Revenue Information Services		Expenditure Information Services					
	Minor changes under \$10,000						-5,610 Reallocated to IT Business Unit. -2,550 Reallocated to IT Business Unit.
Business Unit	Activity	Business Unit	Activity	September Budget Review	Proposed December Review	Change	
Revenue							

Business Unit	Activity	Business Unit	Activity	September Budget Review	Proposed December Review	Change	Comment
Executive Services		Executive Services					
			Executive Services - Wages and Salaries	563,190	488,190	-75,000	Reallocate to Consultants due to staff vacancies.
			Consultants - Materials and Contracts	277,827	1,000	-276,827	Reallocate to Consultants due to staff vacancies.
			Economic Research Program	42,824	-4,500	-38,324	Allocated from various Business Units.
	Minor changes under \$10,000					-6,569	
						-44,822	
Sustainability		Sustainability					
			Vehicle Expenses - Materials and Contracts	2,552	19,582	17,030	Vehicle Expenses.
			Sustainability - Wages and Salaries	277,827	268,827	-9,000	Allocate to Consultants due to staff vacancies.
			Consultants - Materials and Contracts	35,000	46,000	11,000	Reallocate to Wages and Salaries due to staff vacancies.
	Minor changes under \$10,000					3,564	
						29,584	
Emergency Services		Emergency Services					
			Depreciation Expenses	234,725	285,808	51,081	Adjustment to yearly depreciation expenses due to building evaluation.
	Minor changes under \$10,000					-5,800	
						45,181	
Environmental Planning		Environmental Planning					
			Environmental Services - Wages and Salaries	121,606	81,606	-40,000	Allocation to Consultants due to staff vacancies.
			Consultants - Materials and Contracts	69,903	109,903	40,000	Allocation from Wages and Salaries due to staff vacancies.
			Town Planning Administration Operating Charge plant M&C	56250	52872	-3,378	Materials and contracts adjustment in the September Budget Review.
	Development Applications Section 149 Certificates		Planning - Legals	36600	10600	-26,000	Allocated from various Business Units.
	Minor changes under \$10,000						Increase to match current trends
Regulatory Services		Regulatory Services					
			Minor changes under \$10,000			-8,466	Increase to match current trends
						-32,784	
	Minor changes under \$10,000						
General Fund Operating Budget Result		General Fund Operating Budget Result					
			Proportional Activities	39,807	9,807	-30,000	Allocated from various Business Units.
	Minor changes under \$10,000					-2,017	
						-32,017	
September Budget General Fund Operating Result Before Capital Accounts		September Budget General Fund Operating Result Before Capital Accounts					
			Wages and Salaries	44,608			
			Materials and Contracts	10,000			
			Assets and Building Depreciation	55,890			
			Property and Building Depreciation	562,697			
Net Changes in Revenue		Net Changes in Revenue					
			Library Depreciation	-672			
			Corporate Services Depreciation	-52,894			
			Emergency Services Depreciation	51,081			
					550,424		
Net Result		Net Result					
			Legals Expenses	491,000			
			Remuneration of Legal Fees	-91,000			
			Corporate Services Income Increase	-1,398			
			Library - Electricity	8,000			
December Budget Review Operating Result Before Capital Accounts		December Budget Review Operating Result Before Capital Accounts					
			A4 Prize Entry Fees	-7,700			
			Proportional Activities - Rangers	-30,000			
			Enviro Planning - Revenue Savings	-20,000			
			GSO Wages (Masterex Adjustment)	28,350			
Net Changes in Expenditure		Net Changes in Expenditure					
			Green Workers Wages (Masterex Adjustment)	3,672			
			Finance (Masterex Adjustment)	8,446			
			IT Wages (Masterex Adjustment)	11,975			
			Sustainability Wages (Masterex Adjustment)	9,259			
Net Result		Net Result					
			Ranger Wages (Masterex Adjustment)	3,718			
			Parts Wages (Masterex Adjustment)	7,721			
			R&D Wages	849			
			Directors Wages	49,000			
Net Result		Net Result					
			Environmental Services - Blue Healer Expansion Grant 17/18	25,000			
			Corporate Services Development - Tech Services	-36,601			
			Job Creation	-150,000			
			Planning, Legals	-20,000			
Net Result		Net Result					
			149 Certificates	-10,000			
			Operating Contingency	-51,000			
			Economic Research	-38,324			
			Corporate Training	-16,000			
Net Result		Net Result					
			Grants and Contributions	6,000			
			Waste Budget - Fees (UH Shire Council)	-15,760			
					0		

Business Unit	Activity	September Budget Review	Proposed December Review	Change	Comment
Water Fund					
Operating Budget					
Revenue					
	Depreciation Expenses	1,767,150	1,748,985	-18,165	Adjustment of yearly depreciation expenses.
	Water Meters - Wages and Salaries	20,000	20,000	0	Reallocation from Consultants
	Water Meters - Materials and Contracts	20,000	20,000	0	Reallocation from Consultants
	Water Meters - Depreciation	50,000	50,000	0	Reallocation to Water Meter Expenses.
	Minor changes under \$10,000	0	0	0	
				-18,165	
Water Fund Operating Budget Result					
September Budget Review Water Fund Operating Result Before Capital Amounts				117,513	
December Budget Review Operating Result Before Capital Amounts				99,348	
Net Result				18,165	
Sewer Fund					
Operating Budget					
Revenue					
	Depreciation Expenses	1,419,000	1,393,504	-25,496	Adjustment of yearly depreciation expenses.
	Minor changes under \$10,000	0	0	0	
				-25,496	
Sewer Fund Operating Budget Result					
September Budget Review Sewer Fund Operating Result Before Capital Amounts				33,566	
December Budget Review Operating Result Before Capital Amounts				8,070	
Net Result				25,496	
Commercial Division					
Operating Budget					
Revenue					
	Brook Street Plaza	-157,860	-82,000	75,860	
	Market House	-100,600	-33,240	67,360	
	Market Place	-3,842,913	-3,951,650	-118,737	
	Minor changes under \$10,000	0	0	0	
				92,353	
Commercial Buildings Fund Operating Budget Result					
September Budget Review Commercial Buildings Operating Result Before Capital Amounts				-1,906,545	
December Budget Review Operating Result Before Capital Amounts				-1,906,545	
Net Result				0	
Education Division					
Operating Budget					
Revenue					
	140 Bridge Street - Rental	0	-16,033	-16,033	
	Art Gallery - Rental	-20,760	-5,000	15,760	
	Town Education Campus - Rental and Outgoing	-174,518	-254,518	-80,000	
	Town Education Campus - Materials and Contracts	20,000	45,000	25,000	
	Town Education Campus - Depreciation	12,500	37,040	24,540	
	140 Bridge Street - Depreciation	0	0	0	
	Art Gallery - Depreciation	20,651	53,432	32,781	
	Campbell's Corner - Depreciation	47,667	76,166	28,499	
	Lexon House - Depreciation	36,679	153,500	116,821	
	Sam Adams College - Depreciation	12,000	10,260	-1,740	
	Town Education Campus - Depreciation	87,957	281,068	193,109	
	Minor changes under \$10,000	0	246,278	163,527	
				550,480	
Education Division Fund Operating Budget Result					
September Budget Review Education Division Operating Result Before Capital Amounts				292,057	
December Budget Review Operating Result Before Capital Amounts				812,264	
Net Result				-520,207	

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Business Unit	Activity	September Budget Review	Proposed December Review	Change	Business Unit	Activity	September Budget Review	Proposed December Review	Change	Comment
Business Unit	Activity				Business Unit	Activity				
Sewer Fund Capital Budget					Sewer Fund Capital Budget					
Revenue					Expenditure					
Change in Operating Result:		33,566	8,070	-25,496	Sewer					
Transfer from Reserves					Sewer	Transfers to Reserve				
Depreciation	Station 64				Sewer					Depreciation Adjustment (See Operating Adjustment)
Sewer	Sewer Fund	-1,419,000	-1,393,604	25,396	Sewer					
Sewer				0	Sewer					
Sewer				0	Sewer	Transfer to Reserves				
Sewer	Minor changes under \$10,000			0	Sewer	Minor changes under \$10,000			0	
Sewer Fund Capital Budget Result				0						
September Budget Result after Capital Amounts				0						
Sewer Fund Proposed Changes				0						
December Budget Review Result After Capital Amounts				0						
Future Fund Capital Budget					Future Fund Capital Budget					
Revenue					Expenditure					
Change in Operating Result:		-1,704,486	-1,184,281	520,207	Commercial Buildings					
Transfer from reserves					Transfer to Reserves					
Depreciation	Education Fund				Future Fund					Depreciation Adjustment (See Operating Adjustment)
Future Fund	Minor changes under \$10,000	-305,495	-820,712	-520,207	Future Fund	Minor changes under \$10,000			0	
Future Fund Capital Budget Result				0						
September Budget Result after Capital Amounts				0						
Future Fund Proposed Changes				0						
December Budget Review Result After Capital Amounts				0						
Consolidated Capital Budget Result										
Proposed December Budget Review Changes				164,678						
December Budget Review All Funds Capital Result After Capital Amounts				-164,678						

12.4 DIRECTOR'S REPORT - ENVIRONMENT AND COMMUNITY SERVICES

Attachments:	Nil
Responsible Officer:	Carolyn O'Brien - Acting Director - Environment & Community Services
Author:	Chloe Wuiske - Administration Officer Jade Richardson - Co-Ordinator - Customer Service & Administration Sharon Pope - Assistant Director - Environment & Community Services Kim Manwarring - Co-ordinator - Community Partnerships Michael Brady - Sustainability Officer Tracy Ward - Sustainability Officer
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

To provide an update on activities.

OFFICER'S RECOMMENDATION

The information contained in this report be noted.

Moved: _____ Seconded: _____

REPORT

PLANNING, ENVIRONMENT AND REGULATORY SERVICES

1. Statistical Information

Note: Statistics for Section 10.7 Planning Certificates, Development Applications, Construction Certificates and Complying Development Certificates are distributed separately to Councillors with whole of month data prior to the Council meeting. The statistics are also available on Council's website.

Schedule 1: Development Applications Approved (21 December 2018 to 25 January 2019)

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
2018/92/2	S4.55(1) Modification - Ancillary Development - Retaining Wall	51A King Street Muswellbrook	-
2018/105	Ancillary Development - Shed	11 Forbes Street Muswellbrook	24,464
2018/102	Ancillary Development - Removal of Fencing, Entry Gates and Sign. Construction of New Fencing, Landscaping and Business Identification	9080 New England Highway Muswellbrook	217,250

DA No.	DESCRIPTION	PROPERTY	VALUE (\$)
	Sign		
2018/100	Dwelling House	19 Babbler Crescent Muscle Creek	300,610
2017/95	Concrete Block Retaining Wall and Steel Framed Shed	70-72 Ironbark Road Muswellbrook	145,000

Schedule 2: Development Applications Currently Being Assessed

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2019/7	Ancillary Development - Alfresco Extension	29 Hyde Street Denman	24/01/2019	35,000
2019/6	Commercial Alterations and Additions (Royal Hotel Denman)	10 Ogilvie Street Denman	21/01/2019	10,000
2019/5	Caravan Park Replacement of Amenities	9080 New England Highway Muswellbrook	18/01/2019	1,500,000
2019/4	Ancillary Development - Swimming Pool	22 Turner Street Denman	18/01/2019	1,300
2019/3	Home-based Child Care	11 Wattle Street Muswellbrook	18/01/2019	-
2019/2	The construction of multi dwelling housing comprising a total of twenty-one (21) units, the consolidation of three (3) Lots into one (1) Lot and the carrying out of associated site works, including internal private roads, stormwater drainage, landscaping and tree removal.	17 Bloodwood Road Muswellbrook	14/01/2019	4,013,000
2018/43/2	S4.55(2) Modification - Dwelling House	20a Grey Gum Road Denman	08/01/2019	-
2019/1	Dwelling House	34 Finnegan Crescent Muswellbrook	04/01/2019	388,828
2018/117	Commercial Alterations and Additions (Expansion of Bottle Shop)	36 Sydney Street Muswellbrook	21/12/2018	500,000
2018/116	Dwelling House and Ancillary Development (Garage, Swimming Pool, Tennis Court and Pergola)	Bylong Valley Way Baerami	20/12/2018	800,000
2018/115	Rural Worker's Dwelling	1472 Martindale Road Martindale	18/12/2018	160,332
2018/114	Ancillary Development - Shed	41 Acacia Drive Muswellbrook	17/12/2018	19,280
2015/87/2	S4.55(1A) Modification - Subdivision of One (1) Lot into Nine (9) Lots Modification to carry out the Development in Two (2) Stages	Merriwa Road Sandy Hollow	17/12/2018	-
2018/113	Partial Demolition and Reconstruction of a Dwelling House	47 Anzac Parade Muswellbrook	13/12/2018	125,000
2018/112	Transportable Dwelling House	57 Ford Street Muswellbrook	05/12/2018	195,000

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2018/111	Demolition of MATS Building	3 Wilkinson Avenue Muswellbrook	04/12/2018	30,000
2018/110	Ancillary Development - Patio Cover	101 Ironbark Road Muswellbrook	04/12/2018	22,406
2018/109	New Dwelling	420 Giants Creek Road Sandy Hollow	27/11/2018	90,000
2018/108	Storage Premises (Industrial Plant and Equipment)	9 Enterprise Crescent Muswellbrook	22/11/2018	80,000
2018/107	Storage Premises (Industrial Plant and Equipment)	11 Enterprise Crescent Muswellbrook	22/11/2018	80,000
2018/106	Ancillary Development - Shed	11 Jackaroo Close Muswellbrook	20/11/2018	32,440
2018/101	Resource Management Facility – Biorefinery	24 Carramere Road Muswellbrook	13/11/2018	28,617,649
2018/103	Dwelling house	15 Lou Fisher Place Muswellbrook	12/11/2018	255,000
2018/99	Demolition of a Shed and the Construction of a Centre-Based Child Care Facility Classroom, Storage Shed, Fencing and Signage	Turner Street Denman	23/10/2018	638,000
2018/88	Commercial Alterations and Additions	Bell Street Muswellbrook	26/09/2018	68,162
2018/78	Service Station (Operating Hours - 24 hours, 7 days a week) and Restaurant (Operating Hours - 6:00am to 10:00pm, 7 days a week)	147 Bridge Street Muswellbrook	06/09/2018	2,400,000
2018/76	Installation of New Telecommunications Facility	Hill Street Muswellbrook	14/08/2018	200,000
2018/62	Two (2) Lot Subdivision	Honey Lane Sandy Hollow	23/07/2018	10,000
2018/54	Demolition of a Commercial Building and the Construction of a Two (2) Storey Building for Use as a Tertiary Education Establishment and Food and Drink Premises, Alterations and Additions to the 'Loxton House', Heritage Listed Item, and the Use of Level 1 of this Building as a Tertiary Education Establishment, Alterations and Additions to the Muswellbrook Public Library and Ancillary Works.	140 Bridge Street Muswellbrook	15/06/2018	3,556,300
2003/72/4	S4.55(2) Modification - Alter Hours of Operation of Restaurant Drive-thru (McDonald's)	83-89 Maitland Street Muswellbrook	31/05/2018	-
2018/18	Water Treatment and Recycling Plant ancillary to Existing Winery and Distillery	Hunter Street Muswellbrook	28/02/2018	400,000
2002/342/5	S96(2) Modification - Consolidate Two Consent Documents into One with Modified Conditions Where Applicable	8440 New England Highway Muswellbrook	28/02/2018	-
2017/58/2	S96 (1A) Modification - Modify Condition 8	Jerdan Street Denman	19/02/2018	-

DA No.	DESCRIPTION	PROPERTY	RECEIVED	VALUE (\$)
2017/108	Extension to Existing Commercial Building	4 Lorne Street Muswellbrook	14/12/2017	44,000
2017/60	Change of Use - Building Materials Recycling Depot	7 Glen Munro Road Muswellbrook	23/06/2017	-
2000/212/6	S96(1a) Modification - Extension of timeframe of Operations & Extraction Area, Site Plan, Removal of Conditions	2449 Denman Road Muswellbrook	29/05/2017	-
2016/32	Placement of Fill	110 Merriwa Road Denman	12/04/2016	5,000

4.07.01.1 - On-site sewage management systems meet regulatory standards. Ensure all onsite sewage management systems have necessary approvals and inspections are to be carried out.

On-site Wastewater Statistics - 13 Month Analysis (2017/2018)

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Applications Received (new installation)	0	1	2	2	0	1	1	0	0	0	0	0	3
Applications Approved (new installation)	1	0	0	3	1	1	0	0	0	0	0	0	2
Inspections (new system)	0	0	1	6	1	0	3	0	0	0	0	0	1
Inspections (existing system)	14	13	6	3	1	0	0	0	0	1	0	0	0

24.1.5 Registration and inspection of regulated premises (caravan parks, food outlets, skin penetration premises, hairdressers, mortuaries, air handling systems) in accordance with regulatory requirements to ensure public health and safety is protected.

13 Month Analysis (2017/2018)

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Applications Received (new businesses)	-	-	-	-	-	-	-	-	-	0	0	1	1
Inspections (new businesses)	-	-	-	-	-	-	-	-	-	1	0	2	1
Inspections (existing businesses)	-	-	-	-	-	-	-	-	-	0	7	9	6
Reinspections	-	-	-	-	-	-	-	-	-	0	0	1	0

4.01.01.1 - Reduce the environmental impact of development on our community by undertaking regular inspection of building sites and monitoring waste.

Building Site Compliance Inspection Statistics – 13 Month Analysis (2017/2018)

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Total Sites Inspected	0	3	0	0	3	4	3	2	4	3	7	7	1
Total non-compliant and educated	0	3	0	0	0	1	0	0	2	1	1	1	0
Total compliance after education	0	3	0	0	0	1	1	0	2	1	1	1	0
Total Penalty Notices Issued	0	0	0	0	0	0	0	0	0	0	0	0	0

4.06.01.1 - Increase surveillance and regulation of illegal dumping.

Illegal Dumping Statistics – 13 Month Analysis (2017/2018)

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Total Investigations	3	6	10	4	5	7	6	7	11	3	6	8	11
Total Clean up by Council - insufficient evidence	1	3	4	2	2	5	2	4	6	3	2	7	9
Total Clean Up by individual	2	3	6	2	2	0	1	2	2	0	3	1	0
Total Penalty Notices Issued	0	0	0	0	0	0	0	0	2	0	0	0	0
Court Attendance Notice Issued	0	0	0	0	0	0	0	0	0	0	0	0	0
Still under investigation	0	0	0	0	0	0	0	0	0	0	0	0	0

4.04.04.4 - Enhance public safety and wellbeing of the community by undertaking an inspection program for swimming pools within the Local Government Area

Swimming Pool Compliance Statistics – 13 Month Analysis (2017/2018)

	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Applications for Compliance Certs.	1	0	1	2	6	3	0	1	5	1	1	2	1

Total compliance inspections (not inc. Final Insp. for Occ. Certs)	18	14	7	8	4	5	2	2	9	5	2	3	2
Initial Inspections	14	11	6	7	3	4	2	0	6	1	1	3	1
Re-inspections	4	3	1	1	1	1	0	2	3	4	1	0	1

Compliance Certs / Occ. Certs issued	12	8	6	6	2	2	2	2	4	7	3	3	4
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Total Pools in Council's Swimming Pool Register = 876

Compliance as at 30 June 2017 = 63.7%

Compliance as at 30 June 2018 = 65.7%

Current Compliance = 54%

(i.e. 477 out of 876 pools have a valid Compliance Certificate or Occupation Certificate. Note: Certificate is valid for 3 years)

Percentage of pools inspected during Financial Year 2018/2019 = 1.4%

(i.e. 12 out of 876 pools have had at least one inspection carried out during FY 2018/2019. Council's program outlines that we will inspect 10% of pools per year).

SUSTAINABILITY

Local Government NSW Excellence Awards

At the Local Government NSW Excellence Awards in December, which recognise outstanding achievements by local government in managing and protecting the environment, council's Sustainable Futures Program was the winner of Division A (population to 30,000) and Overall Winner of the Communication, Education and Empowerment Award.

Sustainability and Landcare Grant

Three staff members assessed the applications for both grants on 4 December 2018. The Muswellbrook Chamber of Commerce were invited to be on the selection panel but could not participate.

Sustainability Grants offered up to \$2000 in a pool of funding of \$10 000 Ex GST towards encouraging organisations to undertake sustainable initiatives. All recipients will match the amount they receive from Council with either in kind or cash funding.

- 1) *Warrior Disability Services* – amount requested \$1,525 – Purchasing a Paper Shredder as part of their composting system. They need a good shredder as they collect used office paper from business, shred it and then this is used as a source of Carbon at Council's Sustainability Hub. The resulting compost is used on the Community Garden. Some of this food is then given to Red Door Kitchen as well as garden club members.
- 2) *Double Pic Café* - amount requested \$2,000 - To replace disposable, single use plastic with recyclable, biodegradable coffee cups, lids and food packaging.
- 3) *Inglewood Vineyards* - amount requested \$2,000 - Installing solar panels.
- 4) *Small Forest Pty Ltd* - amount requested \$948 – Install window tinting to reduce electricity consumption through reduced cooling costs.
- 5) *Final Form Regeneration* – amount requested \$1,879.95 – Solar powered rechargeable battery to allow them to use solar powered equipment instead of fuel engines.
- 6) *Sandy Hollow Progress Association* – amount requested \$1,970.08 amount received \$1647.05 ex GST. – This grant will be used to upgrade their community garden with water efficiency equipment.

Relocation of the Sustainability Hub

Planning is continuing to enable the Sustainability Hub to be moved into the same precinct as the animal shelter. Members of the Penguin Garden Club and Muscle Creek Landcare will be consulted as to the design of these areas of the Sustainability Hub. Hub stakeholder groups such as Muswellbrook High School, Goodstart Learning Centre and Muswellbrook Girl Guides.

It is important to remember that the Sustainability Hub will continue to be used by Muswellbrook Council to practically demonstrate sustainability in terms of energy, water efficiency and waste management.

Seed Collection for New Nursery

Sustainability has been working with Parks and Landcare to develop a system for collecting seeds from local endemic native plants for Council's new nursery.

Electricity Contracts

The Sustainability Unit has been working on a process to ensure Council receives the best price for electricity in the next round of contracts that start in January 2020.

Renewable Energy Target (RET)

A Council report is being completed that details the options available to Council on how to reach its Renewable Energy Target.

Mown Land Tender

Sustainability has been working with council's Works area on including natural areas in the tender for activities involving planting and maintaining gardens in parks.

Sustainable Events

Sustainability has been working with Executive Services to help ensure sustainable initiatives are included in the planning for the Australia Day event.

Save Our Recycling Campaign

The Save Our Recycling Campaign was promoted during December, 2018. A survey commission by Local Government NST seeking advice regarding how the State Government should deal with the Waste Levy was disseminated seeking resident/personal views on the management of household rubbish and recycling in NSW. <https://saveourrecycling.com.au/survey/>

Clean Up Australia Day

Initial planning has begun for this year's Clean Up Australia Day, held on 3 March. AGL has asked to participate again cleaning up on the former Town Common land.

Men's Shed

After a previous report to Council it has now been determined that the land that the Men's Shed were requesting is actually Crown Land not managed by Council. Therefore the Men's Shed will need to request use of this land from the State Government.

High School Drama Students

Muswellbrook High School Year 10 drama students completed a project throughout the term using the Council's Waste Wrangler puppets. At the end of the term they put on a show for the Goodstart Learning Centre children.

International Volunteer Day celebrated at the Sustainable Futures Hub

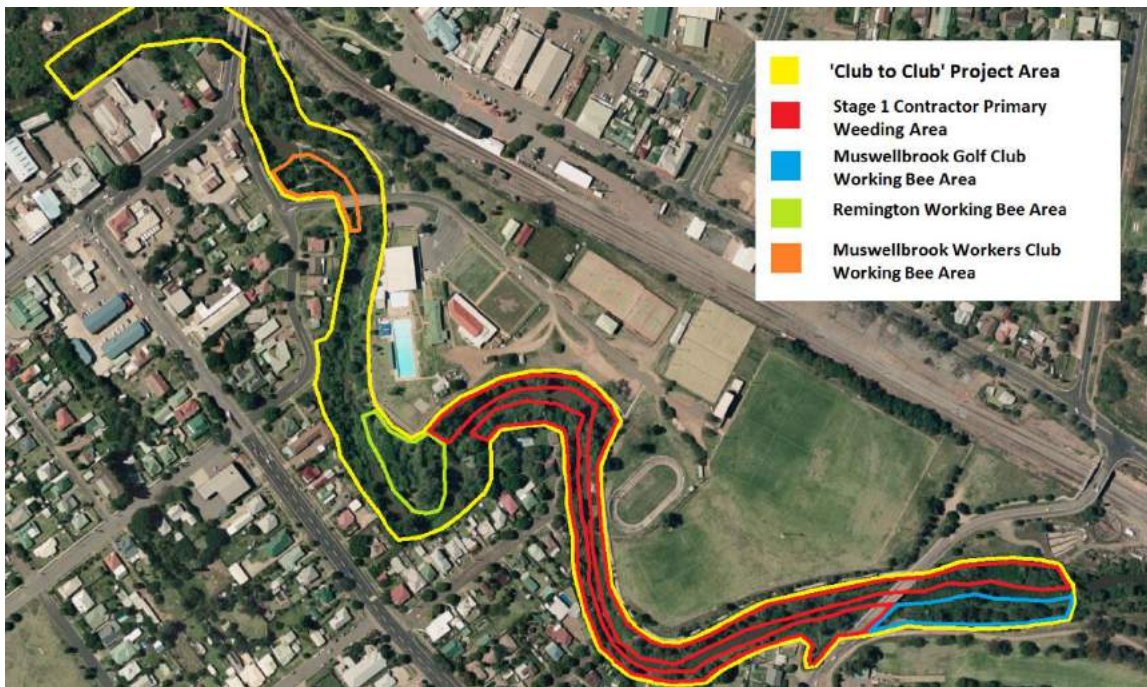


30 community members and Council staff attended an event at the Sustainability Hub for an end of year celebration.

Club to Club Muscle Creek Regeneration Update

Over the past three years the Club to Club Project has transformed Muscle Creek from a highly weed infested area to one no longer dominated by weeds. Over 20 000 native plants have been planted which in the coming years will create a native species dominated riparian area.

By the end of April, 2019 both sides of the creek will have been regenerated through weed control, erosion control and plantings. One area that is prone to erosion, with accessibility issues, continues to provide rehabilitation issues. This section will require large project funding in future.



Weed growth remains low in areas where mulch has been used. However, mulch cannot be the slopes of riparian areas as it will be washed away with heavy rain. It takes many years for plants to grow large enough to provide the shade and leaf drop necessary to control weeds. Also after removing a large amount of weeds this leaves the creek banks exposed to sunlight and therefore weeds will return and must be maintained until the planted trees grow large enough. This is dependent on weather. For some species of plant this could take up to five years. Even after the plants provide this weed control, maintenance is still required to control emergent weeds.

It is important to be aware that in some areas such as the Haydon Street Nature Trail some plants that may appear to be weeds are native grasses that have been planted. Also many weed seeds can keep germinating for many years so again this requires constant monitoring and maintenance.

Weed control along the creek has been good. However the survival and growth of plants has been an issue in particular areas. This has been because of poor soil, lack of rain to supplement watering, theft and vandalism. Poor soil has been addressed by adding pasteurised mulch to improve soil nutrients. Due to the expense of paying a contractor to water plants, during drought, the limited budget has caused tree death. Theft and vandalism has reduced in some areas by installing surveillance signs and cameras.

Conservation Volunteers Australia (CVA)

A team from CVA were scheduled to work in Muswellbrook for one week in December. However this did not occur due to their staff issues. This means some of the work they were scheduled to complete will need to be carried out using other resources. The contract with CVA has concluded.

Fish Habitat Grant

The Sustainability Unit was successful in gaining funding through the Department of Primary Industries through the Fish Habitat Action Grants. The project is officially called the Muscle Creek Lower Reaches Removal of Exotic Vegetation and Native Riparian Plant Replacement Program. This financial year the project will focus on weed control on riparian land near the Golf Club. Next financial year more infill planting will be completed along the creek.

Restoration Grant

The Sustainability Unit has applied for \$40 000 funding through the Restoration and Rehabilitation grants program for the project entitled *Muswellbrook Urban Riparian Restoration*. This is for works upstream from the Fish Habitat Club Project next to the Golf Course. It is anticipated that the Minister will announce the successful projects in May/June 2019

Nature Trail – Muswellbrook; A project plan and call for quotes has been developed. Businesses have been asked to give a quote to design and construct the walking path (See Figure 1 below) which;

- is of a similar style to Stage 1 Nature Trail between Haydon Street and Wilkinson Ave;
- is constructed of compacted crushed rock materials;
- allows for disability access;
- allows for the adequate management of stormwater;
- has a hard surface path wide and firm enough for the above requirements;
- allows enough room for authorised vehicle access;
- incorporates the use of sandstone blocks within the edging of the path;

The creek end of the path will incorporate a compacted crushed rock hard surface area of approximately 310 m².



Nature Trail – Denman;

After assessing various options it was determined that the best option, given the costs and time frame, would be to proceed with the plan as shown in the map below to complement the new Olympic Park car parking area. The new path will be built in stages as funding becomes available.

Small Grants;

On Tuesday 4 December a selection panel was formed to access the small grant applications. Council received four applications.

Successful grant recipients:

- 1) Martindale Creek Catchment Landcare - \$10,000 – Stage 2 Green Cestrum weed control program. Continuing the successful work they have already completed.
- 2) MOOSH - \$4,007 – Planting native gardens at their centre. Lots of educational opportunities.

Possum Gully

Council has the potential to seek up to \$120,000.00 funding under the Increasing Resilience to Climate Change Grants Program for developing a catchment approach to managing stormwater in the Possum Gully catchment.

This grant program will have three funding rounds, but Council will need to bid in the first two rounds (deadlines will be March 2019 and June 2019). Applications will be developed if there is no requirement for matched funding.

Infill Planting Project

Council called for quotes for the Infill Planting Project. It is expected that planting will take place around April. This will involve planting about 2000 plants in between the plants planted as part of the Club to Club project. This will significantly help to reduce the amount of weeds in Muscle Creek by providing the required shade and leaf drop. **Landcare Update**

Muswellbrook Shire currently has eight active Landcare Groups and groups undertaking Landcare activities (Schools, Guides) and another three groups where discussions have taken place but no formal resolution made and one potential cross boundary (Muswellbrook and Singleton LGAs) in very early discussions

Martindale Creek Catchment Landcare (MCCL) has completed Stage 1 of their Green Cestrum Control Project. Funding from MSC for half of Stage 2, looking for other opportunities to continue Green Cestrum control works/maintenance

MCCL hosted direct seeding workshop in November in association with Hunter Councils, Australian Network for Plant Conservation, Hunter LLS, Hunter Region Landcare Network. App 24 participants

Muscle Creek Landcare has been active in undertaking follow up on the Bridge to Bridge Project, undertaking supplementary plantings, removal of rubbish and removal of shopping trolleys from A Muscle Creek, letterbox drop to be undertaken shortly for neighbours of Possum Gully to encourage adoption of Possum Gully and recruit new members into group.

A possible change of working bee day is being considered to encourage new members.

McCully's Gap – Sandy Creek Landcare, has incorporated, will work with group to develop plan for area and build the capacity of members and wider McCully's Gap community.

Landcare "umbrella" groups (not badged but come under the Landcare umbrella)

Sandy Hollow Public School: outdoor classroom project has secured partial funding for the project. The funding approved covers the weed removal but not construction or planting, plants can be sourced for free from other sources but other materials may be problematic.

Muswellbrook High: a couple of talks to group in conjunction with MSC Sustainability Team, to develop 2019 plan with MSC Sustainability Team.

Lake Liddell Trust: plans for continuation of prior plantings, need to check salinity of available water to see if suitable for watering purposes (LC co-ord has access to some free plants). Also developing plans for Aboriginal artefact/cross cultural workshop.

Muswellbrook Girl Guides: Revegetation plantings planned, plants ordered however waiting for suitable weather to undertake planting.

St Helliars: High losses of previous plantings due to drought, potential to set up propagation facility (in conjunction with McCully's Gap- Sandy Creek LC).

Vinnies (St Vincent de Paul Society)

Work has been completed with Ability Links to develop sensory garden, advising on plantings and development of signage.

Other groups

Discussions had been held with Hunter Farm Forestry Network & Hunter Sustainable Agriculture Group for more interaction with Landcare.

Funding

Landcare have applied for \$350,000 under Saving Our Species program, determination should be known soon proposal has potential to assist current and encourage new groups in Muswellbrook and Upper Hunter Local Government Areas. A decision on this funding application is still pending.

Landcare have been successful in securing funding from Hunter Local Land Services to fund the development of a local "seed bank" collecting, storing and supplying local native seed for revegetation projects. Preliminary discussions have occurred with MSC staff to host seed bank with new nursery development.

Hunter LLS has secured funding for a five year Regent Honeyeater Project, to be assisted by Hunter Region Landcare Network and local Landcare groups. This project will be used as an opportunity to train up Landcare volunteers, particularly in seed collection, given funding for seed bank.

Landcare will continue to work with Hunter Local Land Services, Hunter Council's Nine Valleys and Weeping Myall Projects to be run by Hunter Local Land Services following resignation of project officer.

Training and Education Activities

MCCL: Direct seeding workshop, November - very successful with approximately 24 participants

McCully's Gap – Sandy Creek – Site assessment and management planning training – Rained out at last meeting.

Other training activities for summer

Seed Collection

Weed ID and management (in conjunction with Hunter Weeds Authority)

Grass ID & management (dependent on rain/grass growth)

Others as needed/appropriate (LC Coordinator) has workshops on numerous subjects already prepared)

"Eucalypts of the Upper Hunter" is in draft form, to be "test driven" by interested LC members, final publication to be downloadable as pdf.

Cooperation with Council activities.

Working with sustainability team, conduit between MSC and other organisations, assist MSC with design and development of nursery, basic introduction to seed collection for a number of council staff.

Development of nursery in conjunction with seed bank will be of great benefit to Landcare and sustainable land use activities across the district.

Monitoring:

At this stage it appears monitoring protocols for management of groups do not appear to have been developed or adopted (MCCL being the exception). The Landcare Coordinator is developing monitoring and reporting proformas/protocols for groups to report on activities undertaken, participants, time undertaken for activities, WHS issues, material and equipment issues/needs.

REGULATORY SERVICES

Muswellbrook Animal Shelter

Month	Impounded Animals	Adoptions
December 2018	35	8
January 2019	53	8

The following information regarding a behaviour assessment is applied by the animal shelter coordinator to determine an animal's suitability for Adoption suitability.

Dogs:

Assessment commences as soon as each animal arrives at the shelter;

- Do they tolerate initial handling
- Lead behavior
- Physical assessment for injuries/disabilities/disease
- Any obedience (sit etc)

- How they interact walking past the other dogs
- Walking to through doorways
- Playful or fearful
- Interest in toys and what type
- Messy or clean kennel
- Do they use their bed/kennel
- Are they destructive of bedding/toys
- Introduce to other dogs to see if any dog aggression
- Introduce to cats to see if friendly
- Does it have food aggression (I use my mannequin hand to assess this. See image below)
- Further assessment of ability to handle the dog and what it will allow: looking at teeth, in ears, touching paws, stomach, tail etc.
- Is it responding to training?
- How does it interact with strangers?

Cats:

Assessment commences as soon as the animal arrives at the animal shelter.

- Do they tolerate handling
- Physical assessment for injuries/disabilities/disease
- Litter trained?
- Playful or fearful
- Interest in toys and what type
- Messy or clean cage
- Introduce to other cats to see if cat friendly
- Introduce to dogs to see if dog friendly

Each animal is assessed daily with the aim that each animal will integrate well in their new home. Animals that show aggression or have food aggression are not rehomed or adopted.

COMMUNITY SERVICES**Aquatic and Fitness Centres**

During December and January the Muswellbrook Aquatic Centre was heavily utilized, due to the record heat event experience throughout January. Most people attended the pool in the morning and left again as the heat worsened throughout the day.

Both Denman and Muswellbrook centres hosted Power FM Pool Parties which were popular with families who brought picnics and their own shade to celebrate the event.

As a result of customer feedback an accessible chair lift has been installed at the Denman pool and the public can now avoid the ladders if required. This installation has received much positive comment and an increase in the use of the pool by older patrons.

At Muswellbrook pools there has been a high level of interest in reservations for the whale tail inflatable as part of increased use of the pool for birthday parties and family BBQ's. This inflatable device has been fully booked over most weekends throughout the summer period.

Australia day was celebrated again at the Shire pools in both Muswellbrook (518 people) and Denman (approximately 100 people) between 11.00am and 4.00pm. Many families stayed until the pools closed later in the day, the free activities were popular and the crowds were well behaved.

Muswellbrook Learn to Swim (LTS) has returned after the summer school holiday break with 426 students currently enrolled (31/01/2019). This number will continue to increase as people enroll children now that the new school term has recommenced.

Both the Gym in Muswellbrook and Aqua Aerobics in Denman and Muswellbrook continue to increase each week now that the school holiday period has ended

Community Partnerships

1. Support had been provided to; Upper Hunter Youth Services Management Committee and the Upper Hunter Community Service Interagency Network;
2. Participation in the following events: Alwyn Doolan Message Stick Walk, Upper Hunter Mental Health Network; support was provided to the Aboriginal Community at the Muswellbrook Shire Council Australia Day events in particular the Acknowledgment of Country, the Cleansing Ceremony and Upper Hunter NAIDOC Week Award winners who were in attendance at the 25 January Ceremony;
3. A partnership meeting was held this month to progress the planting of native trees on The Former Common. This meeting was held between Wanaruah Local Aboriginal Land Council, Muswellbrook Shire Council, Sustainability Unit and the Community Partnerships Team;
Discussions are in the initial phase, the group have identified that priority for this area is to stop vehicles from illegally entering The Former Common. Support will be provided to Wanaruah Local Aboriginal Land Council where we can to address this priority and subsequent projects;
4. A significant amount of support has been provided to the Local Drug Action Team to develop a consultation strategy to assess service gaps and blockages for individuals and families who are dealing with the impact alcohol and other drug misuse;
5. The Community, Service Providers and Individuals and families will be targeted through separate surveys and consultation methods, all the information is confidential and will inform the development of the LDAT Action Plan, information will also inform the Muswellbrook Coalition Working Party;
6. The Muswellbrook NSW Seniors Festival brochure has been developed and distributed to the community. The NSW Seniors Festival is planned for the 13-24 February 2010 and a variety of local events are happening;
7. Plans are underway for a cinema night to celebrate Youth Week 2019, the event will target young people and their families and this will happen between the 10-18 April 2019;
8. The Collaborative Impact Facilitation Project has provided Premiers and Cabinet with a Discussion Paper on Collective Impact and the Systems and Change Process, this will be incorporated in the planning and delivery of support services for vulnerable people living in the communities of the Muswellbrook Local Government Area;
9. An expression of interest has been developed to engage a consultant to undertake the review of the existing Muswellbrook Shire Council Ageing Strategy.

Muswellbrook Regional Arts Centre

During January, the following artists commenced a six week exhibition period at the MRAC;

2018 Artists in Residents - Caroline McGregor and Samantha Stephenson (White Field).

This exhibition, 'The Invitation' represents the work of McGregor and Stephenson who use found and natural materials which engage with the landscape, at a juncture between the natural and man-made, inviting the viewer to re-frame their perception of a certain. For details of an interview with these artists visit the MRAC webpage;

<https://www.muswellbrook.nsw.gov.au/index.php/in-the-news/3128-the-invitation-caroline-mcgregor-and-samantha-stephenson-of-collaborative-duo-white-field-sat-down-with-the-arts-centre-s-elissa-emerson>

Marie Lunney - (Home Territory)

Inspired by the surrounding landscapes of Scone, Wingen and the Barrington Tops, Upper Hunter artist Marie Lunney uses direct observation to capture her *Home Territory*. Marie's skill and ability to draw out the beauty from within diverse environments has garnered her much respect and admiration, working across the mediums of charcoal, printmaking, and oils. Marie's rough, preparatory charcoal sketches are transformed in oil on canvas - quiet landscapes depicting rural life, with subtle variations in colour and shape inviting the viewer to immerse themselves within the scene. Examining each site at ground level, Marie's drawings and paintings are on sale as part of this exhibition.

Erica Grey – Pipe Dreams

In Pipe Dreams, Erica Gray literally turns the gallery walls inside out with this bright and quirky exhibition of soft sculpture. Growing up in the suburbs with a father who worked as a plumber and three brothers that eventually followed him into the trade, as a child Erica was surrounded by pipes and now she has created these bold red PVC fabric pipes that seem to exude a perky optimism. A pipedream is a tremendous hope that is impossible to achieve. Similarly, the nonsensical squishy pipe creations that Erica produces could never (and don't wish to) perform the primary role of a pipe. This has proven to be a popular exhibit.

Max Watters Collection – 'Heat' a sunburnt country.

The fierce, crushing heat and humidity of our sunburnt country near obliterates the landscape. "Heat" is evocative of the Australian Summer, propelling the gallery visitor into an all too familiar environment. We can sense the brittle, dry grass felt under foot in Maeve Wood's Dirt, Feathers and Grass Seeds - Bush Abstract 4; the intense heat radiating from Peter Freeman's Trees and Viola Bromley's Along the Rouchel. Selected from the Max Watters Collection, together the works urge us to experience, to confront Heat.

During January and February the MRAC commenced a new digital entry process for artists interested in entering works in the three categories of the Muswellbrook Art Prize (MAP). As a result of this new streamlined process and the additional promotion of the event using social media there was a record number of entries, 589, in the MAP this year. The successful shortlisted works can be found on the MRAC webpage.

The Muswellbrook Art Prize opens on 9 March, 2019.

Upper Hunter Regional Library

Library Entries during January;

Muswellbrook 3,675

Denman 304

	Muswellbrook	Denman
Junior Membership	792	160
Young Adult	557	60
Adult	5178	351

Senior	558	911
Home Library	33	8
Institution	159	5
Other	9	
New Memberships (January)	91	10
Wifi Usage	314 tickets and 154 users	38 tickets and 26 users
Items Reserves	207	35
Items Borrowed	3191	415

Summer Reading Statistics:

New Memberships During SRC Period:

	Denman	Muswellbrook	Total
Adult	5	84	89
Junior	9	49	58
Reciprocal	0	0	0
Senior	0	3	3
Young adult	1	83	84
TOTAL	15	219	234

Total loans by all borrowers at Denman and Muswellbrook during SRC period

Denman:

Loans: 778 Renewals: 131 Total: 909

Muswellbrook:

Loans: 4797 Renewals: 1193 Total: 5990

UHRL Total: 6899

During January, the Facebook page has had 271 unique page views, posts seen by 6240 people, 1630 people have liked or commented or shared our posts and we have had 41 new followers

What happened over the Summer Reading Programming?

Services:	
Computer Bookings for the month of November 2018 to January 2019	23 rd to 30 th November 2018 191/user 236.5/hour 1 st to 21 st December 2018

Services:	
	506/user 643/hour 2 nd to 29 th January 2019 655/user 1018/hour 1352/user 1897.5/hour
Storytime totals as of 6 th December 2018	52 babies/kids/parents/carers
Your Home Library Service Delivery (fortnightly/monthly)	15 members 184 books/DVDs/audiobooks
Regular & Special Events:	
Summer Reading Program Events for 2018-19 Theme: Curious Creatures 1. Curious Science @ the Marketplace on 4th & 18th January 2019 2. Story time @ the Pool on 7th January 2019 3. Petting Zoo 'Sweet Valley Baby Animals' on 9th January 2019 4. Curious Sweets Creations with Hunter Park on 11th January 2019 5. Curious Science Activities on 16th January 2019 6. Lego Quest Challenge on 17th January 2019 7. Summer Reading Program Party on 24th January 2019	61 attendees 11 attendees 231 attendees 40 attendees 97 attendees 25 attendees 45 attendees

Technical Services (TS) @ your library,

Over January the priority in TS has been to update the Not on File records that were collected during the recent stock take of the Upper Hunter libraries. The TS staff have worked solely on updating records/ removing these from the system over the month of January. This has now been completed and all the stock that does not meet the Collection Development Policy guidelines have been removed.

During the Summer Reading Program all staff were called upon to help with events and overall it was an extremely busy and rewarding program along with staff fulfilling all other day to day tasks within the set timeframes.

The Inter Library loan figures for December – 29.01.2019:

7 requests from our customers

Multicultural requests: bulk loans for Portuguese, Panjabi and Hindi junior books

16 ILL requests supplied to outside libraries.

Accessioning approximate figures for 21.12.18 to 23.1.2019:

216 items accessioned from Books in normal and large print, spoken word items, DVD's, CD's.

Summer Highlights:

The response to the Summer Reading Program was extremely positive which included the mixture of the reading component and the extra library activities. It was very encouraging to see a number of new families getting on board with the Readopoly challenges and events such as the curious science and Lego challenges. During an extremely hot summer the members came out in droves and supported the library. The library staff visited the Muswellbrook Marketplace for a bit of crafty fun also it was a successful holiday period. Upper Hunter Community Services also helped out on two of the events which demonstrated great collaboration.

The overwhelming turnout at two of the events in Muswellbrook branch has opened up discussion in planning for potentially large numbers in the future with over 200 coming to the animal day and many for the science day also. The social media page and coverage by the local paper of events was also very pleasing.

Bookings have also been very steady in the meeting rooms and seminar rooms over Dec-Jan and strong bookings for the New Year so far. Planning is now underway for a series of Author visits and Seniors Week in February,

13 REPORTS FROM COMMITTEES

13.1 REPORT OF THE INFRASTRUCTURE COMMITTEE MEETING HELD ON WEDNESDAY, 19 DECEMBER 2018

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Michelle Sandell-Hay - PA to the General Manager
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Infrastructure Committee held on 19 December 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Infrastructure Committee Meeting held on Wednesday 19 December 2018 be received and the recommendations contained therein **ADOPTED**.

Moved: _____ Seconded: _____

REPORT

The Infrastructure Committee met on Wednesday 19 December 2018.

The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

PRESENT: Cr B.N. Woodruff (Chair), Cr M. Rush, Cr S. Bailey, Cr M. Bowditch, Cr J.F. Eades, Cr J. Foy, Cr M. Green, and Cr R. Scholes.

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director - Community Infrastructure), Ms C. O'Brien (Acting Director – Environment & Community Services), Ms S. Pope (Executive Manager – Environment & Community Services), Ms G. Bobsien (Executive Manager – Economic Development & Innovation), Mr G. Abeywardena (Assistant Director – Community Infrastructure & Chief Engineer), Mr M. Lysaught (Manager, Property & Building Services), Mr J. Brown (Manager – Integrated Planning, Risk & Governance), Ms K. Scholes (Manager – Roads, Drainage & Technical Services), Mr A. Mitreski (Policy Officer), Mrs M. Sandell-Hay (PA to General Manager), Ms C. Middleton (Communications Officer), Mr D. Fernandes (Project Manager – Property & Building), Mrs L. Payne (Co-Ordinator – Financial Services), Mr P. Chandler (Recreation & Property Officer) and 1 person in the public gallery.

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Rush and Bowditch that:

The apologies for inability to attend the meeting submitted by Cr. G. McNeill, Cr. S. Bailey and Cr. S. Reynolds be ACCEPTED and the necessary Leave of Absence be GRANTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Scholes and Eades that:

The Minutes of the Infrastructure Committee held on 28 November 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 BUSINESS ARISING

Nil

5 BUSINESS

5.1 WASTE COMPLIANCE REPORT

RECOMMENDED on the motion of Crs Scholes and Bowditch that:

The information contained in this report be noted.

6 DATE OF NEXT MEETING

30 January 2019

RECOMMENDED on the motion of Crs Rush and Bowditch that:

The meeting adjourn until such time that Cr Green arrives so that a quorum is present.

7 CLOSURE

The meeting was declared closed at 4.33pm.

.....
Ms F. Plesman
General Manager

.....
Cr B. Woodruff
Chairperson

**13.2 REPORT OF THE CORPORATE POLICY AND PLANNING COMMITTEE
MEETING HELD ON WEDNESDAY, 19 DECEMBER 2018**

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Michelle Sandell-Hay - PA to the General Manager
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Corporate Policy And Planning Committee held on 19 December 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Corporate Policy And Planning Committee Meeting held on Wednesday 19 December 2018 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Corporate Policy And Planning Committee met on Wednesday 19 December 2018.
The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

PRESENT: Cr R. Scholes (Chair), Cr S. Bailey, Cr M. Rush, Cr M. Bowditch, Cr J.F. Eades, Cr M. Green, and Cr B.N. Woodruff.

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director - Community Infrastructure), Ms S. Pope (Executive Manager – Environment & Community Services), Ms G. Bobsien (Executive Manager – Economic Development & Innovation), Mr G. Abeywardena (Assistant Director – Community Infrastructure & Chief Engineer), Mr M. Lysaught (Manager, Property & Building Services), Mr J. Brown (Manager – Integrated Planning, Risk & Governance), Ms L. Payne (Co-ordinator - Financial Services), Mr A. Mitreski (Policy Officer), Mr D. Fernandes (Project Officer – Works, Property & Building), Ms C. Middleton (Communications Officer), Mr P. Chandler (Recreation & Property Officer) and Mrs M. Sandell-Hay (PA to General Manager).

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

The apologies for inability to attend the meeting submitted by Cr. G. McNeill, Cr. S. Bailey, Cr J. Foy, Cr J. Ledlin, Cr. S. Reynolds and Cr S. Ward be ACCEPTED and the necessary Leave of Absence be GRANTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Woodruff and Bowditch that:

The Minutes of the Corporate Policy & Planning Committee held on 28 November 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Cr M. Bowditch – declared an insignificant non-pecuniary interest in Item 5.1. Cr Bowditch advised the Committee that the company he works for is a member of the Chamber of Commerce.

Cr J. Eades – declared a significant non-pecuniary interest in Item 7.1. Cr Eades advised the Committee that three of the nominations were put forward by the Lions Club of which she is a member.

Cr S. Bailey – declared an insignificant non-pecuniary interest in Item 5.1. Cr Bailey advised the Committee that the Muswellbrook Chamber does business with the Club that he is employed by and uses their premises on a semi regular basis and the Club is a member of the organisation.

Cr Bailey - also declared an insignificant non-pecuniary interest in Item 7.1. Cr Bailey advised the Committee that he has relationships with a number of nominees.

4 BUSINESS ARISING

Nil

5 BUSINESS

5.1 SPONSORSHIP REQUEST - MUSWELLBROOK CHAMBER OF COMMERCE BUSINESS AWARDS

Disclosure of Interest

Cr M. Bowditch declared an insignificant non-pecuniary interest in this item. Cr Bowditch advised the Committee that the company he works for is a member of the Chamber of Commerce.

Cr S. Bailey declared an insignificant non-pecuniary interest in this Item. Cr Bailey advised the Committee that the Muswellbrook Chamber does business with the Club that he is employed by, uses their premises on a semi regular basis and the Club is a member of the organisation.

Cr Bowditch and Cr Bailey left the meeting room at 4.50pm and therefore took no part in discussion or voting on this item.

RECOMMENDED on the motion of Crs Rush and Eades that:

Council:

Approve the request for sponsorship from the sundry sponsorship and donations budget for the Muswellbrook Chamber of Commerce and Industry Inc. in the amount of \$1000.00.

Crs Bowditch and Bailey returned to the meeting room at this stage and resumed their chairs at the meeting table.

5.2 REPORT ON INVESTMENTS HELD AS AT 30 NOVEMBER 2018

RECOMMENDED on the motion of Crs Woodruff and Rush that:

The information showing Council's investments as at 30 November 2018 be noted, with no exceeded trading limits on any issuers.

5.3 EVENTS AND FESTIVALS RECOMMENDATIONS FOR 2019

RECOMMENDED on the motion of Crs Bailey and Woodruff that:

Council adopts the events calendar for 2019.

5.4 AIR QUALITY ADVOCACY

RECOMMENDED on the motion of Crs Rush and Bailey that:

1. The information contained in this report be noted.
2. The Air Quality Sunset Committee is convened in early 2019 to develop a list of issues related to Air Quality in the Upper Hunter in preparation for the review of the Upper Hunter Air Quality Committee meeting remit. This committee will be chaired by Cr G. McNeill as with Crs Reynolds and Green as voting members.
3. The General Manager provides relevant staff to support the sunset committee as required.

5.5 REVISED LONG TERM FINANCIAL PLAN

RECOMMENDED on the motion of Crs Bailey and Rush that:

Council endorse the reviewed 2019-20 to 2029-30 Long Term Financial Plan for a period of public exhibition of 28 days.

6 ADJOURNMENT INTO CLOSED COMMITTEE

RECOMMENDED on the motion of Crs Bowditch and Woodruff that:

The Committee adjourn into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

7.1 DETERMINATION OF AUSTRALIA DAY 2019 AWARDS

Item 7.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(a) of the local government act 1993, as it deals with personnel matters concerning particular individuals (other than councillors), and the Committee considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

7 CLOSED COMMITTEE

7.1 DETERMINATION OF AUSTRALIA DAY 2019 AWARDS

RECOMMENDED on the motion of Crs Green and Woodruff that:

The Committee consider the nominations and determine the winners of the 2019 Australia Day Awards for the following:

Awards	Winner
1. Young Citizen of the Year	Nominee H
2. Citizen of the Year	Nominee J
3. Junior Sportsperson of the Year	Nominee K
4. Services to Sports Award	Nominee A1
5. Sustainability	Nominee O
6. Education	Nominee W
7. Cultural Youth	Nominee Y

RECOMMENDED on the motion of Crs Rush and Woodruff that:

Consideration of the Nominations for the Social Inclusion Award be delegated to the Emeritus Mayor, or a delegate appointed by the General Manager if the Emeritus Mayor is unavailable, to determine the winner of the Social Inclusion Award.

8 RESUMPTION OF OPEN COMMITTEE

RECOMMENDED on the motion of Crs Bailey and Bowditch that:

The meeting return to Open Committee.

RECOMMENDED on the motion of Crs Rush and Woodruff that:

The "Record of Proceedings" of the Infrastructure be endorsed the Committee.

9 DATE OF NEXT MEETING

30 January, 2019

10 CLOSURE

The meeting was declared closed at 5.28pm.

.....

Ms F. Plesman

General Manager

.....

Cr R. Scholes

Chairperson

**13.3 REPORT OF THE CORPORATE POLICY AND PLANNING COMMITTEE
MEETING HELD ON WEDNESDAY, 30 JANUARY 2019**

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Michelle Sandell-Hay - PA to the General Manager
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Corporate Policy And Planning Committee held on 30 January 2019.

OFFICER'S RECOMMENDATION

The Minutes of the Corporate Policy And Planning Committee Meeting held on Wednesday 30 January 2019 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Corporate Policy And Planning Committee met on Wednesday 30 January 2019.
The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

PRESENT: Cr R. Scholes, (Chair), Cr M. Rush, Cr M. Bowditch, Cr J.F. Eades, Cr M. Green, Cr S. Ward, Cr B.N. Woodruff, Cr. J. Ledlin

IN ATTENDANCE: Ms F. Plesman (General Manager), Mr D. Finnigan (Director - Community Infrastructure), Ms C. O'Brien (Acting Director – Environment & Community Services), Ms N. Cowley (Executive Manager – Office of the Chief Financial Officer), Ms S. Pope (Executive Manager – Environment & Community Services), Ms G. Bobsien (Executive Manager – Economic Development & Innovation), Mr Mr M. Lysaught (Manager, Property & Building Services), Mr A. Mitreski (Policy Officer) and Mrs M. Sandell-Hay (PA to General Manager).

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Bowditch and Woodruff that:

The apologies for inability to attend the meeting submitted by Cr. J. Foy, Cr. G. McNeill, Cr. S. Reynolds and Cr. S. Bailey be ACCEPTED and the necessary Leave of Absence be GRANTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Bowditch and Green that:

The Minutes of the Corporate Policy & Planning Committee held on 19 December 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 BUSINESS ARISING

Nil

5 BUSINESS

5.1 REPORT ON INVESTMENTS HELD AS AT 31 DECEMBER 2018

RECOMMENDED on the motion of Crs Bowditch and Ward that:

The information showing Council's investments as at 31 December 2018 be noted and the exceeded trading limits on two issuers be accepted.

6 DATE OF NEXT MEETING

27 February 2019

7 CLOSURE

The meeting was declared closed at 5.36pm.

.....
Ms F. Plesman

General Manager

.....
Cr R. Scholes

Chairperson

**13.4 REPORT OF THE DEVELOPMENT ASSESSMENT COMMITTEE
MEETING HELD ON MONDAY, 17 DECEMBER 2018**

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Michelle Sandell-Hay - PA to the General Manager
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Development Assessment Committee held on 17 December 2018.

OFFICER'S RECOMMENDATION

The Minutes of the Development Assessment Committee Meeting held on Monday 17 December 2018 be received and the recommendations contained therein **ADOPTED**.

Moved: _____ Seconded: _____

REPORT

The Development Assessment Committee met on Monday 17 December 2018.

The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

PRESENT: Cr B. Woodruff (Chair), Cr M. Rush, Cr S. Bailey, Cr J. Ledlin and Cr R. Scholes.

IN ATTENDANCE: Mrs C. O'Brien (Director – Environment & Community Services), Ms S. Pope (Assistant Director – Environment & Community Services), Mr H. McTaggart (Co-Ordinator Development) and Mr J. Brown (Acting Manager – Integrated Planning, Risk & Governance), Mr G. Hemachandra (Project Engineer) and Mrs M. Sandell-Hay.

1 APOLOGIES AND LEAVE OF ABSENCE

Nil

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Bailey and Ledlin that:

The Minutes of the Development Assessment Committee held on 3 December 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Cr B. Woodruff – declared a pecuniary interest in Item 6.4. Cr Woodruff advised the Committee that he undertakes work on behalf of his employer at two of the sites mentioned in the report.

Cr R. Scholes – declared a pecuniary interest in Item 6.4. Cr Scholes advised the Committee that he Cr Scholes advised Council that he is employed as a contractor by Thiess who contract to Mt Arthur Coal.

4 PUBLIC PARTICIPATION

Nil

5 BUSINESS ARISING

Nil

6 BUSINESS

6.1 DA 94/2018 - 60 COUSINS STREET MUSWELBROOK - ABOVE GROUND POOL & DECK

RECOMMENDED on the motion of Crs Bailey and Ledlin that:

Development Application No. 94/2018 proposing to construct a shed at Lot 504 DP 804146, 60 Cousins Street, Muswellbrook be approved subject the conditions in Appendix B to the report.

In Favour: Crs S. Bailey, J. Ledlin and B. Woodruff.

Against: Nil.

6.2 DA 98/2018 - GARAGE & DECK - 93 SYDNEY STREET, MUSWELLBROOK

RECOMMENDED on the motion of Crs Bailey and Ledlin that:

Development Application No. 98/2018, proposing to construct a garage and deck at, Lot 7 DP

MINUTES OF THE DEVELOPMENT ASSESSMENT COMMITTEE MEETING OF THE MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION CENTRE, MUSWELLBROOK ON MONDAY 17 DECEMBER, 2018 COMMENCING AT 4.06PM.

5634 known as 93 Sydney Street, Muswellbrook, be approved subject the conditions in Appendix B to the report.

In Favour: Crs S. Bailey, J. Ledlin and B. Woodruff.

Against: Nil.

6.3 OUTSTANDING DEVELOPMENT APPLICATIONS REPORT

RECOMMENDED on the motion of Crs Ledlin and Bailey that:

The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.

Cr Rush arrived at 4.23pm

6.4 ROAD CLOSURE RESOLUTION

Disclosure of Interest

Cr B. Woodruff declared a pecuniary interest in this Item. Cr Woodruff advised the Committee that he undertakes work on behalf of his employer at two of the sites mentioned in the report.

Cr R. Scholes declared a pecuniary interest in this Item. Cr Scholes advised the Committee that he Cr Scholes advised Council that he is employed as a contractor by Thiess who contract to Mt Arthur Coal.

Cr Woodruff and Cr Scholes left the meeting at 4.24pm and therefore took no part in discussion or voting on this item.

Cr Rush assumed the role of Chair for this item.

RECOMMENDED on the motion of Crs Rush and Bailey that:

1. Without predetermining any particular application under Division 3 of Part 4 of the Roads Act 1993, Council adopts a general policy that significant alterations to the rural road network should not be resolved until after the adoption of a new Local Environmental Plan – presently anticipated in May 2019.
2. Review and finalisation of the Contributions Plan accompanying the Mine Affected Roads Strategy.

7 DATE OF NEXT MEETING

28 January 2019

8 CLOSURE

The meeting was declared closed at 4.26 pm.

.....
Cr B. Woodruff

Chairperson

**MINUTES OF THE DEVELOPMENT ASSESSMENT COMMITTEE MEETING OF THE
MUSWELLBROOK SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION
CENTRE, MUSWELLBROOK ON MONDAY 17 DECEMBER, 2018 COMMENCING AT 4.06PM.**

**13.5 REPORT OF THE DEVELOPMENT ASSESSMENT COMMITTEE
MEETING HELD ON MONDAY, 14 JANUARY 2019**

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Michelle Sandell-Hay - PA to the General Manager
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Development Assessment Committee held on 14 January 2019.

OFFICER'S RECOMMENDATION

The Minutes of the Development Assessment Committee Meeting held on Monday 14 January 2019 be received and the recommendations contained therein ADOPTED.

Moved: _____ Seconded: _____

REPORT

The Development Assessment Committee met on Monday 14 January 2019.

The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

PRESENT: Cr B. Woodruff (Chair), Cr M. Green and Cr M. Bowditch.

IN ATTENDANCE: Ms S. Pope (Assistant Director – Environment & Community Services), Mr H. McTaggart (Co-Ordinator Development) and Mrs M. Sandell-Hay.

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Crs Bowditch and Green that:

The apologies for inability to attend the meeting submitted by Cr. M. Rush and Cr. R. Scholes be ACCEPTED.

2 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

RECOMMENDED on the motion of Crs Woodruff and Green that:

The Minutes of the Development Assessment Committee held on 17 December 2018, a copy of which has been distributed to all members, be taken as read and confirmed as a true record.

3 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Cr M. Bowditch – declared a Pecuniary Interest in Item 6.2. Cr Bowditch advised the Committee that the applicant is a relative.

4 PUBLIC PARTICIPATION

Mr Brett Osborn – in support of Item 6.1.

5 BUSINESS ARISING

Nil

6 BUSINESS

6.1 DA 95/2017 CONCRETE BLOCK RETAINING WALL AND STEEL FRAMED SHED

RECOMMENDED on the motion of Crs Green and Bowditch that:

Development Application No. 95/2017 for the construction of a concrete block retaining wall and steel framed shed at Lot 103 DP 1153819, 70-72 Ironbark Road, Muswellbrook be approved subject to the conditions of consent included in Attachment B.

6.2 DA 62/2018 TWO LOT SUBDIVISION

Disclosure of Interest

Cr M. Bowditch declared a pecuniary interest in this item. Cr Bowditch advised that the applicant is a relative.

As a quorum would not be present this item is to be submitted to the Extra-Ordinary Council Meeting scheduled for 30 January, 2019.

6.3 DA 102/2018 ANCILLARY DEVELOPMENT - REMOVAL OF FENCING, ENTRY GATES AND SIGN. CONSTRUCTION OF NEW FENCING, LANDSCAPING AND BUSINESS IDENTIFICATION SIGN.

RECOMMENDED on the motion of Crs Green and Bowditch that:

Development Application No. 102/2018, involving the removal of fencing, entry gates and sign and construction of new fencing, landscaping and business identification signs, at Lot 132 & 133 DP 610464, be approved subject to the conditions in Appendix B to the report.

6.4 OUTSTANDING DEVELOPMENT APPLICATIONS REPORT

RECOMMENDED on the motion of Crs Green and Bowditch that:

The Committee note the undetermined Development Applications listed in Attachment A and the status of their assessment.

8 DATE OF NEXT MEETING

TBA

9 CLOSURE

The meeting was declared closed at 5.35pm.

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Cr B. Woodruff

Chairperson

**13.6 REPORT OF THE RELOCATION STEERING COMMITTEE MEETING
HELD ON WEDNESDAY, 23 JANUARY 2019**

Attachments:	Nil
Responsible Officer:	Fiona Plesman - General Manager
Author:	Michelle Sandell-Hay - PA to the General Manager
Community Plan Issue:	<i>A Council that is well managed, efficient and properly resourced and that is responsive to its communities and stakeholders</i>
Community Plan Goal:	<i>Maintain a strong focus on financial discipline to enable Council to properly respond to the needs of the communities it serves.</i>
Community Plan Strategy:	<i>Appropriate matters are reported to Council in a timely manner in accordance with the Financial Control and Reporting Policy.</i>

PURPOSE

To facilitate Council's adoption of the recommendations of the meeting of the Relocation Steering Committee held on 23 January 2019.

OFFICER'S RECOMMENDATION

The Minutes of the Relocation Steering Committee Meeting held on Wednesday 23 January 2019 be received and the recommendations contained therein **ADOPTED**.

Moved: _____ Seconded: _____

REPORT

The Relocation Steering Committee met on Wednesday 23 January 2019.

The Minutes of the meeting are attached for the information of the Councillors.

DECISIONS REQUIRING A NEW BUDGET ALLOCATION

Item Ref	Description	\$	GL No.

PRESENT: Cr M. Rush (Chair), Cr R. Scholes, Ms F. Plesman (General Manager) and Mr D. Finnigan (Director – Community Infrastructure).

IN ATTENDANCE: Ms S. Pope (Assistant Director – Environment & Community Services), Ms N. Cowley (Executive Officer – Office of the Chief Financial Officer), Mr D. Fernandes (Project Manager – Property & Building), Mrs M. Sandell-Hay (PA to the General Manager).

1 APOLOGIES AND LEAVE OF ABSENCE

RECOMMENDED on the motion of Cr Scholes and Ms Plesman that:

The apologies for inability to attend the meeting submitted by Cr. B. Woodruff be ACCEPTED.

2 DISCLOSURE OF ANY PECUNIARY AND NON-PECUNIARY INTEREST

Nil

3 BUSINESS ARISING

Nil

4 BUSINESS

ADJOURNMENT INTO CLOSED COUNCIL

RECOMMENDED on the motion of Crs Rush and Scholes that:

Council adjourn into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

4.1 CO-LOCATION OF RICHARD GILL MUSIC SCHOOL AND COUNCIL ADMINISTRATION SERVICES

Item 4.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

4.2 COMMERCIAL TERMS FOR THE USE BY THE RICHARD GILL MUSIC ACADEMY TO COUNCILS ADMINISTRATION BUILDING MAITLAND ROAD MUSWELLBROOK

Item 4.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

4.3 COUNCIL CHAMBERS AND ADMINISTRATION RELOCATION

Item 4.3 is classified CONFIDENTIAL under the provisions of Section10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

4.1 CO-LOCATION OF RICHARD GILL MUSIC SCHOOL AND COUNCIL ADMINISTRATION SERVICES

RECOMMENDED on the motion of Crs Rush and Scholes that:

1. The report be noted.
2. An alternate Plan B be provided to the Steering Group contemplating co-location for 12 months.

4.2 COMMERCIAL TERMS FOR THE USE BY THE RICHARD GILL MUSIC ACADEMY TO COUNCILS ADMINISTRATION BUILDING MAITLAND ROAD MUSWELLBROOK

RECOMMENDED on the motion of Cr Rush and Ms Plesman that:

Council delegate to the General Manager the lease of the Council Administration Building to the Richard Gill Music Academy.

4.3 COUNCIL CHAMBERS AND ADMINISTRATION RELOCATION

RECOMMENDED on the motion of Crs Rush and Scholes that:

Council delegate to the General Manager the preparation of a lease with the party identified in Option 3 of the report and report back to the Committee in a fortnight.

5 RESUMPTION OF OPEN COMMITTEE

RECOMMENDED on the motion of Crs Rush and Scholes that:

The meeting return to Open Committee

6 DATE OF NEXT MEETING

6 February, 2019

7 CLOSURE

The meeting was declared closed at 5.21pm.

.....

Ms F. Plesman

General Manager

.....

Cr M. Rush

Chairperson

**MINUTES OF THE RELOCATION STEERING COMMITTEE MEETING OF THE MUSWELLBROOK
SHIRE COUNCIL HELD IN THE COUNCILLORS ROOM, ADMINISTRATION CENTRE,
MUSWELLBROOK ON WEDNESDAY 23 JANUARY, 2019 COMMENCING AT 4.30PM.**

14 NOTICES OF MOTION / RESCISSION

Nil

15 QUESTIONS WITH NOTICE

Nil

16 COUNCILLORS REPORTS**17 QUESTIONS FOR NEXT MEETING****18 ADJOURNMENT INTO CLOSED COUNCIL**

In accordance with the Local Government Act 1993, and the Local Government (General) Regulation 2005, business of a kind referred to in Section 10A(2) of the Act should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

19 CLOSED COUNCIL**RECOMMENDATION**

That Council adjourn into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution. This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:

19.1 TENDER NO. 2018-2019-0077 - UPGRADE OF THOMAS MITCHELL DRIVE - STAGE 4A

Item 19.1 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(ii) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.2 TENDER - 2017-2018-0322 RECONSTRUCTION OF FOOTPATH, DENMAN CBD

Item 19.2 is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(i) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.3 TENDER 2018-2019-0348 - SUPPLY AND DELIVERY OF A 32T LANDFILL COMPACTOR

Item 19.3 is classified CONFIDENTIAL under the provisions of Section 10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.4 LEGAL SERVICES TENDER

Item 19.4 is classified CONFIDENTIAL under the provisions of Section10A(2)(d)(l) of the local government act 1993, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

19.5 REGIONS IN TRANSITION PROGRAM

Item 19.5 is classified CONFIDENTIAL under the provisions of Section10A(2)(c) of the local government act 1993, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, and Council considers that discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Moved: _____ **Seconded:** _____

20 RESUMPTION OF OPEN COUNCIL

21 CLOSURE

DATE OF NEXT MEETING: TUESDAY 12 MARCH 2019